PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 391

HOUSE OF COMMONS

OFFICIAL REPORT

FIRST SESSION OF THE FIFTY-THIRD PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FIFTY-FIRST YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 2001–02

COMPRISING PERIOD
21 October 2002—31 October 2002

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HER MAJESTY'S GOVERNMENT

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21 October 2002

THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE FIRST SESSION OF THE FIFTY-THIRD PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 13 JUNE 2001]

FIFTY-FIRST YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 391**

TWENTY-SECOND VOLUME OF SESSION 2001-2002

House of Commons

Monday 21 October 2002

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

COMMITTEE OF SELECTION

Order read for resuming adjourned debate on Question [16 October],

That Mr. John Hayes be discharged from the Committee of Selection and Mr. Peter Luff be added to the Committee—*[Mr. Woolas.]*

Hon. Members: Object.

Debate to be resumed tomorrow.

Oral Answers to Questions

WORK AND PENSIONS

The Secretary of State was asked—

Pensions

1. **Mr. George Osborne** (Tatton): If he will make a statement on the number of final salary pension schemes that have closed in the last year. [73059]

3. **Mr. Mark Hoban** (Fareham): If he will make a statement on the Government's response to the Pickering report. [73061]

5. **Mr. Lindsay Hoyle** (Chorley): If he will make a statement on the powers of employers to reduce employees' final salary pension scheme. [73063]

The Secretary of State for Work and Pensions (Mr. Andrew Smith): Final salary schemes remain the most widespread form of pension provision. Where there is a shift to money purchase, the key thing is the level of contributions rather than the nature of the scheme as such. It is clearly crucial that we have proper partnership between employers, employees, the financial services industry and Government, with each meeting their responsibilities.

A simpler regulatory framework, as both Sandler and Pickering emphasised, would make it easier for companies and workers to save through good schemes. As the Green Paper will be consultative, hon. Members and the public will have every opportunity to influence policy before decisions are taken.

Mr. Osborne: I note that the Secretary of State did not answer my question at all. May I ask him this supplementary question? Confidence in personal and occupational schemes will have been severely damaged this weekend by news that the Government are considering abolishing higher-rate tax relief on pension contributions—[HON. MEMBERS: "Hear, hear."] I hear some cheering on the Labour Benches. The Government have tried to distance themselves from the story by saying that the adviser to Downing street is independent. To my mind, that reinforces the story. Will the Secretary of State give a simple yes or no answer: are the Government considering, at official or ministerial level, plans to abolish higher-rate tax relief on pension contributions? Yes or no?

Mr. Smith: On the first part of the hon. Gentleman's question, as hon. Members know, the review of statistics

from the Office for National Statistics recently made a number of recommendations as to how the collection of statistics might be improved. If the recommendation that more information should be collected through the employers and families surveys can be taken forward as we would like, it would give us better data.

On the question about tax relief, as the hon. Gentleman and the House know, questions concerning taxation are matters for Budgets. We have no such plans; if we had such plans we would come to the House of Commons and say so. As hon. Members will understand, ahead of an important document such as the pensions Green Paper, Ministers receive all sorts of representations. I can tell the hon. Gentleman that Ministers have taken no decisions of the sort suggested—it is all fevered speculation. It would be best to wait and see what is in the pre-Budget report and the Green Paper itself.

Mr. Hoban: Does the Secretary of State recognise that the abolition of higher-rate tax relief on pensions contributions would make it less and not more likely that people would save towards their retirement? Will that not lead to a deepening of the crisis in funded pension provision?

Mr. Smith: I am not sure whether the hon. Gentleman was listening to the reply that I have just given. He will not tempt me to engage in hypothetical speculation on this important matter.

Mr. Hoyle: Does my right hon. Friend share my concerns, following the actions of Scottish Widows and British Airways—to name but two—on final salary pension schemes? Will he consider a change in the law to ensure that employers hold full consultations so that those practices do not continue at the expense of people who work for such companies?

Mr. Smith: As I said in my opening response, it is very important that all parties in pension provision—employers included—meet their responsibilities. I have discussed the issues with the CBI and we are encouraging the partnership discussions that are under way between the CBI and the TUC. It should be stressed that good pension arrangements are crucial to business in recruiting and retaining a good work force. We shall address those issues further in the Green Paper.

Mr. James Plaskitt (Warwick and Leamington): But is my right hon. Friend aware that management and ownership changes in companies can sometimes create problems? For example, management buy-outs sometimes give new managements the opportunity to tear up existing schemes. Does my right hon. Friend think that some additional measures to safeguard existing schemes should be provided in future to deal with such circumstances?

Mr. Smith: Among the provisions that would address my hon. Friend's concern—which has been drawn to our attention—are the 401k arrangements that operate in the United States. As with other aspects of this matter, we shall be considering those as part of the Green Paper. As I pointed out earlier, hon. Members and the general public, including trade unions and employers, will have full opportunity to make comments on the proposals in the Green Paper.

Mr. Steve Webb (Northavon): In my usual generous way, I fully accept that the Secretary of State inherited a complete mess in relation to pensions, for which he is not personally responsible, but does he accept that the situation now is urgent and that each day we have more bad news on final salary schemes and private sector pensions? Is he not concerned that, if we have a Green Paper in response to consultation papers, then consult on it, then legislate, it may be several years before workable legislation is in place, and that by then there may not be much of a pensions sector left? Does he not think that more urgent action is needed?

Mr. Smith: This is an extremely important policy area to address, and to address properly. As the hon. Gentleman and the House will understand, pensions policy is, by definition, for the long term, and I believe that we will get the best policy on the basis of calm reflection. Yes, of course these are matters of urgency but with calm and proper consideration and consultation we can put something in place that is durable, and rebuild confidence in the pension promise. We would not do that through knee-jerk reaction to fevered press speculation.

Mr. Clive Betts (Sheffield, Attercliffe): Will the Secretary of State consider the position of workers such as those at United Engineering Forgings in Sheffield, which has gone into administration, putting their pension scheme at risk, and those whose employers decide to terminate a scheme against their wishes? In both cases, because the schemes are not fully funded and because of the prior claims of existing pensioners, additional voluntary contributions and so on, such workers find their expected future pensions cut in half or worse overnight. That is bad enough for any worker, but it is devastating for workers in their 40s and 50s, who have no chance of making up the loss. Will the Secretary of State take action to right what is a very obvious wrong in those cases?

Mr. Smith: I share my hon. Friend's concern about the understandable anxiety—and in many cases anger—that workers feel having been put in that position. I have seen the reports of the comments of the independent Occupational Pension Advisory Service on the situation at Maersk, which is precisely such an instance. I have already asked that that sort of situation and the appropriate action that we can take be covered in the Green Paper.

Mr. John Butterfill (Bournemouth, West): Is the right hon. Gentleman aware that many homeowners rely on a tax-free lump sum to help to pay off their mortgages and that, if that were to be abolished, it would compound the difficulty that exists with endowment policies at the moment? Does he agree that the position is anomalous because, although many people would be better off putting all their lump sum into their pension rather than taking the tax-free amount, there is no parallel incentive for them to do so? Would they not be

better getting a proportion of tax relief by putting that sum into an annuity, as happens in other European countries?

Mr. Smith: I am of course fully aware of the importance of the tax-free lump sum. As I made very clear in my statement to the House on 11 July, the effectiveness of incentives and how well they are understood must be one of the criteria against which we judge the Green Paper. As the hon. Gentleman will know, we have already said that we will say more about annuities when we produce the Green Paper.

Ian Lucas (Wrexham): As pensions involve long-term financial arrangements, does the Secretary of State agree that any employer who is considering ending a final salary scheme should not only consult their work force but ensure that they consider the very substantial savings they have made when not contributing to pensions during a pension holiday in the past?

Mr. Smith: Yes, indeed, and we have urged all employers who are contemplating changes to their schemes to consult the workers effectively.

Mr. David Willetts (Havant): I am sure that the Secretary of State would not want to leave millions of savers in any doubt about his intentions with regard to their pension contributions, so to ensure that there is absolutely no wriggle room—no room for evasion and no room for ambiguity—may I ask him to make it absolutely clear to the House that he agrees with the National Association of Pension Funds that abolishing tax reliefs

"for higher-rate tax payers is a very bad idea at a time when the government is supposed to be encouraging people to save for their retirement."?

Does the right hon. Gentleman agree with that?

Mr. Smith: I have already made it abundantly clear—I cannot make this clearer—that we have no such plans. Before accusing us of wanting to increase taxes, the Opposition spokesman ought to explain why his own shadow Chief Secretary has his name on the pension reform pamphlet that urges us to put up national insurance contributions by 2 per cent. He might also do well to remember that the last party to come before the House proposing the abolition of tax relief on pensions contributions was not us but the Conservatives, in the form of the then Secretary of State for Social Security, on 11 March 1997.

Mr. Speaker: Order. The Secretary of State should remember that it is his policies that we want to hear about.

Mr. Willetts: I am afraid that we know how skilful the Government are at inventing new stealth taxes. That is why we want to read the Secretary of State's lips. All he has to say is, "We will not remove the tax reliefs currently enjoyed by people saving for their pensions." That is what we want him to say; that is what millions of people saving for their pensions want him say; that is what we want to hear him say now.

Mr. Smith: We will take every action that is necessary to safeguard the future of security in retirement in this country. The hon. Gentleman tempts me to make commitments that must be brought forward in the proper way through the pre-Budget report and the Green Paper. He is not going to get me to engage in hypothetical speculation on an issue on which I have made it clear that the Government have no plans.

Mr. Willetts: I know that we are not allowed the full Jeremy Paxman 14 questions, but let me try just one more time. I am not trying to tempt the Secretary of State. I am trying on behalf of millions of people saving for their pensions to request him to give them an assurance—plain and simple, with no delay, prevarication or weeks of uncertainty—that he will not remove the tax incentives that people currently have to save for their pensions. That is the assurance that we are asking the right hon. Gentleman to give the House. Why will he not do so?

Mr. Smith: Because—I could not have been clearer—we have no plans, and these are properly matters for the pre-Budget report and the Budget.

David Winnick (Walsall, North): Should not the whole emphasis be on protecting the future pension plans of those on modest incomes? There is tremendous disappointment that so many people now find that the best provision—the final salary scheme—will not be awarded to them. Is it not interesting that a number of companies that have discontinued such schemes have made sure that their chief executives, chairmen and so on get the most generous pension schemes possible, involving £50,000, £100,000 and £150,000 or more in pension, while their employers are denied a decent pension when they retire?

Mr. Smith: Yes, indeed. My hon. Friend makes a very good point. It is crucial that the conclusions that we reach on pensions policy are guided by equity, consultation and fairness to the workers concerned. As I said in response to my hon. Friend the Member for Warwick and Leamington (Mr. Plaskitt), we are looking at the 401k proposals in the United States, which seek to establish that sort of equivalence.

Student Nurses (Benefit Entitlement)

2. **Tom Brake** (Carshalton and Wallington): If he will make a statement on the benefit entitlement of student nurses. [73060]

The Parliamentary Under-Secretary of State for Work and Pensions (Malcolm Wicks): Full-time students, including student nurses, are not generally entitled to receive income-related benefits while studying unless they are in a vulnerable group, such as people with disabilities or lone parents. Student nurses receive a non-repayable bursary which in many cases is more generous than the help available to full-time students in mainstream higher education. All students may claim

other social security benefits, subject to their satisfying the normal conditions of entitlement for the benefits concerned.

Tom Brake: I thank the Minister for his response. I understand that next year there will be changes to child care benefits for student nurses, and I welcome that. However, I press the Minister to tell us the advice that he would give today to a constituent of mine who is studying but who cannot afford to pay for her child care costs and whose housing association property is at risk of repossession. Should she abandon her course or risk the financial consequences of pursuing it?

Malcolm Wicks: I am happy to talk to the hon. Gentleman about that case, about which we have corresponded. I think that there has been a recent development whereby Sutton council, I assume, has been rather more helpful with housing benefit.

In the national health service, we are now spending more than £300 million a year on NHS bursaries, and the first three rates increased by 10 per cent. last year. The NHS has its own child care strategy on which it will spend £100 million by 2004. As part of that strategy, there will be 150 on-site nurseries, which means that about a further 7,500 subsidised places will be available by 2004. However, I repeat that I am happy to talk about the particular case that the hon. Gentleman mentioned.

Mr. Tony McWalter (Hemel Hempstead): Does not my hon. Friend agree, however, that it is anomalous, not to say unjust, that in many cases the loan that students receive is treated as income for the purposes of deciding whether they are eligible for benefit? Does he not want to take steps to rectify that injustice in view of the fact that it has some of the consequences mentioned by the hon. Member for Carshalton and Wallington (Tom Brake)?

Malcolm Wicks: It is appropriate that the help provided through loans and the non-payment of university tuition fees for low-income families is regarded as separate from the help we give people through the provision of income support and jobseeker's allowance when they are out of work. As I said, however, vulnerable groups have access to income-related benefits. It has always been the case that, subject to certain disregards, income sources are subtracted from income support entitlement. That is the case with student loans and it remains the policy.

Sir Teddy Taylor (Rochford and Southend, East): Is the Minister aware of the serious problem of the number of student nurses who are abandoning the profession simply because of the high cost of rentals in London? Is he aware in particular of the big problem at Barts, which many nurses are leaving because of the closure of the residential unit at Mile End? If he is interested in holding on to nurses, would it not be helpful to find a way in which the hospitals can assist with the provision of accommodation for student nurses at reasonable rents?

Malcolm Wicks: We are certainly interested in retaining nurses and are sensitive to the issue of housing, not least in my city of London. Housing developments are proceeding for key workers, who include nurses. Both housing policy and national health service policy are sensitive to that important issue.

Disability Benefits (Home Visits)

4. **Mr. Win Griffiths** (Bridgend): How many complaints were recorded against doctors carrying out home visits to assess people receiving disability benefits in (a) 1981, (b) 1991 and (c) 2001. [73062]

The Minister for Work (Mr. Nicholas Brown): No data are held about complaints for the period before the contract for medical services was let in September 1998. However, in 2001 there were 1,665 complaints out of a total of 236,028 home visits carried out by medical services doctors.

Mr. Win Griffiths: I thank my right hon. Friend for that reply. Will he consider how complaints against doctors who visit people on disability benefits are dealt with, given that at the moment it is the doctor's word against the word of the person who has been interviewed? When, as often happens, the two stories do not coincide, the doctor's word is taken against that of the person on benefit. How many of those complaints were found to be justified?

Mr. Brown: I am afraid that I do not have an immediate figure for how many complaints were justified. It will not always be the case that the complainant is right and the doctor is wrong, or the other way around. The fact is that two people may see such exchanges from different points of view. If my hon. Friend has a specific case in mind that he wants to draw to my attention, I shall be happy to consider it. However, people approach those vexed questions on the basis of different circumstances and have different views accordingly.

Bob Spink (Castle Point): Does the Minister not think that it would be appropriate for doctors to examine people physically rather than simply discussing how far they can walk and how much weight they can lift? That would ensure that there was objective information on which a decision to remove benefit could be based before such terrible decisions were imposed on vulnerable people who have no defence against a doctor's word.

Mr. Brown: The doctor's assessment informs the decision maker. It is a medical gateway, but doctors do not make the decisions themselves. I have no reason to believe that there is a case for making the changes that the hon. Gentleman suggests.

Mr. Bill Tynan (Hamilton, South): Does my right hon. Friend accept that many of our constituents unfairly have their disability benefit removed? Do

doctors follow a quota that is recommended by the Government? If not, does my right hon. Friend agree that we should examine the system as it is at present?

Mr. Brown: If people believe that the system has treated them unfairly, there is an appeals mechanism that they can use. Indeed, many cases succeed on appeal.

Mr. Henry Bellingham (North-West Norfolk): Does the Minister know that constituents of mine who receive incapacity benefit had to go all the way from King's Lynn to Norwich to undergo a fitness-for-work test? Would it not be easier if the test took place in King's Lynn? Does the right hon. Gentleman realise that the journey time from King's Lynn to Norwich by public transport is longer than the recommended 90 minutes? Will he please examine that matter?

Mr. Brown: I shall examine the hon. Gentleman's specific point. However, many assessments are carried out through home visits; not everybody has to travel.

Winter Fuel Payments

6. **Mr. John Robertson** (Glasgow, Anniesland): What plans he has to increase winter fuel payments to over-60s. [73064]

The Parliamentary Under-Secretary of State for Work and Pensions (Maria Eagle): We have increased the level of winter fuel payments considerably since we introduced them in 1997. Most people aged 60 or over receive a payment of up to £200, which is a significant contribution towards their winter fuel bill. That means that almost 1 million pensioners in Scotland—more than 13,000 in my hon. Friend's constituency—will continue to benefit. We are committed to helping pensioners and we have given an undertaking that that level of payment will continue for the rest of the Parliament.

John Robertson: I wholeheartedly welcome the winter fuel allowance and the increases in it. However, does my hon. Friend realise that although the death rate has decreased, more people die of cold in Britain than in the rest of Europe? That costs the national health service more than £1 billion a year. Does my hon. Friend agree that a winter fuel allowance increase of £50 to £250 would help to reduce fuel poverty in this country and help to alleviate the costs on the NHS? If so, when will the 13,000 households in Anniesland receive it?

Maria Eagle: My hon. Friend is well known for his assiduity in pursuing the interests of his pensioner constituents. However, he seems to believe that I have a little more power than I do.

The winter fuel payment is not the Government's only policy to tackle fuel poverty. Of course, it is an important policy that helps pensioners in my hon. Friend's constituency and elsewhere, but we have other policies. For example, the old home energy efficiency scheme, which is now known as warm front, gives grants of up to £2,500 for over-60s to improve the heating and insulation of their properties.

Between 1997 and 2002, gas prices have decreased by almost 12 per cent. in real terms and electricity prices by more than 21 per cent. So there are other factors that mean that people should find it easier to pay their winter fuel bills.

Sir Sydney Chapman (Chipping Barnet): Will the Minister give us the figures for the decrease in older people's deaths in the winter months? The hon. Member for Glasgow, Anniesland (John Robertson) described such deaths as a British phenomenon. Will the hon. Lady further emphasise that it is not only the winter fuel payment but tackling the substandard housing and lack of insulation in many older people's households that makes a difference?

Maria Eagle: I cannot provide the exact figures governing the decrease in deaths because I do not have them with me. Of course, they vary from year to year. The 2000 spending review provided an extra £2.5 billion to renovate social housing. That will do much to improve insulation and heating. I have already referred to warm front, the home energy efficiency scheme, which the Government have greatly extended.

I do not know whether the hon. Gentleman supported the policy because I was not a Member of Parliament at the time, but the Conservative Government introduced VAT on fuel, which we cut from 8 per cent. to 5 per cent. We have therefore taken several measures to ensure that people who have difficulty paying their fuel bills can do so. I am glad that the hon. Gentleman wants to join us in that aim. I hope that he will dissent from any Conservative party policies that are not excellent on cutting winter fuel prices.

New Deal

8. **James Purnell** (Stalybridge and Hyde): What plans he has to increase the flexibility of delivery of the new deal for clients and providers. [73066]

The Minister for Work (Mr. Nicholas Brown): The new deals have already proved a success, helping nearly three quarters of a million people move into work. We are now building on that success. We have already introduced a range of further initiatives, including the tailored pathway pilots and the adviser discretion fund. Both of those give personal advisers, working with providers, more flexibility to tailor services to address the particular needs of individuals and the local labour market.

James Purnell: I thank my right hon. Friend for that answer. His Department's response to the Select Committee's report on the new deal says that it will consider more moves towards making this area more flexible. Will he look particularly at streamlining the new deal so that there is one overall scheme, which would provide more flexibility for advisers to give an individual package of help to claimants, designed around their needs rather than around the needs of large categories of claimants?

Mr. Brown: We are looking at what greater flexibility can be given to advisers in particular circumstances. Initiatives to increase flexibility in the new deal include

the adviser discretion fund, which gives the personal advisers flexibility in the way they help people to overcome barriers to work. The tailored pathway pilots give advisers flexibility to combine new deal options to suit the needs of individual clients. There are also the ambition programmes, and employers have been given more flexibility in the way in which training is provided on the employment option. We have introduced short work-focused courses in the education and training option to meet the needs of local employers more flexibly, and, later this year, we will introduce more payment flexibility for small employers on the employment option.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): Would the Minister be prepared to look at the current spending profile of the new deal for disabled people? Many of the job brokers involved are small specialist concerns—some are charities and agencies—that find it difficult to survive given that they are sometimes getting less than 10 per cent. of their fee up front. Sometimes it takes many months to get the rest of their fee for the scheme. The scheme is very welcome in concept, but some important aspects need to be considered carefully if we are to make it a realistic prospect for some of the agencies and job brokers who are anxious to help.

Mr. Brown: I agree with the thrust of the hon. Gentleman's point. There is clearly an issue in relation to the way in which providers are paid, and strong representations have been made to us about the balance between outcome payments and payments made earlier in the programme. The matter is being given careful consideration in the Department now, and I hope that we shall have something further to say shortly.

Angela Eagle (Wallasey): Does my right hon. Friend recognise that the effectiveness of the new deal depends partly on the professionalism of the staff delivering it? In that regard, will he send his congratulations to Mr. Kevin Adderley and all the staff at the Wallasey Jobcentre Plus, whose latest results have just shown that, since it was set up as a pathfinder office, it has found work for 2,700 people, including 700 from the hardest to help groups? That makes it the top-performing pathfinder office in the country.

Mr. Brown: I am grateful to my hon. Friend for standing up for the hard-working staff in Jobcentre Plus. I have been impressed by the levels of commitment and standards of service of our staff in Jobcentre Plus, and by their sheer enthusiasm for the ideas that underpin the Government's approach. I know that, when other Members have visited their Jobcentre Plus, they have received a similar impression. I am happy to extend my congratulations to my hon. Friend's constituents.

Mr. John Bercow (Buckingham): Given that the recent report of the Labour-dominated Public Accounts Committee found that 30 per cent. of leavers from the new deal for young people went to unknown destinations, will the right hon. Gentleman accept the report's recommendation that his Department and Jobcentre Plus conduct further research into why people leave the scheme, in order better to identify those participants who need additional help and support?

Mr. Brown: I welcome the hon. Gentleman to his new responsibilities. I also welcome the constructive line of questioning that he is adopting. The Public Accounts Committee reports are, of course, delivered in a bipartisan setting. Indeed, it is one of the strengths of that Committee that it can arrive at its conclusions unanimously and strive to get recommendations to the Government that transcend traditional party lines. We will of course look at the PAC's recommendations, but I must say that I thought the report constituted an endorsement of what we were doing rather than the full-blooded criticism for which the hon. Gentleman may have been looking.

David Cairns (Greenock and Inverclyde): My right hon. Friend will know, because I have discussed the issue with him, that in my constituency, although long-term unemployment is four times lower than it was in the 1980s, we still have a residual problem because of the large number of workers on short-term and fixed-term contracts. Would not a bolder and more radical solution be to make the expertise gained by new deal advisers accessible to people who are in work but who, owing to the nature of their contracts, know that in four to six weeks they will be out of a job for an unspecified period before obtaining another short-term contract? Can we help that group of workers to escape from the perpetual cycle of short-term and fixed-term contracts and into full-time work by applying such expertise?

Mr. Brown: That is a good point, which we have discussed before. The labour market in my hon. Friend's constituency is slightly anomalous because of the impact and prevalence of the short-term contracts to which he has referred. I am not sure how much the Employment Service and Jobcentre Plus can do to deal with the core problem—the short-term nature of the contracts themselves—but I shall be happy to meet my hon. Friend and see what more can be done.

Andrew Selous (South-West Bedfordshire): In relation to the hardest to help, can the Minister undertake to look carefully at the conclusions of the Select Committee report regarding the involvement of the voluntary and not-for-profit sectors in finding jobs for people who are dependent on alcohol or drugs?

Mr. Brown: As the hon. Gentleman will know, we have programmes targeted at those recovering from drug addiction, and also at ex-offenders. Of course the voluntary sector has an important part to play in that work, as it already plays an important part in the provision of, for example, intermediate labour market schemes, which can provide a pathway to permanent employment. I take the recommendations very seriously indeed.

Disabled People (New Deal)

9. **Dr. Brian Iddon** (Bolton, South-East): What assessment he has made of the impact of the new deal for disabled people. [73068]

The Minister for Work (Mr. Nicholas Brown): The new deal for disabled people is the first national employment programme specifically designed to help people with disabilities move into and keep jobs. Since the national extension of the programme began, it has helped over 4,000 people into jobs and more than 20,000 have registered with job brokers to actively pursue employment. We are working closely with job brokers, and are keen to make improvements to the new deal for disabled people as we proceed. As the NDDP progresses, a comprehensive programme of evaluation will measure the impact, and a report of that evaluation will be published.

Dr. Iddon: The new deal for disabled people started in Bolton as a pilot scheme in 1998, and has now been rolled out to include Bury and Salford. I am pleased to say that last month was the most successful ever, with 45 people entering employment. Is my right hon. Friend aware, however, that many people with disabilities, especially those on incapacity benefit, are not engaging with the NDDP because they fear losing their benefits? Will he make it clear to those people that they can work therapeutically, without loss of benefits, and that in-work benefits are also available to people with disabilities?

Mr. Brown: The combination of tax credits and the new earnings rules amounts to an attractive package. I do not think that the situation is well enough understood—we need to do more to explain the current circumstances—and I agree that people fear loss of benefits. They also fear that if they take on a job, perhaps part time, it may be difficult for them to return to benefits. In particular, people worry about housing benefit and council tax rebates, and if they have children, they worry about losing free school dinners.

These are important issues. We want those who have tried work and been unable to sustain it to be able to return to benefits, and not to be disadvantaged by having tried work; but of course we still have some way to go to ensure that we can actually deliver that.

Universal Bank

10. **Mr. David Heath** (Somerton and Frome): If he will make a statement on progress towards payment of pensions and benefits through the universal bank and post office card accounts. [73069]

The Secretary of State for Work and Pensions (Mr. Andrew Smith): The Post Office assures us that it is on schedule for the start of universal banking services in April next year, including the post office card account. I can also tell the hon. Gentleman that the banks have now signed detailed contracts with the Post Office to make their basic accounts available at Post Office branches.

Mr. Heath: The right hon. Gentleman will know that the universal banking proposals have been widely welcomed, but there is still much doubt and concern about whether the post office card account will be up and running in time. Why have his and other Departments done nothing to persuade or even advise people of the existence of the post office card account? Why do the application forms for the new child tax credit ask for people's bank account details, and explain to them how to get a bank account, but do not tell them that they can still receive their benefit in cash at post offices through the post office card account?

Mr. Smith: We have consulted widely on all the materials and on all the letters that we are sending on this matter. I would rebut any suggestion—some have been made—that we are trying to put barriers in the way of people accessing post office card accounts. We certainly are not. In our communications strategy, we are writing to different categories of benefit and pension recipients. The Veterans Agency started writing to its clients earlier this month, and our Department will write to pensioners and to recipients of child benefit, income support, jobseeker's allowance and disability benefit over a two-year period, because the introduction will be phased. The first invitation letters asking for account details will be sent to child benefit recipients from next week. We shall also mount a major advertising campaign at the beginning of the new year to ensure that people are fully informed of their rights in this matter.

Mr. Ivan Henderson (Harwich): Many pensioners welcome the fact that they will still be able to get their pensions in cash at post office counters. However, I am concerned that the high-tech nature of the new system that will come into operation next April will pose extreme difficulties for some pensioners. It will be stressful for some pensioners to collect their pension. I have seen the demonstration in the post office in Central Lobby, which involves small machines with PIN pads for pensioners to use to get their cash. Will the Minister consider providing a more user-friendly system for pensioners? Will he consult pensioner organisations before the new system comes about next April?

Mr. Smith: There have been extensive consultations with organisations representing pensioners and post office users more generally, and they are continuing. I would not describe the new system as a high-tech solution to the challenge. Yes, people will have to remember a PIN number, but they will be able to change the number to one that is easier for them to remember. We appreciate that some people will not be able to use a PIN number, and alternative arrangements will be put in place for them.

Annabelle Ewing (Perth): Are the UK Government prepared to make grants available to sub-postmasters to ensure that people with disabilities have ready access to post office card accounts, and that the equipment is user friendly for our pensioners?

Mr. Smith: We have already committed huge sums of money to the changeover—£500 million has gone into the Horizon provision in post offices, the DTI will shortly announce further resources to assist rural post offices, and £270 million of investment is committed to carrying into effect the recommendations of the performance and innovation unit report to safeguard the future of the post office network. I can tell the hon. Lady and my hon. Friend the Member for Harwich

(Mr. Henderson) that, as this system is developed, if sensible improvements can be made in the light of experience, I should be pleased to consider them.

Mr. Peter Pike (Burnley): Does my right hon. Friend accept that, despite all his Department's efforts to make the system seem simple and user-friendly, many elderly people are worried about it? Is it not important that, as well as providing the literature from his Department, we ensure that the national media put the change forward positively, so that people get the message on how simple it is? The media sometimes carry an even greater impact than official notices from his Department.

Mr. Smith: Tempting though it is to imagine that I could take responsibility for how such things are portrayed in the media, I cannot do so. We shall make efforts not only through letters to clients, but through advertising, leafleting and other ways of communicating the message that the system is straightforward and simple. However, I also stress that where people have difficulties, of course special arrangements have to be made for them.

Mr. Julian Brazier (Canterbury): The Secretary of State sounds confident at a time when two fifths of households receiving disability benefits have no bank account, a third of those receiving jobseeker's allowance have no bank account and, as he confirmed in reply to my hon. Friend the Member for Havant (Mr. Willetts) on 19 July, there are 250,000 more benefit recipients without bank accounts than at the time of the previous survey.

Will the Secretary of State assure the House, first, that the proposal will not be driven through before the necessary systems are in place and the households have the appropriate accounts, and secondly, that no more post offices will close because of the loss of business caused by the introduction of the system?

Mr. Smith: I would have hoped that [illegible] hon. Gentleman and his party accepted that, through the great investment that we are making in the Post Office, including its modernisation and getting in proper IT, and by extending financial services through basic bank accounts as well as post office card accounts to people who do not have them, we will be tackling financial exclusion and opening up new and positive opportunities for post offices the better to serve not simply their traditional client group, important though that is, but also to win new business. This is a process of modernisation, which is the only way forward to safeguard the post office network in the way everyone in the House wants.

Disabled People (Permitted Work)

11. **Mr. Mark Lazarowicz** (Edinburgh, North and Leith): If he will extend the categories of those people with disabilities who may undertake supported permitted work. [73070]

The Parliamentary Under-Secretary of State for Work and Pensions (Maria Eagle): The new permitted work rules give everyone claiming benefit because of a health condition or disability the opportunity to try out work without fear of losing their benefit. That is designed to be a stepping stone to full-time work—that is, work of more than 16 hours a week.

We responded to concerns raised during the consultation on the change by widening the rules to maintain the position of people with special needs who are supported in work by professional health or care workers. We will evaluate the permitted work rules over the next 18 months to see whether further improvements are required.

Mr. Lazarowicz: I thank my hon. Friend for her answer and her indication that she will evaluate the way the rules work. In that evaluation, will she consider the cases of claimants who, under the old rules, could have undertaken paid therapeutic work while receiving incapacity benefit, but are unable to do so under the new rules, because they do not fall within the new definition of supported permitted work? That is because the work that they do does not easily fall into the categories of support that are normally given by local authorities. The same applies to voluntary organisations. She is aware of a case in my constituency, on which I have corresponded with her and her colleagues. Will she re-examine it, and also consider in the evaluation the detail of the wider issues raised by my constituent's case?

Maria Eagle: I am aware of the case to which my hon. Friend refers, and I have a great deal of sympathy for his constituent and the position in which she finds herself. I hope that he will come to see me about the case, so that I can see what we can do to help his constituent. I am also happy to tell him that I will consider the issue that he raises to see how widespread it is in the new scheme and what, if anything, ought to be done about it in the evaluation.

Benefit Fraud

12. **Mr. Gareth Thomas** (Harrow, West): What his targets are for the reduction of benefit fraud. [73071]

The Parliamentary Under-Secretary of State for Work and Pensions (Malcolm Wicks): We have announced firm targets for reducing fraud and error in income support and jobseeker's allowance for working-age customers. We are aiming for a 33 per cent. reduction by 2004 and a 50 per cent. reduction by 2006. We have also announced a new target aiming for a 25 per cent. reduction in fraud and error in housing benefit by 2006. Latest figures show that we have already achieved a 24 per cent. reduction in fraud and error in income support and jobseeker's allowance for all customers—more than double our target of 10 per cent. To spell that out, it means a saving of some £240 million.

Mr. Thomas: Perhaps as part of the plan to meet that new target, and given that many instances of benefit fraud involve the fraudster using an identity other than their own, what further measures will my hon. Friend's officials be developing, perhaps in partnership with

organisations such as the Council of Mortgage Lenders or the UK fraud prevention service, to tackle the specific problem of identity fraud within the benefit system?

Malcolm Wicks: Identity fraud is a very sophisticated form of fraud. A special unit in the Department for Work and Pensions looks at that particular area. We work with partners both within and outside Government on that issue. It calls for a very sophisticated response from Government. I think that we have that response.

Mr. John Redwood (Wokingham): Is the Minister aware that one of the main reasons for so many errors and so much fraud is the incredible complexity of the system? Would it not be helpful if the Minister tried to simplify it so that my constituents who really needed the support knew they could get it and knew how to get it, but those who were trying to work the system found it more difficult because it was much more transparent? Would he not then be able to set a proper target of getting rid of fraud almost completely, instead of living with the unacceptable, high levels that he is forecasting well into the future?

Malcolm Wicks: What we are also forecasting is a determination to reduce fraud. I am sure that the right hon. Gentleman welcomes the fact that this Government—I cannot speak for other Governments—are succeeding in reducing fraud. All of us want more simplicity. There is a balance to be struck: how to simplify the system when meeting the specific needs of specific members of the community. These are difficult issues, but only last week my right hon. Friend the Secretary of State announced pilots/pathfinders on housing benefit, which will produce much greater simplicity in that complex area of social security policy.

David Taylor (North-West Leicestershire): No one in the House would condone and all would condemn any form of benefit fraud, but where there are tighter targets how will changes be introduced with sense and sensitivity? Surveys have often shown that savings from the failure to take up benefits have been greater than the cost of the fraud associated with them. Is there not a risk of throwing the baby out with the bath water if the targets are too tight and the framework too inflexible?

Malcolm Wicks: We have to be tough minded about rooting out fraud. To put this in context, the £240 million that we have saved by tackling fraud on two benefits, income support and jobseeker's allowance, means that the Exchequer has more money available for police forces, for schools and for hospitals. They are the people's priorities. I often find in my constituency that the people who are most angry about fraud in their communities are hard-working families, often on low incomes, who want taxpayers' money to be spent properly.

Child Support Agency

13. **Bob Russell** (Colchester): What procedures are undertaken by the Child Support Agency to check the accuracy of declarations of income by absentee fathers who employ accountants or other financial advisers. [73072]

The Parliamentary Under-Secretary of State for Work and Pensions (Malcolm Wicks): All declarations of income are checked to verify their accuracy before child maintenance is calculated, where possible. The procedure does not differ if a non-resident parent employs an accountant or financial adviser. An accountant or financial adviser may be one of the third parties with whom information is verified.

Bob Russell: It does not take Sherlock Holmes to work out that if a rich father employs accountants or financial advisers to produce figures that indicate that he does not have the financial wherewithal to pay maintenance to his children, there is a possibility that some fiddles will be going on. Where financial advisers and accountants are employed to suggest that a father cannot afford to pay maintenance for his children, surely there should be another system to check whether something may be wrong?

Malcolm Wicks: All of us in our constituencies have come across cases of that kind, which have raised our suspicions. I recognise the importance of the question, but since 1999 the Child Support Agency has had powers that align with those of the Inland Revenue. That means that an inspector may call at any premises where he or she believes relevant information is held. The CSA and Inland Revenue can share information such as self-assessment returns. We may interview other people, such as accountants. We are determined that where someone parents a child, either as a mother or father, they support that child financially. We have new powers to do that and we are determined to implement those powers.

Mr. Bill O'Brien (Normanton): Is my hon. Friend aware that only two thirds of the families who apply for maintenance through the Child Support Agency receive such benefit? Clearly, the point raised by the hon. Member for Colchester (Bob Russell) can be a factor in that. What is his Department doing to ensure that the Child Support Agency meets its commitments? The aim is to keep children out of poverty, but clearly, with a third of families not receiving maintenance, more children are forced into poverty.

Malcolm Wicks: Family insecurity is now as important as economic insecurity as a force for poverty and disadvantage. We have new policies on child support, which we aim to implement as soon as possible. We are driving up the rate of payment—in terms of the cash that is now due, some 70 per cent. or more of maintenance is now paid. There remain some non-resident parents or absent fathers, however—perhaps 30 per cent.—who are not paying maintenance. The purpose of our new reforms is to spend less time on complicated assessment, in a move towards simplicity, and more time on enforcement. It is crucial that we undertake that as soon as possible.

Mr. Gary Streeter (South-West Devon): Is not the reality that, although the CSA is relatively good at

recovering maintenance from PAYE people, as soon as a father submits any other kind of accounts or any other information that is in any way out of the ordinary, the CSA takes one look at it, gives up and goes home? If it cannot enforce payment in unusual circumstances, will the Minister consider subcontracting such work to professionals who might take a more determined, robust and forensic approach? At the moment, many women are being failed by the bureaucratic, inexperienced and toothless way in which the CSA operates.

Malcolm Wicks: I do not think that that is an appropriate comment on our hard-working officials who do a very difficult job in sometimes very difficult circumstances in the Child Support Agency. If I may say so, it was not a nice comment. Under the new reforms, which we hope to implement as soon as possible, we will put much more emphasis on enforcement, as I indicated. It is right and proper that everyone who fathers a child should maintain that child financially, regardless of their social position and of what sophisticated employees, including accountants, are working for them.

Benefit Take-up

14. **Mr. David Stewart** (Inverness, East, Nairn and Lochaber): What assessment she has made of the role of the new pension centres in increasing benefit take-up. [73073]

The Parliamentary Under-Secretary of State for Work and Pensions (Maria Eagle): We are leading a fundamental overhaul of the welfare system, transforming it from a mainly passive organisation paying out benefits to an active system that fights poverty. The pension service will encourage people to claim the benefits to which they are entitled, create opportunity and help people to be self-sufficient and independent. To assist in that process, we have established three pension centres in Scotland, located in Motherwell, Dundee and Glasgow. As a result, approximately 800 new jobs are being created in Scotland.

Mr. David Stewart: I thank my hon. Friend for her answer. I recently visited Burnley pension centre, and was very impressed by the quality of the staff and the effectiveness of the service. Surely, however, the acid test is how effective the centres will be in maximising take-up by pensioners, particularly of the minimum income guarantee.

Maria Eagle: Unlike the previous Government, we are committed to ensuring that those who are entitled to benefit and pensions receive them in full rather than putting them off. Three quarters of retirement pension claims are already made on the telephone, and the fact that our services will be much more accessible will help enormously. In addition, our people are better trained, our systems will enable us to have trigger questions to identify possible entitlement, and we will be out there searching to ensure that people who contact us receive their full entitlement. It will be easier to contact us, and we will therefore make sure that more people receive their proper entitlement.

Mr. Paul Goodman (Wycombe): Since phone calls from the south-east will often be answered in Scotland, as the Under-Secretary said, what assurance can she give my ethnic minority constituents—those born in Pakistan or Kashmir or their descendants—that their calls will be understood?

Maria Eagle: Generally, it is perfectly possible for members of the public to understand our Scottish staff. The hon. Gentleman has a particular concern about ethnic minority constituents, but a translation service is offered and his constituents will be able to access our services in the language in which they are happiest. He should not have any concerns that his constituents will be unable to contact the service or to get advice in the language in which they are happiest. Our Scottish staff are perfectly capable of communicating with anybody in this country.

Hon. Members: Hear, hear.

Mr. Speaker: Perhaps I can now communicate; I call the Foreign Secretary.

Bali

3.31 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): With permission, Mr Speaker, I should like to make a statement about the terrorist attack in Bali on Saturday 12 October.

In his statement to the House on Tuesday last, my right hon. Friend the Prime Minister set out the circumstances as we knew them about the attack and its consequences. The most up-to-date information is this. In total, more than 180 people of many nationalities are thought to have died in the attack. Of these, at least half were Australian. Many Indonesians died. Of the British citizens caught up in the blast, 11 are now confirmed as dead, and a further 22 are missing; sadly, presumed to be dead. At least 27 British citizens were injured, a number of whom have been medevaced to Australia, Singapore and Hong Kong. There may be other British injured among the unidentified in intensive care in Australia.

The House joined the Prime Minister last week in sending its deepest sympathies to the relatives of the victims. It is every parent's worst nightmare to hear that their sons and daughters have been swept up in a tragedy. But when bereavement is compounded by having to travel halfway across the world to identify loved ones, the experience must be truly unimaginable.

Yesterday we joined with the people of Australia, who held a day of national mourning for this, the worst terrorist outrage in that country's history. Flags were flown at half-mast at Buckingham palace and at our embassies and high commissions around the world. The Australian high commission is arranging a memorial service in St Paul's cathedral here in the city of London on 25 October. Tomorrow, the Indonesian embassy will be holding a multi-faith commemorative ceremony in London, which I shall be attending. The British Government will organise a British memorial service. We shall be consulting the families about what they think would be most appropriate.

Let me now update the House on the action that we have taken to assist those injured and the relatives and close friends of all who were victims in this atrocity. The British honorary consulate in Bali provided the initial assistance to survivors of the attacks and to victims' relatives. This was reinforced early on Sunday 13 October by the British consul and then by the ambassador, Richard Gozney, other staff and volunteers from the British community in Bali. These staff and volunteers have worked tirelessly and I pay my tribute to them.

However, on Thursday last, I learned of complaints by some families that they had not received the service that we should have provided. I asked the Foreign Office Minister, my noble Friend Baroness Amos, who was already travelling to Bali, to talk to all the families concerned and to make her own assessment about the complaints. In the light of this, my noble Friend apologised directly to the families concerned. I reinforced that apology on Friday last and, Mr. Speaker, I would like to repeat it in the House. I am very sorry that shortcomings in getting sufficient extra staff on the ground in Bali early enough last week exacerbated the terrible burden that the families were under in any event.

As of today, there are 15 British officials in Bali, and 30 British police officers, including experienced family liaison officers and anti-terrorist experts working with the Indonesian and Australian police on the investigation into the attack itself. In London, the emergency consular unit was established overnight on Saturday 12 October and, working with New Scotland Yard, has continued in operation.

Last Wednesday, I announced a package of measures designed to help relatives to travel to where their loved ones were being treated, or to where victims had died. The scheme—similar to that put in place after 11 September last year—covers the repatriation of the remains of those who died, and the medical evacuation of the injured. The FCO will pay the costs concerned wherever an insurance policy does not already cover them. I decided on these exceptional measures because of the exceptional nature of terrorism, in which individuals are random victims of attacks directed at society as a whole. As for the future, we shall work urgently with the insurance industry and others to see how between us we can ensure that the pain of victims of terrorism is not made worse by financial hardship.

Immediately after the Bali attack, we advised against all travel to Bali and all non-essential travel elsewhere in Indonesia. On 17 October I announced a further strengthening of our travel advice, warning against any travel to Indonesia as a whole. I also advised UK citizens in Indonesia to consider leaving if their presence was not essential, and authorised the withdrawal of some dependants and non-essential staff from our embassy in Jakarta. On 18 October, we amended our travel advice to other countries in south-east Asia, urging UK nationals to exercise extreme caution. Unfortunately, further attacks cannot be ruled out. In the light of additional intelligence assessed this morning, I am strengthening the travel advice still further by giving additional warnings about threats to UK nationals at specific locations in Indonesia. That travel advice is being issued now and is available on the Foreign Office's website.

I am placing in the Library of the House the travel advice issued by the FCO and the British embassy in Jakarta in respect of Indonesia before 12 October, and the equivalent advice issued by the United States and Australian Governments. Many of the relevant judgments in travel advice of this kind are based on intelligence. In the light of the atrocity on 12 October, the families and others have asked whether there was any intelligence that could have led us to issue specific warnings against travel to, or staying in, Bali. If I had lost a member of my family, I would be asking such questions. Indeed as Foreign Secretary, it is my responsibility to ask such questions.

Like everyone else, I dearly wish that there had been intelligence, which could have prevented this atrocity and its appalling consequences. But the answer, sadly, is that there was none. As my right hon. Friend the Prime Minister told the House last Tuesday,

> "We had no specific intelligence relating to the attack in Bali."—[*Official Report*, 15 October 2002; Vol. 390, c. 177.]

As is now well known, it is the case that there was received in late September a generic threat to a number of cities and provinces in Indonesia, including Bali but covering 55 per cent. of the land mass of Indonesia and

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100 million of its population. As my Australian counterpart Alexander Downer told the Australian Parliament on 17 October, these threats

"were non-specific and broad based across Indonesia".

There has also been a question raised about the travel advisory issued by the United States Department of State on 10 October. Let me explain to the House what this was. That advisory was a "world-wide caution" of a kind first issued by the US after 11 September last year. It alerted US citizens to the need to remain vigilant in the face of terrorist threats. It was revised on 10 October following an audio tape broadcast attributed to Osama Bin Laden. Issued only two days before the attack in Bali, it contained no reference to Bali, Indonesia or even south-east Asia. We also received a classified warning from the United States on the same day. It too had no reference to Bali, Indonesia or south-east Asia. As our travel advice to Indonesia, last updated on 27 August 2002, already contained a clear warning to travellers to Indonesia about terrorist threats, we judged that there was no case for amending it further in the light of the United States' travel advisory.

The United States, Australia and the United Kingdom all received similar intelligence in respect of Indonesia, but making their own independent judgments, all came to similar conclusions about travel to Indonesia. None of us had concluded that it was unsafe to travel to or remain in Bali. Both as Home Secretary and now as Foreign Secretary I have worked closely over the last five and a half years with all three of our intelligence services. Their standard of professionalism and competence is second to none. Each year they pick up literally thousands of pieces of intelligence. These vary between material provided by human sources, material provided by secret technical means, material openly available to the public, and sometimes just gossip.

Terrorist groups operate in secret. They are often skilled in counter-intelligence techniques, and may be feeding false intelligence to compromise an intelligence source or to direct law enforcement resources to the wrong place, so the raw intelligence has to be skilfully and carefully assessed before judgments can be made upon it. I believe, on the basis of what I have seen, that correct judgments were made about the available streams of intelligence before 12 October. There were generic threats, but there was no information that could have enabled us to warn in advance of this atrocity.

I do not want the relatives of those who died in this atrocity, nor those injured, to have nagging anxieties about whether different judgments should have been made. The Intelligence and Security Committee was established by Act of this Parliament to scrutinise the work of our intelligence agencies. Through the Prime Minister, it reports regularly to Parliament. It is made up of senior and respected Members of both Houses. It happens that the Intelligence and Security Committee is at present in Australia on a long-planned trip, and this morning I spoke to the Chairman of the Committee, my right hon. Friend the Member for Dewsbury (Ann Taylor),who had just arrived in Canberra. I told her that I had asked the intelligence co-ordinator in the Cabinet Office to ensure that all intelligence was made available to her Committee. The ISC will of course consider that and then reach its own conclusions on it.

The atrocity in Bali was a brutal reminder that the campaign against terrorism did not end with the removal of the Taliban. The reality is that our campaign will take years, perhaps even decades. In Indonesia, our immediate aim is to help the Indonesian Government act quickly to deal with the terrorist threat. We are already discussing how we can help through an intensified programme of counter-terrorist assistance. My noble Friend Baroness Amos and the British ambassador met President Megawati this morning in Jakarta. My noble Friend was assured by the President that the Indonesian Government were determined to take swift and decisive action against those responsible for the attacks. President Megawati has already signed an emergency decree strengthening police powers to detain suspects and to enable the courts to make use of intelligence. The Indonesian authorities have also taken action against known extremist groups. On 19 October they arrested the founder of Jemaah Islamiyah, Abubakar Bashir.

The terrorists' aim is to defeat the universal values of the United Nations, of tolerance, freedom and respect for human life, and replace them with brutality, fear and ethnic and religious hatred. I believe that the Australian Prime Minister, John Howard, captured the international mood when he called on the world to pursue the campaign against terrorism with "unrelenting vigour". Today our grief at what happened is enormous, but our determination is unwavering.

Mr. Michael Ancram (Devizes): The Foreign Secretary, even if initially reluctant, was, I am sure, right to come to the House today to make a statement, and I am grateful to him for allowing me advance sight of it. He has reported on the latest situation, and I join him in his words of condolence to the suffering in Australia and Indonesia, and also here at home. They must be foremost in all our thoughts at this time.

I welcome the help that the right hon. Gentleman and his office are providing to the relatives of those who have been killed or injured. I also join him in paying tribute to those who are providing that help on the ground. I believe, too, that the noble Lady Baroness Amos was right to go to Bali and to recognise the concerns on the ground, and to make the apology that has been repeated by the Foreign Secretary in the House today.

We all realise that dealing with such tragedies is never easy, but at the same time lessons must be learned. I ask the Foreign Secretary whether he will look again at the way that the Foreign and Commonwealth Office responds to such incidents. Is there not now a case for maintaining an ad hoc group within the Foreign and Commonwealth Office, on a reserve basis, for swift deployment to help handle the aftermath of such outrages?

I believe that we are right—both in the wider public interest, and for the peace of mind of the injured and the bereaved—to ask direct questions today. As Australia's Prime Minister, John Howard, said yesterday:

"That does not denote a lack of confidence in the agencies. But when something of this magnitude occurs we have an obligation to have it thoroughly examined."

On that basis, I also welcome the Foreign Secretary's stating that he is asking the Intelligence and Security Committee to examine the evidence on what

information was available, and what action was taken on it. I ask him, however, to request that Committee, which normally reports annually, to report separately and urgently on its findings. If it is to be a vehicle for looking into this important matter, not only should there be a separate report, but that report should form the basis of a debate in this House.

In the meantime, the Foreign Secretary's statement still leaves unacceptable uncertainty in the public mind. The questions that still need to be answered do not risk compromising intelligence sources but allow the Government to show the public either that they acted appropriately in the light of information available, or that there are lessons to be learned. So I shall put a number of those questions to the Foreign Secretary today, because it is important that he address them.

When, within the last 12 months, was information first received from the United States or other intelligence resources about potential terrorist activity in Indonesia? Is it true that the public assurance, which survived 11 September last year, that

"Bali and north Sulawesi province remain safe"

was removed from the Foreign and Commonwealth Office website earlier this year? If so, why was it removed, and what was the information that caused its removal? Why was Jemaah Islamiyah not proscribed after last December's thwarted attempt to blow up the high commission in Singapore, when it appeared that the Government of Singapore were convinced that it was the alleged potential perpetrator?

Why, following warnings from the United States, did we update our travel advice in relation to Indonesia in August, but not after further warnings in September, when the Americans saw fit further to update their travel advice? Why were no warnings passed on to United Kingdom tourists and residents after the United States Embassy in Jakarta advised its citizens in Indonesia on 9 September that the country was at risk of a "credible" terrorist attack? When did the Government first receive the United States intelligence warnings that referred to six Indonesian "hotspots", including Bali—that differs somewhat from what the Foreign Secretary has told us today—and which were mentioned by the Downing street spokesman in the briefing given last Thursday? How on earth can this information, on six out of 6,000 inhabited islands, be regarded as generic, rather than specific? Why did the Foreign Secretary, unlike Downing street, appear not to know about this information when he answered press questions last Thursday? Yet on Friday, on BBC radio, he admitted it on the basis of

"one of the pieces of intelligence I have now seen."

Had he really not been shown this vital intelligence before then?

What is the right hon. Gentleman's response to the report attributed to United States intelligence officers in yesterday's edition of *The Sunday Telegraph* that

"a CIA briefing that Bali was a target was passed to the Government two days before the bomb blasts but not made public";

or that

"Britain was briefed that Islamic terrorists could be planning to attack nightclubs in Bali two days before the blasts"?

Will he clearly indicate whether there is any truth in those statements? It is vital that those points are cleared up.

Finally, why on earth, if Britain had the same information available to it as the Americans, did we not issue the same warnings to our citizens at the same time? Why did we not mention clubs and places of entertainment until after 12 October, when the Americans had seen fit to mention them before? Furthermore, as regards Indonesia, which is a very large country, where are the greatest preponderances of such venues and is not that, too, something that should have been taken into account?

Those are the unanswered questions that have created the doubts. To dispel the fog of uncertainty created by the ambiguous and contradictory Government briefings of last week, the Foreign Secretary must answer them now.

Mr. Straw: The right hon. Gentleman asks me a number of questions.

First, we always learn lessons in the light of events such as this, and plans are already afoot to ensure that better standing arrangements of the type that the right hon. Gentleman described are established in the Foreign Office and in relation to groups of British posts across the world. I intend to bring those forward. Not all the 15 staff currently in Bali come from Jakarta; a number of them come from other posts in south-east Asia.

The right hon. Gentleman asked whether the Intelligence and Security Committee would report separately and urgently in respect of this matter. As he understands, that is fully a matter for the Committee, but I am sure that the Chairman will be made aware of the right hon. Gentleman's request. In any event, as I and my right hon. Friend the Home Secretary know well, the reports of the Committee are always the subject of at least one full day's debate a year in the House, when thorough scrutiny takes place.

Some of the right hon. Gentleman's questions on intelligence can be properly discussed only within the ISC, although I shall try to answer some of them. However, the right hon. Gentleman will realise, not least given the fact that he had four years of experience in handling intelligence when he was a Northern Ireland Minister, that it is extremely easy when dealing with such matters to raise possibilities that it is then difficult for those in possession of the intelligence to deal with in a way that provides complete reassurance. That is in the nature of intelligence. Would that one could lay out all the intelligence that we had received because that would provide reassurance, but the right hon. Gentleman knows from his own experience that it is not appropriate, responsible or sensible to do that.

The right hon. Gentleman asked various questions about the position of the United States. There were differences in the detailed advice offered by the United States, the Australian Government and ourselves. Those can be seen clearly from comparing the different travel advisories that I have placed in the Library and to which the right hon. Gentleman already has access.

[Mr. Straw]

The key advice in all the advisories issued by the three Governments was the same; in none of them was travel to, or stay within, Bali advised against.

The right hon. Gentleman talked about the position of the United States. Its position was the same as ours. Sadly, three United States citizens were among the casualties in Bali. However, the United States was sufficiently relaxed about travel to Bali that I am told authoritatively that at least six of its own staff from Jakarta were on holiday in Bali at the time of the blast. The right hon. Gentleman should bear that information in mind before coming to the type of conclusions that he drew.

The right hon. Gentleman asked me about the reference in the Downing street briefing last Thursday. We are talking about the same information. As far as I am aware, we first received that information on 27 September and it was then the subject of assessment by the Security Service.

Was I aware of that information before I made my statement last Thursday? The answer is yes, but we had made a judgment that it would not be appropriate to give details about some of that intelligence. It happens that, for separate reasons, such information was given by my Australian counterpart, Alexander Downer, and that became clear between when I made my statement and when the Downing street press office answered questions at its briefings. What happened, as the right hon. Gentleman will see from the record, was that that was then referred to in the Downing street briefing, but we were talking about exactly the same statement.

My view is that we should always err on the side of caution when sourcing intelligence. The crucial thing, about which there has never been the slightest uncertainty, is that the right hon. Gentleman describes this issue as referring to six islands out of 6,000, but it happens that those islands cover 55 per cent. of Indonesia's land mass, 40 per cent. of the total population—100 million people—and 60 per cent. of all western tourists go to those six islands. The judgment had to be made as to whether there was sufficient information in that intelligence to advise against any travel to any of those islands or to one of them—Bali. The judgment that was made here and in Australia and the United States was the same: there was not sufficient information in that intelligence to justify any significant change in the travel advice, and none therefore was made.

Mr. Menzies Campbell (North-East Fife): Does the Foreign Secretary agree that we must not allow our undiminished sense of horror or our natural anxiety about British citizens to stand in the way of a proper understanding of the consequence of those terrible events for the people of Bali, particularly in the long term?

I welcome the right hon. Gentleman's reference of these matters to the Intelligence and Security Committee, but I am sure that he would agree that speed is of the essence and that, if there is any question of delay, will he consider again the suggestion, which I made earlier, that these matters should be remitted to a High Court judge or figure of similar calibre, with a request to conduct a private investigation and to report to the Prime Minister, not for the purpose of seeking scapegoats or indulging in a witch hunt, but to see what lessons need to be learned for the future?

In the matter of consular assistance, it is clear that, in spite of their valiant efforts, the United Kingdom consular staff were literally overwhelmed. Since the events in Bali may not be the last occurrence of that kind, will the right hon. Gentleman consider—to an extent, I echo the observations of the right hon. Member for Devizes (Mr. Ancram)—establishing in the Foreign and Commonwealth Office a unit ready to move at 24 hours' notice to give consular assistance where demands exceed the capacity of the staff already in place?

Mr. Straw: I am grateful to the right hon. and learned Gentleman for his remarks. My view is that the appropriate mechanism for an examination of the facts is the Intelligence and Security Committee. After all, it was established by the House and senior Members of the House and the other place serve on it, and they are well used to looking at intelligence. I have asked the intelligence co-ordinator in the Cabinet Office to ensure that, obviously, all the relevant intelligence is made available to that Committee, and it can then come to its own conclusions on it.

Is there a case for establishing a unit to ensure that there is a faster response where the evidence emerges over a period of hours, as it did in Bali, that the atrocity was on a very large scale? The answer is yes, and as I told the right hon. Member for Devizes (Mr. Ancram), we are bringing forward our plans to do just that.

Donald Anderson (Swansea, East): We grieve with those who lost loved ones in this outrage, but is not hindsight a wonderful thing? It gives a remarkable 20:20 vision. Is not it significant that, on the basis of the same evidence, our Australian allies, with their neighbours, reached the same conclusions as my right hon. Friend, but can he say a little more about the response of the Indonesian Government? We know that they have taken measures to combat Jemaah Islamiyah and that they have now arrested Mr. Bashir, the alleged leader of that group, but is it not true that certainly more than a year ago the Indonesian Government were advised that there was a training ground for al-Qaeda on Sulawesi? They have had a great deal of information about the way in which terrorist groups operated freely in Indonesia. Therefore, in the light of that record, is my right hon. Friend fully convinced that they have now taken on board the gravity of what they have allowed to develop on their territory?

Mr. Straw: On my right hon. Friend's first point, he is right about hindsight. What the intelligence agencies have to do on the basis of imperfect and inadequate information—namely the intelligence that terrorist organisations try to keep from the intelligence agencies—is to make the best judgments that they can. At the same time, we must not shut down the world, which is exactly what the terrorists want. Such judgments are very difficult, and we always err on the side of caution because human lives are at risk. However, if we were not to make proper judgments on the basis of assessments, the world would literally be closed down and the terrorists would then have won.

On my right hon. Friend's point about the Indonesian Government, they are now showing an increased determination to recognise the very severe threat that terrorism poses to them and to their society as well as to the wider world. We are therefore grateful to them for the collaboration and co-operation that they are showing to our law enforcement agencies, obviously to the Australians and to the agencies of other countries that had people killed or injured in this atrocity.

Mr. Douglas Hogg (Sleaford and North Hykeham): Will the right hon. Gentleman confirm that, at least at present, there is no obvious connection between the bombing in Bali and the Iraqi Government? Does he understand that there is a real concern among many right hon. and hon. Members to the effect that, if we are to take military action against Iraq even if supported by the authority of the United Nations and probably in any event, we will increase the support currently seen in the Islamic countries for terrorist activity? That really is a matter that we must take account of.

Mr. Straw: I find that a curious assertion. It seems to me that the right hon. and learned Gentleman is saying that we should not do one thing that is right—namely deal with the threat posed by Iraq—while we are doing something else that is also right, namely fighting terrorism. I do not share his view.

Ms Meg Munn (Sheffield, Heeley): It is believed that my constituent Natalie Perkins died in the atrocity along with her cousin, Laura France, a constituent of my right hon. Friend the Member for Sheffield, Central (Mr. Caborn). Unfortunately, the families received contradictory information at different times from the Foreign Office regarding the availability of flights to the area. Can I seek my right hon. Friend the Foreign Secretary's assurance that there is now improved liaison with the families and a clear point of contact to ensure that they are given whatever accurate information is available at the time? May I also suggest that, in these situations, there should be one clear contact point for Members of Parliament, who are often contacted at such times, so that they too can have the up-to-date, accurate information to help and support families through a traumatic period?

Mr. Straw: I would like to express my very sincere condolences to the families concerned. I will look immediately into what my hon. Friend has today told me and the House. I am very sorry that that was the service that these families received.

As I have already said, there are a number of lessons to be learned, albeit that the staff were working in very difficult circumstances and under very great pressure. We intend to learn those lessons, and I shall ensure that the House is fully informed about them.

Mr. William Cash (Stone): Will the Foreign Secretary note that family friends of mine are the father and mother of Peter Record, who was murdered in Bali? They are obviously suffering grievously in these circumstances.

Will the right hon. Gentleman also note that, as far as I can see, he has not answered the important questions put by my right hon. Friend the Member for Devizes (Mr. Ancram)? Will the right hon. Gentleman ensure that those questions are properly answered in due course and, furthermore, that we have a further opportunity to consider the matter when the Intelligence and Security Committee has reported to the House?

Mr. Straw: I express my condolences to the hon. Gentleman's close friends on their loss.

The burden of the questions asked by the right hon. Member for Devizes (Mr. Ancram) rests on the claim that evidence was available to warn against a specific threat in Bali on which we failed to act. There was none. It was also claimed that we did not issue warnings when the United States did, on which their citizens acted. That is also not the case. As I explained, the US judged Bali sufficiently safe that members of its embassy staff in Jakarta were on holiday there when the atrocity took place.

Mr. Clive Soley (Ealing, Acton and Shepherd's Bush): Although we do not know who was responsible for the barbaric act, will my right hon. Friend bear it in mind that about a year ago bin Laden said on al-Jazeera television that Australia was a crusader state because of its role in the United Nations in East Timor, and that Bali is predominantly a Hindu island? In those circumstances, is he satisfied that we will do everything possible, both here and overseas, to ensure that countries such as Indonesia, which has a large Muslim population, recognise the danger of religious war, and that all of us who are involved in religion and politics do everything possible to avoid such a war?

Mr. Straw: Yes. One reason why Bali was judged relatively safe was because 95 per cent. of its population is Hindu, a fact to which my hon. Friend alluded.

Mr. Nicholas Soames (Mid-Sussex): I have no doubt that the House will share the Foreign Secretary's confidence that the ISC will do its job thoroughly and that the intelligence co-ordinator at the Cabinet Office will learn, as far as it is possible, whatever lessons there are to be learned from the terrible events of the past few days. Does the Foreign Secretary agree, however, that there is a fatal flaw? In the 1990s, the obsession with signals intelligence—SIGINT—over human intelligence left the west at a grave disadvantage, which needs to be made up. Even allowing for the real and welcome increases in expenditure on security services, which I wholly welcome, will the Foreign Secretary confirm that the necessary steps will be taken to ensure that there is a constant build-up of our ability to decipher human intelligence in those parts of the world where the risk is greatest, so that we do not rely only on SIGINT?

Mr. Straw: The hon. Gentleman makes an important point. Everyone lowered their guard after the collapse of the Berlin wall. It was generally assumed that because the possible conflict between east and west was over, no significant threats to our interests and those of the west remained. We have sadly learnt to our cost that that is not the case. The hon. Gentleman is right to stress the importance of human intelligence alongside electronic intelligence—the one complements the other—and I am glad that he highlighted the fact that there has been,

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and will continue to be, a significant increase in resources to those parts of our intelligence apparatus that deal with human intelligence.

Mr. Tam Dalyell (Linlithgow): Can we hark back to the question asked by the former Foreign Office Minister, the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg)? The Foreign Secretary said that it was a curious question, but to some of us it is a self-evident question. Let me ask a direct question: in the view of the Foreign Office, is there any connection whatsoever between the monstrous events in Bali and Iraq? Can the Foreign Secretary imagine anything more likely to recruit terrorists from Algiers to the Philippines than raining down bombs on Baghdad from 15,000 ft?

Mr. Straw: I have the same difficulty as my hon. Friend in remembering the name of what used to be Grantham. It is Sleaford and North Hykeham. On the main point of his question, I see no connection between the atrocity and the Iraqi regime.

Mr. Andrew Mackay (Bracknell): May I again return to the genuine problem of warning fatigue? Obviously, I urge the Foreign Secretary to continue to warn of genuine terrorist threat, but I stress that if too many warnings are issued about too many countries, the public will not believe them. For example, in the recent India-Pakistan crisis, the Foreign Secretary urged British nationals to leave. In such circumstances, warnings will be ignored, at everybody's peril.

Mr. Straw: The right hon. Gentleman spoke with greater wisdom to some extent than Conservative Front-Bench Members. He is right: we must achieve a balance. We always err on the side of caution—as I did at the end of May about travel to India and Pakistan—in the travel advisories that the United Kingdom and the United States issue together. However, the right hon. Gentleman was right about subsequent difficulty with the credibility of the warnings. We must be careful about the way in which we issue the warnings and the currency that we thus establish.

We shall continue to issue warnings whenever we judge them appropriate and especially when we consider lives to be at risk. Let me repeat that we cannot simply act on unassessed, raw intelligence, some of which is presented to us precisely because it is inaccurate. The overall effect would be to shut down economic and social activity throughout the world, which is exactly what the terrorists want.

Jane Griffiths (Reading, East): I am sure that those who lost loved ones in the Bali outrage will appreciate the support that the Department offered. However, will my right hon. Friend also consider those such as the group of five young people from my constituency who fortunately escaped injury but witnessed the carnage at close hand? Will he discuss the matter with his colleagues and try to ensure that such people receive some support so that their lives are not blighted by terrorism?

Mr. Straw: Yes is the answer to my hon. Friend's question. If she has any details, I am happy to follow up on the case that she described so that we can learn from her constituents' experience.

Dr. Julian Lewis (New Forest, East): Hindsight may be wonderful, as was said earlier, but foresight is much better. Was it not blindingly obvious, after 11 September and the Government's rightly strong reaction to those events, that British citizens around the world would be in danger of assault? If so, why were no preparations made to have a team on stand-by to react in support of British citizens around the world when they were attacked?

Mr. Straw: The fact that there is a worldwide threat is not only obvious but made clear in all our travel advice. For example, travel advice, which was last updated before 12 October on 27 August, said about Indonesia:

"After the terrorist attacks in the US, there is a heightened terrorist threat to US and UK interests worldwide."

It goes on to give advice about a series of precautions.

We have been strengthening our consular and support arrangements since 11 September last year. Many were put in place quickly. For example, in the United Kingdom, the emergency consular department was established and operating fully by the small hours of 13 October. We may be able to do more here. Notwithstanding the difficulties of a remote location, where there was simply one British honorary consul on 11 October, not a full diplomatic staff, we must have more flexible arrangements that can respond more quickly to the possibility of atrocities.

Mr. George Howarth (Knowsley, North and Sefton, East): We welcome the decision to refer all the evidence to the Intelligence and Security Committee. Will my right hon. Friend repeat or confirm that if all raw intelligence were taken at face value, the world would come to a standstill? As someone who also served in Northern Ireland, I can say that the right hon. Member for Devizes (Mr. Ancram) should know that.

Mr. Straw: What my hon. Friend says is entirely correct. Those of us who work, or have worked, with intelligence have particular responsibilities in this area.

Angus Robertson (Moray): While echoing the Secretary of State's condolences in relation to the Bali attack, may I ask whether he is aware of the security report produced by the Government of Spain on the operations of al-Qaeda in Indonesia, which was reported in *The Herald* today and, in depth over the weekend, in *El Pais*? Although the Secretary of State made no mention of other European intelligence agencies, or, indeed, of the role of the European Union, I know that this matter is on the agenda of the Council of Ministers today and tomorrow. What specific enhancements does the Secretary of State favour, in terms of intelligence sharing, to help to avoid this kind of catastrophe in the future?

Mr. Straw: I have seen the report. It is important, particularly when dealing with intelligence, not to treat

one individual report—particularly one in a newspaper—as though it were somehow gospel. There is a stream of intelligence coming through all the time. We have very professional and competent intelligence services, as do many other countries. However, notwithstanding the high level of intelligence assessment and capacity available in the United States, there was no warning or intelligence whatever before 11 September last year that could have led the United States to take action to avoid that most appalling atrocity. There are standing arrangements by which we share intelligence and assessments with other intelligence agencies around the world, and those will continue to be strengthened in every way possible.

Mrs. Louise Ellman (Liverpool, Riverside): Is the Secretary of State in a position to make any observations on the significance of the Bali atrocity to the importance of continuing to fight against international terrorism, in terms both of this country acting alone and of international action?

Mr. Straw: My hon. Friend's question raises the importance of us continuing this fight. We must not let our guard fall, or be led into believing that the last atrocity is really the last. That cannot be the case. Within the al-Qaeda organisation, within the organisation likely to have been responsible for the Bali atrocity and within many other terrorist organisations, there are people who are determined to attack our way of life—not just the west's values, but universal human values enshrined in the United Nations charter—and randomly to make victims of our citizens in the course of their attacks on our society as a whole.

Dr. Jenny Tonge (Richmond Park): Are the Government planning to give any immediate assistance to the people of Bali, who have not only had to deal with many dead and injured among their own population, but will have almost totally lost their livelihoods as a result of this terrible event?

Mr. Straw: We are giving immediate assistance, particularly in respect of the law enforcement inquiry—the anti-terrorist inquiry—in which we have a number of police officers on the ground working with the Indonesians and the Australians on the investigation. I am sure that my right hon. Friend the Secretary of State for International Development will look carefully at any requests that we receive from the Indonesians for further assistance.

Mr. Stuart Bell (Middlesbrough): May I come back to the question raised by the right hon. and learned Member for North-East Fife (Mr. Campbell)? Building on the questions asked by my hon. Friend the Member for Reading, East (Jane Griffiths) and the hon. Member for Richmond Park (Dr. Tonge), may I ask whether it is not a fact that Balinese people have lost their lives in this tragedy? I am thinking of the six taxi drivers who plied their trade outside the nightclub, never to be seen or heard of again, and of the tragic consequences for their families. Is it not an incontrovertible truth that the terrorists, and only the terrorists, are responsible for this atrocity, and that, no matter how much we seek to shuffle responsibility or blame, it lies on the terrorists and only the terrorists?

Mr. Straw: My hon. Friend is right to point out that indigenous Balinese people lost their lives; I mentioned that at the beginning of my statement. On his second point, were I someone who had been injured in this atrocity or the relative of someone who had been killed, I would be asking all these questions. It seems to me entirely reasonable that they should be asked. I think, however, that those of us who are or have been responsible for dealing with intelligence must also be responsible for ensuring that all the intelligence available is properly scrutinised—which it will be, in this case, by the ISC—and, in addition, provide reassurance about the nature of intelligence. Would that we had had intelligence that could have warned us of this atrocity, because we would then have issued a warning within seconds; but we did not, and responsibility for the atrocity is that of the terrorists and the terrorists alone.

Mr. Jonathan Djanogly (Huntingdon): To what extent are the Indonesian authorities co-operating with Australian and British police investigations?

Mr. Straw: My understanding is that they are co-operating thoroughly. That was a point made by President Megawati when she saw my noble Friend Baroness Amos, Under-Secretary of State for Foreign and Commonwealth Affairs, at her meeting earlier today.

Mr. Win Griffiths (Bridgend): Does not this terrible, savage, barbaric terrorist tragedy show us once again just how difficult it is to get at the al-Qaeda network, or whoever else may have been involved in the bomb attack on Bali? If the only warnings we in the west had of the tragedy were generic, is it not even more difficult for the Indonesian Government? We tend to forget that they are only a three-year-old democracy, still emerging from the tragedy of Suharto's dictatorship and trying to establish democracy and human rights. If they had rounded up all who we have been told were involved in this particular tragedy, half the Indonesian population would have been in jail and human rights organisations everywhere would have been shouting about them.

Mr. Straw: Yes, it is difficult to get at such networks. As with criminal organisations, the first priority of terrorist organisations is to ensure that what they are doing does not come to the attention of law enforcers. They do not telephone the intelligence services and announce when their next atrocity will take place. That is why penetrating those organisations and gaining intelligence that can be relied on is inherently difficult. I believe that our agencies do it better than any other agency in the world, and they are joined in that high standard by a number of others; but it is still intrinsically difficult.

My hon. Friend speaks about Indonesia and its new democracy on the basis of considerable experience. We have a responsibility to help support the forces of democracy and of law enforcement in Indonesia, and we are seeking to do just that.

Michael Fabricant (Lichfield): As the Foreign Secretary will know, there have been a number of bomb

[Michael Fabricant]

outrages in Indonesia over the past year, including the bombing of the Jakarta stock exchange. Can he confirm reports that the bomb was not made from professional explosives such as C4, but from fertiliser and oil? If so, what comfort does he have that the bomb outrage was linked with al-Qaeda, and was not part of a continuing internal war of terror in Indonesia?

Mr. Straw: I cannot confirm those reports publicly.

Paul Flynn (Newport, West): Experience has taught us that the best way of reducing the number of acts of terrorism of this kind is to win over the hearts and minds of supporters and potential supporters of terrorism. Does my right hon. Friend agree that among Muslims in this country and throughout the world there is a wholly misplaced but deep sense of grievance against the west and against Christian countries? While that does not excuse these terrible acts in any way, how does my right hon. Friend expect a land invasion of Iraq, before there is a settlement of the Palestine question, to affect that sense of grievance and the likelihood of more terrorist acts?

Mr. Straw: My hon. Friend will forgive me if I do not go all the way in the direction in which he entices me. I will say, however, that nothing justifies this kind of atrocity. Yes, there is a separate issue. On the three occasions on which the west has intervened with military action on any scale during the last 12 years, we have saved hundreds of thousands, in some cases millions, of people who happened to be Muslims. That is what we should be saying. We should remind people that the last time we had to take military action against Iraq was because it had gratuitously invaded the law-abiding sovereign state of Kuwait, which is Muslim.

Several hon. Members *rose—*

Mr. Speaker: Order. I shall first take the Standing Order No. 24 application.

Fire Brigades Union

4.25 pm

Sir Patrick Cormack (South Staffordshire): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 24, to debate a specific and important matter that requires urgent consideration, namely,

"the proposed strike by members of the Fire Brigades Union."

In this brief submission, I am well aware that I am not allowed to go into the details of the subject. All I would say is that if any subject meets the three criteria listed in Standing Order No. 24 it is this one. Our emergency services are on the brink of being disrupted, and it is not just the fire service that will suffer if the fire brigade strike goes ahead. There will be repercussions for the railways, the underground and for many other parts of our national life. The matter is specific because the strike is due to take place next week, and no one could suggest for a moment that this is not a matter of grave public importance.

Mr. Speaker, you have at your discretion the opportunity to allow the House to debate this matter. Whatever one's views on the merits of the FBU's case, everyone in the House must feel that this subject should take precedence over other business before us, and that we should be able to debate it. Outside the House, people frequently say that we do not debate what is most relevant and pertinent in their lives: we are all accosted with that accusation. I submit that people who are likely to be affected by the strike will view with some incomprehension a House of Commons that does not debate it. I submit my application to you, Sir.

Mr. Speaker: I have listened carefully to what the hon. Member has said, and I have to give my decision without stating any reasons. I am afraid that I do not consider that the matter that he has raised is appropriate for discussion under Standing Order No. 24. Therefore, I cannot submit the application to the House.

Points of Order

4.26 pm

Mr. Tam Dalyell (Linlithgow): On a point of order, Mr. Speaker. Have you had a request from the Secretary of State for Defence to make a statement clarifying the press reports that have created great anxiety among a number of people whose lives may be affected and who have to make preparations for a call-up of reservists? Surely there should be a statement in good time because, if that is to happen, people who have jobs as doctors, engineers or teachers will have to make some preparation and should be given maximum warning.

Mr. Speaker: I have had no approach from the Minister.

David Davis (Haltemprice and Howden): On a point of order, Mr. Speaker. In view of the problems outlined so clearly by my hon. Friend the Member for South Staffordshire (Sir Patrick Cormack), the risk to the public and to the economy, and the difficulties faced in the Fire Brigades Union dispute, yesterday I contacted the Office of the Deputy Prime Minister to ask whether he would make a statement to the House. Have you heard anything from his Office to indicate that he will make a statement later today or tomorrow?

Mr. Speaker: I have not heard from the Deputy Prime Minister.

Mr. Jonathan Djanogly (Huntingdon): Further to that point of order, Mr. Speaker. If the Deputy Prime Minister is not to make a statement, have you received an indication that any Minister is likely to make a statement on the important issue of the firefighters' strike?

Mr. Speaker: All I can say is that Ministers do not seem to be contacting me.

Mr. Chris Bryant (Rhondda): Further to that point of order, Mr. Speaker. Following the various points of order that we have heard from Conservative Members, have you had any notification from the Leader of the Opposition or from the Liberal Democrats that they want to use the Opposition day debate on Wednesday afternoon on the Government's mismanagement of the national lottery to pursue this subject?

Mr. Speaker: That is not a point of order.

Mr. Nicholas Soames (Mid-Sussex): Further to that point of order, Mr. Speaker. My hon. Friend the Member for South Staffordshire (Sir Patrick Cormack) made a compelling case on a matter in respect of which the Prime Minister—belatedly, and astonishingly belatedly—has called the Cobra committee together only today. Do you recall, in your long years in the House, a Minister not coming to the House of Commons to make a statement on such a matter of the gravest and most fundamental national importance? If no Minister has burnt the wires to you over the weekend, will you ensure that Ministers learn from you that you think they ought to do so?

Mr. Speaker: In my long years in the House, the Speaker has never been drawn into an argument.

Dr. Julian Lewis (New Forest, East): Further to that point of order, Mr. Speaker. Given the Government's abject failure to come to the House to make a statement on this extremely worrying potential strike, may I appeal to you to use your discretion in the selection of certain topics for Adjournment debates to give due consideration to this important matter?

Mr. Speaker: The hon. Gentleman can make an application in the usual way.

Miss Anne McIntosh (Vale of York): On a point of order, Mr. Speaker. I apologise for giving only very short notice of my point of order. On Wednesday last week, the Secretary of State for Transport made a statement to the press and media on some 92 schemes involving £145 million in a rolling programme to tackle congestion and improve safety at junctions across England's trunk roads and motorways. I made inquiries in the Library on Wednesday, but the only document available was a print-out from the Highways Agency website. There was no parliamentary announcement—neither a statement nor a written answer—and no possibility of holding the Secretary of State to account. I declare an interest, as one of the crossings is in my constituency. The local media phoned me, but I had no information to give at that time. Is that a proper way to make such an announcement? There was no democratic accountability, and there is no record of the matter in *Hansard*.

Mr. Speaker: The hon. Lady gave me some notice on the matter. I can assure her that the Secretary of State has, in this case, met his obligations to the House.

Mr. Gerald Howarth (Aldershot): On a point of order, Mr. Speaker. Following on from the point of order made by the hon. Member for Linlithgow (Mr. Dalyell), it is a fact that about 19,000 members of Her Majesty's armed forces are being diverted to take over from the firemen when they go on strike. Will you tell the House whether you would warmly welcome the Secretary of State for Defence seeking your permission to make a statement? It seems astonishing that the House is not able to consider a matter of such urgency. As my hon. Friend the Member for South Staffordshire (Sir Patrick Cormack) made clear, it is of great concern not only to the ordinary people of this country, but to our armed forces, which may be called on to take part in operations elsewhere in the world, which, although they are not more serious, are certainly much more in line with what they are trained to deploy for.

Mr. Speaker: Clearly, a Secretary of State does not require my permission to make a statement. He has only to inform me, out of courtesy, that the statement will be made.

Orders of the Day

Tobacco Advertising and Promotion Bill *[Lords]*

New Clause 2

COMMISSION OF BODY TO STUDY THE EFFECTS OF ACT

'(1) The Secretary of State shall commission a reputable and appropriate qualified body to carry out a rolling study of the effects of this Act on—

(a) the prevalence of smoking in the United Kingdom population, with particular reference to the uptake of smoking by persons between the ages of 16 and 19 and under the age of 16; and

(b) the effect of this Act on market shares of different participants in the tobacco industry.

(2) Following the third anniversary of this Act coming into force, and annually thereafter, the Secretary of State shall arrange for an annual report of the findings of the study commissioned in accordance with subsection (1) above to be laid before Parliament.'.—*[Tim Loughton.]*

Brought up, and read the First time.

4.34 pm

Tim Loughton (East Worthing and Shoreham): I beg to move, That the clause be read a Second time.

The new clause would require the Secretary of State to commission a reputable and appropriate qualified body to carry out a rolling study of the effects of the legislation on the prevalence of smoking in the UK population, with particular reference to those between the ages of 16 and 19, and those under 16, as well as its effects on market share. Furthermore, a report should be made to the House after three years and annually thereafter.

Throughout the passage of the Bill, our major concern has been with gaining the evidential basis for banning tobacco advertisements, not with the harmful effects of smoking, on which we are all agreed. The new clause is no more than what we and all right-minded people have been asking for throughout the progress of this long-travelling Bill.

John Robertson (Glasgow, Anniesland): Will the hon. Gentleman clarify the point he just made? Is he saying that tobacco advertising has no effect on the age group that he mentions and that it does not encourage them to smoke, giving them a chance of dying prematurely?

Tim Loughton: Without going over old ground, the hon. Gentleman well knows that the case that has been made by hon. Members and by people in various industries is that there is no firm evidential basis. There are a number of reports. Some support the case that advertising has an effect on young people and some contradict that. The point is that there is no firm definitive study that without doubt can directly link tobacco advertising with the prevalence of smoking, particularly among children. That is the basis on which we proceed. As we have said all along, it is up to the Government, if they are to ban advertising, to make their case. The point is the link between advertising and smoking. No one disputes that smoking is harmful. It is. It is a filthy habit. We hate it. We would like it to be rather less prevalent among the population, particularly the young. That point is not in dispute.

Mr. Kelvin Hopkins (Luton, North): To look at the argument the other way, why do tobacco companies spend countless billions on advertising tobacco if there is no evidence that it has any effect?

Tim Loughton: The hon. Gentleman was a member of the Committee. He knows the arguments that have gone backwards and forwards. There are arguments of market share between different brands and a host of other arguments. That is not the point that we are debating in new clause 2. He will have ample opportunity to come up with the new evidence that the Government have signally failed to come up with over the several years that this legislation has been the subject of debate in the House.

The intention of all of us is to do anything we can to reduce the consumption of tobacco products, especially to prevent take-up among young people. All we are asking for in the new clause is good practice, a facility in the Bill to make changes if new evidence comes to light that the Act is having no effect, or even that it is proving to be counter-productive. Many people have made claims, some of them spurious, some not so spurious, that one of the main influences on prevalence of tobacco smoking is price. That is very dependent on the prevalence of smuggling and cheap availability of cigarettes. There is more evidence to suggest that those factors have more effect on smoking and on young children having access to cigarettes and taking up smoking than advertising does. If in a few years, when the Act has come into force and we have had enough time to judge its effects, a proper independent study deems that the Act is not having the intended consequences or worse still is proving counter-productive, the Secretary of State should have that information and be able to act on it. That is all we are asking for.

Mr. Nick Hawkins (Surrey Heath): As my hon. Friend is aware, I have a big interest in the effect of the legislation on sport, particularly minority sports such as darts and fishing. He knows that the world darts championship takes place every year at Frimley Green in my constituency. If it turns out that these very popular sports are severely disadvantaged by the legislation, is that one of the aspects that could be reviewed?

Tim Loughton: Again, that is a major consideration that the Committee and many hon. Members have raised on numerous occasions. It is an important consideration because it potentially affects sports that are good for people—good for the health of young people. Without those sports, there will be other health implications.

Mr. Hopkins: Will the hon. Gentleman give way?

Tim Loughton: I would like to answer one point at a time before I do so.

Of course, the point to which my hon. Friend referred is an implication of the new clause, but I am primarily concerned with studying the effect on the prevalence of

smoking. If, in a few years' time, the study shows that far from going down, the prevalence of smoking has increased, we need to know why. We will need to know whether the Act has had a counter-productive effect in some respects. Some would say that, without recourse to advertising, tobacco companies will resort to price-cutting among various brands, and, as I said, price is one of the most sensitive aspects of the prevalence of the smoking. If the hon. Member for Luton, North (Mr. Hopkins) wants to intervene now, I shall take one more intervention and then try to make progress.

Mr. Hopkins: Is the hon. Gentleman suggesting that the health-giving qualities of playing snooker, playing darts and driving fast motor cars counters the damage to millions of people's health from smoking?

Tim Loughton: I am not in the business of trying to undermine two very popular sports—darts and snooker. The international darts competitions ban smoking—the players certainly do not idle up to the oche with a fag in their hands. Those two sports have merits, which may not be health-related but give people an interest that keeps them out of trouble in many respects. I do not want to single out those two sports, but there are many other sports that currently have tobacco sponsorship that will lose that money. Those sports may have many beneficial effects in making sport available to young children who would not otherwise have such opportunities.

To return to new clause 2, the proposed rolling study would in no way undermine the ban in the Bill. It does not oppose the ban in the Bill; it purely raises the question of the circumstances in which that ban should remain on the statute book if research in a few years' time shows that that ban is not having the desired effect. That is right and sensible, and I would hope that Members on both sides of the House could agree with that. The noble Lord Clement-Jones, who resurrected the Bill in another place, said:

"the burden of proof lies squarely on the Bill's opponents, in view of the achievable public health benefits."—[*Official Report, House of Lords*, 2 November 2001; Vol. 627, c. 1710.]

I disagree. Surely the onus of proof is on the Govt's shoulders if they want to ban something: somebody or something is innocent until proven guilty.

I repeat that we are not arguing about the public health benefits of giving up smoking—we are all agreed on that—but about whether advertising is linked to the prevalence of smoking. The new clause does not even go the whole hog towards inserting a strict sunset measure into the Bill, which, if it came into effect, would negate the whole legislation in certain circumstances. We are not going the whole way. Instead, the new clause is a paving clause, so that the Secretary of State can be improperly informed about the effectiveness of the Act, make that research transparent and available to Parliament, and, if the research shows that there is a problem, the Secretary of State will no doubt wish to reverse the legislation of his own accord, without any prompting. That is all we are asking—we are not forcing him to terminate the legislation but making sure that that research is available to all, as, so far, we have not had definitive research that proves the link conclusively.

Mr. David Heathcoat-Amory (Wells): I notice that my hon. Friend's new clause would only produce such a study after three years. Is he aware that Mr. Martin Taylor carried out a report for the Treasury in the last Parliament showing the effect of the accelerated duty increases after 1997, particularly on smuggling? That report remains secret in the Treasury, although its conclusions were widely leaked. Would he consider calling for a study to be produced more quickly—perhaps immediately—before further damage is done by the growing gap between the price of tobacco in this country and on the continent?

4.45 pm

Tim Loughton: My right hon. Friend makes a valid point. There is not only one influence on smoking, namely tobacco product advertising, if that is an influence. There are many other influences, of which smuggling probably is one of the biggest. Anyone who has visited schools in their constituency will be only too aware of people selling cheap cigarettes outside playgrounds, or people at car boot sales selling cheap cigarettes that have been illicitly brought into this country from the continent. That is having an enormous effect on the prevalence of smoking, which is why smoking has gone up again since 1997. If the Government published that report and did rather more to act upon what I judge to be its findings, that might contribute more to reducing smoking in this country than concentrating on this one unproven measure.

Mr. David Ruffley (Bury St. Edmunds): Would my hon. Friend care to speculate on the reasons why Her Majesty's Government have declined to publish in full the Taylor report?

Tim Loughton: I would but I fear that you, Mr. Deputy Speaker, would rule me to be wayward in terms of the new clause. My hon. Friend will have ample opportunity to challenge the Chancellor on that subject when he produces his pre-Budget report in a few weeks. I urge him to do so.

I am slightly disappointed that the Government have not introduced a full sunset provision into the Bill in the first place. Certainly there are several precedents for doing so. The Government have justified their Bill not on the facts, but on two principal beliefs. The first is that the Bill will reduce tobacco consumption and the prevalence of smoking within the population by 2.5 per cent. in the long term. The second is that only a comprehensive advertising ban will be sufficient to bring about that result.

We know that the United Kingdom tobacco companies strongly contest those claims. In their view, the Bill will have perverse effects and tobacco consumption and the prevalence of smoking will be at levels higher than would otherwise be the case. However, one does not have to accept what the industry says to justify serious questioning of the Government's speculative approach to the Bill.

The Opposition are prepared to accept neither the industry's nor the Government's arguments, neither of which offers any certainty. That is why we would have preferred the Bill to be the subject of a sunset provision. Such provisions are not unheard of from the Government; indeed, they took great pains to point out that the Electronic Communications Act 2000 started

[Tim Loughton]

with such a provision. How much better it would be if that had been the case with this Bill also and the Government had provided the opportunity for voluntary and agreed self-regulation to achieve their policy objectives.

The Government's resistance to a sunset clause in the Bill is most puzzling, given that it was a manifesto pledge of the Government to review all major legislation after three years. As paragraph 3.26 of the Cabinet Office's recently published guidance for policy makers on the use of the regulatory impact assessment states:

"You will need to plan for this and include details of your plans in the RIA. Guidance on how to undertake these three-yearly reviews will be issued by the Cabinet Office"

—hence the three-year rolling research requirement in the new clause.

Earlier paragraph 2.17 of the same Cabinet Office guidance recommended the consideration of sunsetting

"where there are significant scientific uncertainties and more information might lead to a different solution."

That is certainly the case with the Bill, as those uncertainties and more information may well become evident from its outcomes. Paragraph 2.18 of the guidance states that where sunsetting—a horrible word—

"may not be appropriate consider a review mechanism instead. The RIA should give details including whether it is to be a statutory review (for example put on the face of the legislation) or a political commitment to be done within a number of years."

Our thoughts on this matter are not that far removed from those of the Cabinet Office. The only point at issue is the appropriateness of the review and of sunsetting to the Bill. We believe that it is appropriate. The Opposition's position is clear. Serious health risks have been associated with smoking. Those risks are well known and understood by smokers and the public generally. Children should not smoke and should not be allowed access to tobacco products. Adults, on the other hand, should be free to make an informed choice about whether to smoke. It is an objective of public health policy to reduce total tobacco consumption and the prevalence of smoking in the population—we all agree with that. While it is not against the law to manufacture, sell, buy or smoke tobacco products, it is appropriate that the advertising and promotion of tobacco products should be regulated.

The key questions therefore include, first, whether the Bill will reduce total tobacco consumption and the prevalence of smoking, especially among children and young people. The Government believe that such a ban could reduce tobacco consumption in the longer term by 2.5 per cent. The second question is whether the comprehensive bans are necessary and proportionate as between the public interest ends that might be served by the prohibitions imposed and the means used to achieve them. The burden of proof lies with the Government and we do not believe that they have provided definitive proof.

Numerous studies have considered whether tobacco advertising affects consumption and have considered the tobacco market after the imposition of controls or an advertising ban. Reviews of such studies in the aggregate have endeavoured to form conclusions, but none of the studies has been conclusive or produced conclusions that have not been contradicted by another similar study. Importantly, a significant empirical literature finds little or no effect of tobacco advertising on smoking. None of the studies is of a nature that makes them predictive of the consequences in the UK of the kind of prohibitions that the Bill contains.

New clause 2 would provide an opportunity to fill the gap that I have just described with rolling research by a reputable and qualified body, selected by the Secretary of State. If research finds that the Act is deficient, measures could be taken.

Pete Wishart (North Tayside): Who would the hon. Gentleman expect to serve on the committee?

Tim Loughton: We have left it described in the new clause as a "reputable and . . . qualified body". We are not trying to constrict the Secretary of State. New clause 2 is an innocuous measure that would ensure that research is done. I do not mean the contradictory research that has been done so far, but proper research that specifically monitors the effects of the Act on an ongoing basis. If the Secretary of State would like to suggest a firm, a body or a group of people to carry out that study, we would be interested in that. It should also be up to Parliament to decide. The findings required by the new clause should be made available to Parliament. However, nothing in the Bill requires the Secretary of State to do any further research into whether it is effective.

New clause 2 contains innocuous and helpful suggestions and I find it odd that several other hon. Members find it contentious. We all surely agree with what we are trying to achieve. The issue is the means, not the end result. I commend new clause 2 as an improvement to the Bill.

Mr. Hopkins: The suggestion that advertising has no effect on the amount of smoking is extraordinary. Tobacco companies cannot believe that, otherwise they would not spend countless billions of pounds across the world on tobacco advertising and they would not be so keen to avoid the Bill. New clause 2 is unnecessary, bureaucratic and, indeed, somewhat cynical.

Tim Loughton: Does the hon. Gentleman think that if the Government had approached tobacco companies five years ago and asked for a voluntary ban on tobacco advertising, the companies would have acquiesced? There is evidence to suggest that that is the case.

Mr. Hopkins: I suspect that tobacco companies have been aware for a long time that there is a threat of a compulsory ban on advertising, and perhaps they were desperate to find a way—[HON. MEMBERS: "The middle way."] The middle way, indeed. They were desperate to find a way to avoid the Bill.

I regard the Bill as a starting point, and I would like to go rather further than the Government have gone. I hope that in time we shall go further.

Tim Loughton: The hon. Gentleman has not answered my question. I asked whether he thought that tobacco companies would have agreed to the proposal five years

ago. I think that there is strong evidence that they would have done, regardless of what might have been coming. If they had, what the Bill proposes would already be in force, and instead of the Government's several attempts to reincarnate the Bill, we would have had no tobacco advertising for the last five years.

Mr. Hopkins: The hon. Gentleman may say that, but I am deeply suspicious of tobacco companies, and I suspect that a voluntary ban would have been a soft option for them. They would have found a way round it, and it would have been obvious that it was their way of preventing a ban from being built into the law.

To suggest that the Bill will have no effect is an attempt to undermine its credibility. It would be simple to count the number of cigarettes consumed and the number of smokers. Some civil service office could do it every year, and if the Bill were having no effect, there might be other factors.

The hon. Gentleman rightly referred to price-cutting; clearly price is an important consideration. I would like to ensure that there is no further price-cutting. If tobacco companies want to substitute a cut in price for their spending on advertising, so as to sell more of their products, let us put up the taxes on cigarettes to fill the gap, so that the Government have a bigger tax take to help with the appalling cost of cigarette smoking to the national health service.

Mr. Ruffley: I am listening to the hon. Gentleman's remarks with care. Does he think that there is any argument that tobacco companies may advertise, not necessarily to sell more cigarettes in total, but to drive down their competitors' market share? Has he not ignored that argument so far?

Mr. Hopkins: I am sorry, but I must say again that I am deeply suspicious of tobacco companies, and I suspect that they work in collaboration. We have heard the market share argument many times, and my belief, although I may be shot down for it, is that the whole idea of tobacco advertising is to create a culture in which tobacco usage is seen as a good thing, cosy and friendly—something that we can all do and enjoy, like many other harmless pursuits. Cigarette smoking is not harmless; it is very harmful, and we must take steps to stop it, initially by persuasion through Bills such as this.

We have talked about cigarette smoking as if it were an "informed choice". In my youth I was addicted to cigarette smoking, and I gave up 32 years ago. Smoking was not an informed choice, but an addiction. I had great difficulty in giving up, and so do most people. The whole idea of tobacco advertising is to create a world that makes smoking acceptable, colourful and part of one's identity, so that young people become addicted. Once they are hooked, they find great difficulty in giving up, as all of us who have known addicts, or who have been addicts ourselves, will know. That is the sole objective of advertising: to get people hooked. After that, the companies make their money.

The new clause proposes a bureaucracy to put a smokescreen round the real problem, which is to find ways—through the Bill and other measures—to reduce and eventually end all cigarette smoking.

Mr. Boris Johnson (Henley): Is the ultimate tendency of the hon. Gentleman's argument to ban tobacco smoking altogether? Is that what he would like to do? Only the other day, I heard him—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. That is inviting the hon. Member for Luton, North (Mr. Hopkins) to go well beyond the confines of the new clause.

Mr. Hopkins: Thank you, Mr. Deputy Speaker.

I have every confidence that in the end people's intelligence will prevail and they will choose not to become smokers, because they will realise that it is dangerous and addictive. That is what we are trying to get across to people, but they will make a free choice.

Richard Ottaway (Croydon, South): I am trying to keep within the confines of the debate. If such a group were established, it could look at the anomaly that may well arise from clause 10, which deals with the prohibition of sponsorship. Its definition of sponsorship agreements could fall foul of internal agreements within the trade, which I doubt the Bill intends. That is just the sort of issue that the group could look at, opine on, and report back on to the Minister. In the absence of such a group, how could such a flaw in the Bill be exposed?

5 pm

Mr. Hopkins: I am sure that some of the technicalities will be addressed by my hon. Friend the Minister, but my concern is the proposal to establish a bureaucracy to look at the effects on cigarette smoking. I am surprised at Opposition Members: they constantly go on about quangos, bureaucracies and unnecessary additional bodies, yet their proposed body is completely unnecessary. It would be the simplest thing in the world to measure the number of cigarettes smoked, the amount of smoking that goes on, and the effect of an advertising ban over a particular period. However, given that cigarettes are so addictive, such impact will take time. Changing the culture of smoking that exists among many young people—sadly, it is increasing among young women—will take time. However, we have to start changing it, and this Bill constitutes a very good start.

Dr. Evan Harris (Oxford, West and Abingdon): It is a long time since we considered the Bill in Committee. It was first promised in the governing party's 1997 general election manifesto, and it seems to be taking a very long time for it to reach the statute book. None the less, it is my pleasure to welcome the Minister to her relatively new position. The Committee that considered this Bill was one of the few places in which we could get away from her hyperactivity in health matters, but she is certainly welcome to join us. I also take this opportunity to pay tribute to her predecessor, the hon. Member for Pontefract and Castleford (Yvette Cooper), who did a fantastic job on this Bill in particular and who is

[Dr. Evan Harris]

regarded as an excellent Minister. She did not deserve her fate of being moved sideways—allegedly—to the Lord Chancellor's Department.

The hon. Member for East Worthing and Shoreham (Tim Loughton) will be unsurprised to learn that we will not be supporting the new clause. However, because he has been very consistent in his approach to the Bill—he deserves credit for that—it is worth explaining to him why we will not support it. It is important to have an evidence-based policy, particularly given that, by curtailing the liberty to advertise, we are to some extent curtailing civil liberties. As the hon. Member for Luton, North (Mr. Hopkins) mentioned, we should recognise that we are curtailing not the liberty to be addicted—that is a liberty not worth protecting—but to advertise, so we need to ensure a good evidence base. However, in taking issue—by arguing that one should be innocent until proven guilty—with the contention of my noble Friend Lord Clement-Jones that the burden of proof is on the tobacco industry, the hon. Member for East Worthing and Shoreham uses the wrong analogy. To me, the evidence is clear that the tobacco industry and the associated advertising have been proven guilty. The burden of proof is on those making the appeal; they need to provide new evidence if they want to reopen the case.

Mr. Heathcoat-Amory: Surely the point of the new clause is to look at the whole problem. We face a fiscal problem, involving billions of pounds being lost in smuggling and cross-border shopping; a law and order problem, through the epidemic of smuggling through the white van trade; and a health problem, through the sale of smuggled cigarettes to youngsters, who take up smoking for the first time as a result. It is not just a question of advertising. This well-drafted new clause and the generality of the study are precisely concerned with looking at the whole problem, rather than pretending that an advertising ban will prove anything more than a pin-prick.

Dr. Harris: I accept what the right hon. Gentleman says about there being other issues of concern. I also accept that tackling them might achieve an even greater health gain than can be obtained by this measure, which I do not consider the be-all and end-all. However, I would not describe it as a pin-prick—the hundreds of lives that are reckoned to be saved are more than a pin-prick. Nevertheless, the issues that he raises do exist, and I and many other hon. Members, including a couple from his own party, talked about them on Second Reading.

The only possible impact of the measure to ban advertising, according to the hon. Member for East Worthing and Shoreham, would be price reduction in lieu of advertising. However, if anything, that would serve to undermine, or weaken the pressure for, a parallel trade in smuggled goods, so I accept the premise of the right hon. Member for Wells (Mr. Heathcoat-Amory) but not his conclusions.

The burden is on the tobacco industry to demonstrate that the measure is counter-productive, if that is what it believes. That is why we do not need a Government-sponsored research programme. Research will be undertaken; there will certainly be research sponsored by the tobacco industry and the tobacco advertising industry, although I would not trust it. However, the subject is one of interest and contention. There is extensive literature about the effects of advertising bans in other countries and I suspect that independent bodies will produce such research for this country.

Government-sponsored research is not necessarily best in such a highly politicised field. I am concerned about the Government's approach to their research contracts—for example, the inappropriate control that they exercise over publication dates and other matters. If possible, independent research would be best. That is another reason why the new clause is wide of the mark.

Dr. Andrew Murrison (Westbury): The hon. Gentleman has partially answered my question. If he does not trust research sponsored by either the industry or the Government, what research would he trust?

Dr. Harris: As the hon. Gentleman pointed out, I have already answered his question. There are still some thriving academic institutions in this country—just about—and, indeed, throughout the world, which are capable of undertaking such research. I certainly should not dismiss out of hand research from any source. I merely point out that the hon. Gentleman's party would do best to promote—

Dr. Murrison *rose—*

Dr. Harris: Perhaps I could answer the hon. Gentleman's first question. His party would do better to promote the health of independent research in this country and in the wider world rather than calling for Governments of any complexion to fund research into highly politicised issues.

Dr. Murrison: The hon. Gentleman misconstrued my words. I was talking about sponsorship not active research. I am sure that he agrees that academic institutions can be relied on to produce objective research. Sponsorship is a separate matter.

Dr. Harris: I refer the hon. Gentleman to the work that has been done and the concerns that have been raised about the control of the publication and content of research sponsored by Departments. There is an extensive literature and it does not make for happy reading. I am not saying that there is necessarily a relationship with the control-freakery of the present Government, but the concerns are well established. Indeed, some more outspoken Ministers have expressed concern about the quality of research in the social field and that has given rise to anxiety about future funding in those areas.

Mr. Hopkins: Is the hon. Gentleman aware that only today the British Medical Association published a document entitled "Tobacco under the Microscope: The Doctors' Manifesto for Global Tobacco Control", which might relate to the objective research about which Members are asking?

Dr. Harris: I was a member of the BMA board of science when some of that work was being undertaken,

so I did not think it appropriate to blow that particular trumpet, but there are sources of sponsorship that are even more independent than Government sources for such research.

I question whether the people who argue against a ban on tobacco advertising would ever accept such findings. The history of the passage of the measure and of scientific findings about tobacco has been one of resolute refusal to accept what has clearly been shown by evidence not only about advertising but about the causation of disease by tobacco. I would have more faith that tobacco companies would accept the results of independent research if they apologised for their obstructive approach to the public acceptance of the case—clearly accepted by the hon. Member for East Worthing and Shoreham—that tobacco smoking and addiction to tobacco is extremely damaging.

The hon. Gentleman referred to anxiety that price cutting might be used to get around a ban on advertising. That could certainly be a factor, but if we were to argue that it was of overriding importance—especially before it had even occurred—we should never have banned the advertising of things that are currently banned. Indeed, one would want there to be an advertising free-for-all on all products to ensure that prices went up on undesirable substances. If there is clear evidence that an advertising ban would reduce addiction, particularly among young people, we should do what we are doing, even if there is a risk of price cuts—although the major component of the price of tobacco is of course taxation.

The Conservatives have prayed in aid darts and snooker. I support darts and snooker having recognition as sports. They are small sports, but they should not be recognised as sports on the basis of the health impact of the exercise associated with them, as was pointed out by the hon. Member for Luton, North. Some of us feel that the definition of sport could be wider. Indeed, even Ministers share that view in relation to mind sports. All those sports would thrive better if they were not associated with the stench, literally and figuratively, of tobacco.

The hon. Member for East Worthing and Shoreham argued in an intervention on the hon. Member for Luton, North that, somehow, the tobacco industry might have been interested in a voluntary ban five years ago, but I am not convinced that that is the case. I should be interested to see what evidence there was for that. However, we are where we are: there has been no voluntary ban, and Bernie Ecclestone's actions in trying to get round a ban five years ago is clear evidence that few other options were on the table.

Mr. Hawkins: I am grateful to the hon. Gentleman for giving way because he has been talking about some of the sports issues that I raised in an intervention on my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton). The hon. Gentleman talks about the embarrassment of various people in the history of the Bill, but does he agree that the greatest embarrassment must lie with the Government? They were in the extraordinary situation of accepting a huge amount of money from Mr. Ecclestone and apparently doing favours for Formula 1 and, as a result of all that being revealed, Mr. Ecclestone got his money back. So the Government hardly come to this issue without embarrassment. Lucrative sports, such as Formula 1 and snooker, have a dispensation; less well-off sports, such as darts and fishing, which I mentioned, have no dispensation, so the Bill is in a mess and it needs the review that is set out in the new clause.

Dr. Harris: The hon. Gentleman may be seeking to lead me out of order and I do not intend to go down that path. In relation to the first part of his intervention, yes, what happened certainly embarrassed the Government, and the Government should accept that.

Richard Ottaway: Will the hon. Gentleman give way?

Dr. Harris: I may give way in a moment, but I want to bring my remarks to a close.

The hon. Member for East Worthing and Shoreham discussed other ways to achieve what he seeks to achieve. For example, he was driven to such an unusual approach by the absence of sunset provisions. I should be interested to know whether he considered proposing sunset provisions so that we could discuss them now, because the Liberal Democrats are not automatically opposed to them, although the Conservatives have opposed such provisions in the past.

I do not know what happened to new clause 1, which was an alternative to new clause 2, as it would have given the Government order-making powers of the type that I always thought those on the Conservative Front Bench sought to oppose. That would have been a worse alternative, but the new clause is pretty poor, so we shall oppose it.

John Robertson: I will keep my remarks fairly short because hon. Members have touched on just about everything that I wanted to say. While I was considering the new clause, I had to ask myself why a rolling study of the legislation's effects is needed, but I could not find out anything. Perhaps the hon. Member for East Worthing and Shoreham (Tim Loughton) could answer that question, but he obviously cannot be bothered to listen to me.

I asked myself, "If tobacco advertising does not cause any deaths or harm, why should it be there; it is obviously a waste of money?" I decided to read previous speeches that other hon. Members had made, and a came across a statement that Mr. Philip Morris had made back in 1981.

He said:

> "Today's teenager is tomorrow's potential regular customer, and the overwhelming majority of smokers first begin to smoke while in their teens. It is during the teenage years that the initial brand choice is made: At least a part of the success of Marlboro Red during its most rapid growth period was because it became the brand choice among teenagers who then stuck with it as they grew older."

That was said by someone well entrenched in the tobacco industry and who has made billions of pounds from it. Advertising is there to entrap the young.

5.15 pm

Tim Loughton: Does the hon. Gentleman know who Mr. Morrison is?

John Robertson: I said "Morris". The hon. Gentleman may have heard of him. He is big in the

[John Robertson]

Marlboro world and he is probably a personal friend—*[Interruption.]* I have another point to make. Why should someone who has said that he is totally against smoking want to speak on behalf of someone who has already said that his idea is to entrap young people into taking up smoking? As we know, it takes about 500,000 lives a year in this country alone.

Tim Loughton: I hope that the hon. Gentleman is not trying to pin that one on me. Like other Conservative Members, I have made it absolutely clear that we hate and abhor smoking and would like to do everything that we can to reduce the prevalence of smoking in this country. To be inquisitive about the measures in the Bill is not to be pro-smoking. Will the hon. Gentleman get that into his mindset before he makes any further comments?

John Robertson: I thank the hon. Gentleman; I obviously hit the right note—methinks the gentleman protests too much.

We must stop children becoming addicted to smoking, and the Bill's provisions are a small price to pay if they stop people making money out of smoking. The sooner we stop tobacco advertising and stop children smoking, the better.

Mr. Ruffley: I support new clause 2 and the trenchant comments of my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton). The clause is not about support for increased tobacco consumption. It is entirely consistent with Her Majesty's Opposition's view that we should reduce the number of deaths from tobacco smoking. It is consistent with our public health policy to make sure that tobacco consumption should not increase and with our policy that children should not smoke and should not have further access to tobacco products. It is consistent with our policy that adults should not be forced to smoke, but make an informed choice. It is consistent with our view that manufacturing cigarettes is not illegal, but that tobacco consumption and its advertising should be regulated.

The debate is about means and about creating good law. I genuinely do not believe that there is much difference between Labour and Conservative Members on the issue. The Conservative party—I make no apology for this—is a modernising and forward-looking party and, above all, a party that is interested in good law and in making bad clauses better not worse. That is the thrust behind the new clause.

Dr. Murrison: Does my hon. Friend agree that it is one thing making good law, but that the setting up of a body that has little prospect of showing the effects that it is intended to show is not consistent with that process?

Mr. Ruffley: My hon. Friend is not giving due credit to the thought behind the new clause, which is that an independent body could better judge the statistics than Ministers. They seem to be rather prejudiced on this subject. I say to my hon. Friend with the utmost humility that all we are trying to do is to improve the process. The independent body envisaged by the new clause would add to the debate and the quality of regulation rather than detract from it.

New clause 2 would ensure that the regime is reviewed if consumption increases, and the Government may have to introduce new legislation to extend the ban. We do not want a flawed policy: we do not want the Bill as it stands to get on the statute book, consumption to increase and the regime to continue for ever. We want to have the ability to review what is going on. That is only common sense. It is rational, reasonable and fair. We are saying, "Let's take stock in three years." That is a no-risk policy for the Government, whom I hope want good law, not bad law.

Bob Spink (Castle Point): I am listening carefully. I support the Bill, which is a good piece of legislation. The problem is that it is long overdue. I am trying to grasp my hon. Friend's argument and hope that he will explain how the new clause would help us to reduce the number of young people who take up smoking at 16, 17 and 18. I cannot understand how it would deliver that result and, if it does not, I am sceptical about it.

Mr. Ruffley: If my hon. Friend reads the new clause carefully, he will realise that we intend to review what happens after three years. As my hon. Friend the Member for East Worthing and Shoreham said, the evidence is ambiguous. There are no obvious rights and wrongs. We are merely suggesting that we review the evidence after a period of time.

Bob Spink: My hon. Friend says that the evidence is ambiguous. Will he accept an invitation to join me at Southend hospital? I was there last Friday and there was no ambiguity in the evidence I saw when I spoke to someone with lung cancer who had been given four months to live.

Mr. Ruffley: I do not want to trade anecdotes with my hon. Friend, for whom I have much respect. As my hon. Friend the Member for East Worthing and Shoreham explained, the hard statistical evidence is moderately ambiguous. All we are saying is that we should take stock by having a proper review after three years, which is reasonable and fair. It may well be that after that time has elapsed and after the statistics have been considered, the independent body reaches the same conclusion as my hon. Friend the Member for Castle Point (Bob Spink). I do not prejudge the issue; I merely support the new clause, which makes a reasonable argument for an independent body to take stock.

The Government talk, no doubt with good intentions, about reducing regulation and the burden of red tape on British industry, of which tobacco manufacturing is one part. That is a noble aim, but I fear that in too many regulations since 1997 the Government have demonstrated an unwillingness to embrace the culture of sunset clauses. My hon. Friend the Member for East Worthing and Shoreham is right to jib at the coining of the verb "to sunset" and the word "sunsetting", but the concept is valid. Many Labour Members understand its virtues. They will have seen, as I have, how the burden of justifying the continuation of new regulation in many parts of the United States is passed to the Government. A sunset clause ensures that if a regulation is no longer necessary after a specified time, it is incumbent on the Government and officials to say that the regulation is still good and should remain in place. They then have to take the time and trouble to reintroduce it.

We are not claiming that there should be no regulation, but that it should be reviewed sensibly. The new clause provides that if the reason for the regulation disappears, it would fall, and it would be up to the Government of the day to take the time and trouble to pass it again. The onus would be on the Government to pass red tape. The American experience supports my instincts that such a provision would mean less unnecessary red tape.

The new clause is in the tradition that I described of reviewing a policy after a time. If the reasons for the regulation no longer pertain, and if it is an unnecessary encumbrance on commerce and civil society, it should fall. The new clause merely states that the jury is out and that the policy will be examined in future. It could contribute to the greater goal that we should all share: less red tape in British government and society. I therefore strongly support the excellent reasons that my hon. Friend the Member for East Worthing and Shoreham adduced, and the thrust behind new clause 2.

Pete Wishart: I shall be brief. All hon. Members who served in Committee or participated on Second Reading will be familiar with the issues and arguments that have been bandied about in the past few months.

The Conservatives' position is curious. I tried to follow its logic at length in Committee and today. I have no doubt that Conservatives want to reduce smoking-related disease, ensure that young people do not begin smoking and want as many people as possible to come off cigarettes. However, they appear torn between wanting to do something positive—the Bill obviously offers an opportunity to do that—and a strange commitment to a curious form of free speech that extends only to tobacco manufacturers.

In Committee, the Conservative Members who served on it devoted their time to, in their words, "improving the legislation". They believed that the drafting was sloppy, and generously made it their mission to improve the Bill so that the Government would be spared time and expense in the courts. However, the new amendments may increase that time and expense.

New clause 2 proposes the creation of

"a reputable and appropriate qualified body to carry out a rolling study".

I asked the hon. Member for East Worthing and Shoreham (Tim Loughton) who would serve on the body. I had an awful nightmare of an ad hoc committee made up of health professionals on one side and tobacco manufacturers on the other, chaired by Bernie Ecclestone.

The new clause is superfluous. We have seen the evidence from other countries and Conservative Members have considered it. In Norway, Finland, New Zealand and France, where a full tobacco advertising ban was introduced as a part of a comprehensive anti-smoking policy, adult consumption of cigarettes has fallen per capita between 15 per cent. and 34 per cent. The Government cautiously believe that we will reduce smoking by some 2.5 per cent. That is a modest estimate. However, if only one person gave up smoking through an advertising ban, it would be worth while. Many of us believe that there is something wrong with tobacco companies being able to advertise their poisonous product as if it were a benign household commodity.

At first, I was interested in the new clause because I thought that the Conservatives were being helpful and introducing a provision that would ensure that the Bill remained rigorous and that any attempts by tobacco companies to find loopholes in the measure were examined. Many studies about the tobacco industry show that it displays appalling cynicism and makes continued attempts to flout the rules. It does not care about the health and welfare of its clients and consumers, except to minimise health concerns.

Tobacco companies are getting desperate. Their marketing exercises have been cranked up in the past few months before the Bill becomes law. Direct mailing and free distributions where young people congregate have increased. I do not get out much of an evening, but when I was at the Edinburgh festival a few weeks ago, it was almost impossible to move in some pubs for representatives of tobacco companies giving out free products and exchanging them for half-empty packets to try to get young people hooked. They are shamelessly trying to get young people hooked before the Bill becomes law.

Mr. Hopkins: Does the hon. Gentleman agree that such actions are not too distant from those of heroin peddlers who try to get people addicted? They often target the mentally ill. Perhaps tobacco manufacturers do not see themselves in that light, but there is a parallel.

5.30 pm

Pete Wishart: I certainly agree with the hon. Gentleman; he makes a very good point. Tobacco companies sending their representatives into pubs where young people congregate constitutes a shameless attempt to flaunt their product, and I am thankful that the Bill will now become law and that that practice will come to an end. That cannot happen a day too soon.

The Conservatives see the new clause as a means of considering the deficiencies of the Bill. They could have used it as a useful way of looking at the progress of the legislation and of ensuring that it remained rigorous. The only thing that seems to concern them in the new clause is the market shares of the different participants in the tobacco industry. I have to say that I could not give a fig about the market shares of those participants; I hope that they fall into ruin and are unable to peddle their poisonous products any longer. I am concerned only about how they might try to get round the legislation and exploit potential loopholes that might be uncovered.

There should be a rolling study of the Bill, when it becomes an Act, but it should be carried out in conjunction with tackling the environment in which so many young people are becoming hooked on smoking. I also agree with the comment made earlier that this should be seen as part of a process and not just a one-off event. We have to try to challenge the culture that exists among young people between the ages of 12 and 17. That is the real danger period for young people who become hooked on cigarettes. This is perhaps even more important now, in the light of the recent evidence showing an increased prevalence of breast cancer among women who smoked as girls.

The tobacco industry will try to circumvent this new legislation. When they are losing hundreds of smokers a day, they need new recruits and they will attempt to find

[Pete Wishart]

them. We must remain vigilant and, if necessary, revisit the legislation if loopholes appear, but not under the arrangements proposed in the new clause. I therefore urge hon. Members to vote against it.

The Parliamentary Under-Secretary of State for Health (Ms Hazel Blears): This is my first opportunity to participate in proceedings on the Bill, and I am delighted to be able to do so. I pay tribute to my predecessor as Minister of Public Health, my hon. Friend the Member for Pontefract and Castleford (Yvette Cooper), for the way in which she steered the Bill through Committee. She did an incredible amount of preparatory work for it, and I hope that we shall finally get a result today.

I have some sympathy with the motivation behind new clause 2. We shall certainly not be able to sit back when the Bill is on the statute book. As the hon. Member for North Tayside (Pete Wishart) has just pointed out, tobacco companies may invest considerable resources and ingenuity in trying to redirect some of the £130 million that they spend every year on advertising their products in this country.

I support evidence-based policy making, but it is odd to put such a commitment to evaluation in a Bill as a statutory obligation. That is simply not necessary. The Government can already commission such studies, and to put that requirement into legislation would reduce their flexibility over what they might cover and how often they were done. I think that it was the hon. Member for Southport (Dr. Pugh) who pointed out that such evidence and research is highly complex and difficult to obtain. We are not simply dealing with quantifiable research: this is about behaviour change.

Richard Ottaway: In my intervention on the hon. Member for Luton, North (Mr. Hopkins), I brought up the weakness in clause 10, which relates to sponsorship agreements and is vague, woolly, ambiguous and unclear. How is that sort of thing going to be flushed out? Surely a body such as that we propose would flush the problems out and bring them into the open.

Ms Blears: I do not accept that the provisions on sponsorship are woolly or ambiguous. We have the provisions in the Bill and we are also consulting—as I speak—on the sponsorship transitional provisions. I think that they are extremely clear, and I commend the consultation document to the hon. Gentleman, if he has not already read it.

Richard Ottaway: If the Minister is saying that the provisions are clear and unambiguous, will she tell me whether they apply to sponsorship agreements within the trade between suppliers and retailers?

Ms Blears: Certainly. Whether or not the provisions apply to agreements will depend on the terms of the agreements.

Richard Ottaway: That is rather woolly.

Ms Blears: It is not woolly. I am saying to the hon. Gentleman that whether the agreements are caught by the legislation will depend on whether they fall within the definition in the Bill and the regulations. He knows that it is part of the normal course of legislation that we define something, and whether it falls within that definition is a matter for the legislation and, ultimately, the courts.

I know that, in some countries, wholesalers pay retailers to ensure that products are displayed prominently, perhaps even above those of their rivals in certain circumstances. If that were a sponsorship agreement in that the effect was to promote a tobacco product, it might well fall foul of the sponsorship provisions. The sponsorship provisions are clear. I do not think that they are woolly. If the effect is that companies are paying to promote tobacco products to the public, we will want to prohibit that. If such agreements fall into that category, we will prohibit them.

We have reserve powers in the Bill to introduce regulations on display. We went into that at great length in Committee. If a display is abused to a point at which it becomes an overt representation of the goods, we may have to use such powers.

Subsection (2) of the new clause suggests that there should be an annual report. If that requirement were in the Bill, however, it might become burdensome after 10 years. We might have conclusive results during that period. We need flexibility, not simply to respond to the ban and to ensure that the right sort of research is taking place, but so that we can respond to new needs for research in other areas as they arise. Much of the legislation has been framed to ensure that it is fluid enough to react to developments as they happen. The history of the action of tobacco companies shows that they are ingenious in finding other ways of promoting their product, so it is important for us to have flexibility in relation to research as well as in relation to the statutory provisions that are in place.

Mr. Adrian Flook (Taunton): The Minister spoke at length about promotion of products by tobacco companies. What would happen if a tobacco company demoted a competitor's product?

Ms Blears: That argument too was considered in Committee—an arcane one, I feel. We discussed what would happen if advertising dissed other companies' products, as happens sometimes in America. "Diss" is an advertising term meaning to have a go at a competitor's product. If a company said that another company's cornflakes were not as good as its own, would that have the effect of promoting the product? It would be a question of interpretation. If an advertisement had the effect of promoting a tobacco product, it would clearly fall foul of the prohibition. If it did not have that effect, it would not be caught by the prohibition.

I suspect that the Opposition Members who tabled the new clause were being disingenuous. I suspect that they tabled it because they were doubtful about the effectiveness of an advertising ban in helping to reduce consumption. We have discussed that before, at great length, but I am happy to repeat the reasons for our belief that the weight of the evidence suggests a link between an advertising ban and reduced tobacco

consumption, and also a link between the promotion of cigarettes and the decision of young people to start smoking.

The Smee report, produced by the Department of Health's chief economic adviser in 1992 at the request of the last Government, contained important research. It analysed existing evidence of the effect of tobacco advertising on tobacco consumption. Smee reviewed 19 studies, mainly from the United Kingdom and the United States, most of which analysed the effect of year-to-year fluctuations in advertising expenditure within countries. The report concluded:

"The preponderance of positive results does indicate that advertising has a positive effect on consumption".

Smee went on to consider countries that had introduced comprehensive bans on tobacco advertising. The most significant were Norway and Finland, where bans had been in place for more than a decade. He also considered Canada and New Zealand, where there had been more recent bans. He acknowledged the complications of such studies, the main one being that advertising bans were often introduced in conjunction with other tobacco control measures, but concluded:

"In each case the banning of advertising was followed by a fall in smoking on a scale which cannot reasonably be attributed to other factors".

Other work has reached similar conclusions. A 1999 report from the World Bank, "Curbing the Epidemic", said:

"policymakers who are interested in controlling tobacco need to know whether cigarette advertising and promotion affect consumption. The answer is that they almost certainly do, although the data are not straightforward. The key conclusion is that bans on advertising and promotion prove effective, but only if they are comprehensive, covering all media and all uses of brand names and logos."

The World Bank suggests that implementation of the EU directive could have reduced cigarette consumption in the European Union by almost 7 per cent. The right hon. Member for Wells (Mr. Heathcoat-Amory) referred to the advertising ban as a pinprick. I do not consider the possibility of saving up to 3,000 lives a year a minor effect.

Other evidence comes from the American researchers Saffer and Chaloupka, who studied data from 22 countries and concluded:

"tobacco advertising increases tobacco consumption. The empirical research also shows that comprehensive advertising bans can reduce tobacco consumption, but that a limited set of advertising bans will have little or no effect. A limited set of advertising bans will not reduce the total level of advertising expenditure but will simply result in substitution to the remaining non-banned media. When more of the remaining media are eliminated, the options for substitution are also eliminated."

On the effect of tobacco advertising on children, university of Manchester researchers in the mid-1990s found:

"Awareness of certain brands of cigarette was linked to an increased risk of onset of smoking in 11-13 year olds, especially girls. Awareness of the most advertised brands was a strong predictor of smoking, while awareness of other brands, probably known from other sources, was a less likely predictor. Children appear to take in the messages of cigarette advertising and interpret them as generic to smoking rather than brand specific."

A study of adolescents in California between 1993 and 1996 found

"clear evidence that tobacco industry advertising and promotional activities can influence non-susceptible never smokers to start the process of becoming addicted to cigarettes."

We do not claim that advertising is the only, or even the most significant, factor in the decisions of young people to start smoking, but it is an important one. As a result, we believe that there is clear evidence of a link between tobacco consumption and advertising, and that public health will benefit from a comprehensive ban as proposed in the Bill.

David Taylor (North-West Leicestershire): Would my hon. Friend care to extend the social groups on which tobacco advertising has an impact from the young to those in manual occupations? The evidence shows that the highest levels of tobacco advertising are in areas of low income and high unemployment. The fact that 34 per cent. of men and 29 per cent. of women in manual occupations, compared with 23 per cent. of men and 22 per cent. women in non-manual occupations, continue to smoke shows that the tobacco companies recognise that their advertising reinforces the commitment to smoking.

Mr. Deputy Speaker: Order. Before the Minister replies, I hope that she will not be too tempted by the remarks of the hon. Member for North-West Leicestershire (David Taylor). I remind her that she is replying to a debate on new clause 2, and I hope that she does not anticipate the speech that she may like to make if she catches my eye on Third Reading.

Ms Blears: Certainly not, Mr. Deputy Speaker. My hon. Friend made an important point, and I am sure that we shall return to it.

Quantification of the effects of a ban is not an exact science, but I think that we are about right in estimating that the provisions of the Bill could lead to a 2.5 per cent. reduction in smoking prevalence. We will keep the legislation under review in case circumstances change, just as we do for all legislation, but it is not necessary to prescribe that in the Bill.

I want to deal briefly with the issue raised by the hon. Member for East Worthing and Shoreham (Tim Loughton). He referred to the sunset clause in the Electronic Communications Act 2000. The circumstances of this Bill are entirely different from those in that Act. The sunset clause in part I of the 2000 Act relates to the registering of providers of cryptography and confidentiality services. It provides that, while there is a voluntary agreement that is working well and fulfilling the Government's objectives, there is no need for the legislative provisions in part I. The key point is whether the voluntary code is fulfilling the Government's objectives. I draw to his attention the comments of Joy de Bayer, the tobacco control co-ordinator at the World Bank, who said:

"We know what works and what doesn't. Voluntary codes have proved to be a failure. A World Bank—WHO study . . . found that interventions like comprehensive advertisement bans and price increases have a measurable and sustained impact on decreased tobacco use."

Tim Loughton: In that case, can the Minister explain how the United Kingdom produced one of the largest falls in the prevalence of smoking up till 1997 in the context of only a voluntary ban?

5.45 pm

Ms Blears: Again, a combination of factors is involved: price increases, fiscal measures and health promotion measures. All were no doubt instrumental in achieving the dramatic reduction in smoking, which I hope that we all welcome. The hon. Gentleman is as aware as I am of the fact that that reduction flattened out in the 1990s and that, therefore, there is a need—

Tim Loughton: It has gone back up.

Ms Blears: Exactly. The hon. Gentleman makes my point for me. There is a need to take firmer and more stringent measures, because voluntary codes simply do not work. That is why this situation is different from that involving the 2000 Act.

We shall, of course, continue to commission research on smoking prevalence. That is one of the Government's top priorities in improving public health. I therefore ask the House to reject the new clause.

Tim Loughton: First, I welcome the Minister, luckily for her late in the day, to consideration of the legislation, which has been round the houses many, many times. Many of us have spent much time examining it in Committee.

I was optimistic when the Minister began by saying that she had some sympathy with our motives, but she subsequently lost that sympathy and, predictably, her comments were rather one-sided. Of course she referred to certain reports, but she did not mention the KPMG report and a host of others that counter much of the so-called evidence that she produced. Of course the fall in the prevalence of smoking—such a success up to 1997—is down to a combination of factors, but the situation has worsened since then.

That worsening is largely down to smuggling, as my hon. Friends have said, but that does not counter the argument as to why the Government did not go back to the industry to try to negotiate a much tougher voluntary agreement. That was never tried, so the Minister should not say that it would not have worked—the Government did not even bother. If a voluntary agreement had worked, we would not need the Bill now, because an advertising ban would have been introduced voluntarily five years ago. That is an important point.

The Minister made an interesting comment in response to the accurate observation of my hon. Friend the Member for Croydon, South (Richard Ottaway) that a lot of the Bill is woolly. Clause 10, if it is not woolly, is certainly slightly shaggy, as it is open to all sorts of interpretation, which, I am afraid, she and her hon. Friends seem content to leave up to the courts. I am disappointed that the debate has again been sidetracked by the red herrings involving the horrors of breast and lung cancer. We all agree that smoking kills and that it does terrible things to our bodies, which we do not want to happen, but those are not the points at issue.

We have heard some interesting contributions, but the hon. Member for Luton, North (Mr. Hopkins) was again unable to answer my point about the success of the voluntary ban. He wants more extreme measures, including banning price-cutting. The obvious implication of that, I am afraid, disappointing though it might be, is that he wants the Government to put up tax. The obvious implication of that would be yet more smuggling and yet more cheap fags being sold outside school playgrounds. We cannot have such a wish list and say, "It is going to happen."

John Robertson: Will the hon. Gentleman give way?

Tim Loughton: I will continue, but I shall mention the hon. Gentleman in a moment.

The hon. Member for Oxford, West and Abingdon (Dr. Harris), in wholly typical form, spoke in support of the intentions behind the new clause and then, as he did at every instance on those few occasions when he turned up in Committee, said he would vote against. He then made the bizarre suggestion that we should rely on research from the tobacco industry, which will no doubt be producing research along with everybody else.

The hon. Gentleman also questioned whether we have achieved a full sunset clause, which is what I want, but I had trouble getting one on the selection list. Indeed, I had trouble getting new clause 2 on the selection list, which is why it has taken a somewhat diluted form and why it would give the Secretary of State far greater flexibility. That is what the Minister is asking for.

The point made by my right hon. Friend the Member for Wells (Mr. Heathcoat-Amory) is right: we should not treat the banning of tobacco advertising as the panacea for the ills of smoking. It is but a component, perhaps, but that case has not been proven.

The hon. Member for Glasgow, Anniesland (John Robertson) again fell into the trap of saying that it is a cheek for anyone to go through the due processes of this place in scrutinising a Bill to make it better and force the Government to justify why they are trying to ban something. That is all we are about. It is not impertinent to want to question the mechanics of the Bill. It would be absurd to say that just because he was not in favour of capital punishment, he was in some way pro-murder. It is entirely the same absurd contention, so please can we accept that we are all anti-smoking but there are many ways of doing it and we are not convinced of the evidence? The Minister started by saying that we should deal on an evidential basis.

My hon. Friend the Member for Bury St. Edmunds (Mr. Ruffley) made some helpful points, not least that we do not see the downside of the new clause, which in no way undermines the ban that the Bill would bring about.

Mr. Bill Tynan (Hamilton, South): If, because this new clause were accepted, someone died of, say, lung cancer or became a smoker, would that be a price worth paying?

Tim Loughton: One would have to prove that there was a direct link and no one has been able to prove one. Equally, if it were proven that the Act increased the prevalence of smoking because companies resorted to price-cutting and therefore young children were more susceptible and better able to get hold of cigarettes, the hon. Gentleman would be guilty of supporting a measure that had resulted in the deaths, or lung cancer, of those children. It works both ways.

The hon. Member for North Tayside (Pete Wishart) asked what the logic of our approach was but, more reasonably, appreciated where we are coming from and that we are all trying to achieve the same ends. The logic that we are trying to promote is that we should all have available proper research to justify the ban on an ongoing basis. The make-up of the committee is something for the Secretary of State to propose to the House and for us to scrutinise at the time.

The hon. Gentleman mentioned the successes in other countries that have instituted a ban but I repeat that the biggest fall in the prevalence of smoking in just about any European or major western country occurred in this country up to 1997, when there were voluntary agreements with the industry, rather than bans on advertising or any other particular aspect.

New clause 2 is an innocuous measure that improves the Bill and its acceptability to Conservative Members and, I hope, all reasonable people. If after three years the research shows incontrovertibly that the measures are a success and that the ban on tobacco advertising has seriously affected the prevalence of smoking and reduced it, particularly among younger people, I will be the first to hold up my hand and embrace it. We do not have to wait 10 years. As the Minister said, it might be onerous to have reviews after 10 years. In a few years, we might be able to show whether the Act and its implications had worked. That is all we are asking for, without even the compulsion of the trigger mechanism of a full sunset clause. We are not trying to undermine the ban. We are certainly not trying to promote smoking—anything but.

This is a reasonable new clause. We think that it improves the Bill, that it will be much more acceptable to everyone if the new clause were passed and that the Govt should be forced to have proper research at their fingertips, available to all of us. On that basis, I urge hon. Members to vote for it.

Question put, That the clause be read a Second time:—

The House divided: Ayes 120, Noes 329.

Division No. 324] **[5:54 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Ancram, rh Michael
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baldry, Tony
Baron, John *(Billericay)*
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Brazier, Julian
Browning, Mrs Angela
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Duncan, Alan *(Rutland & Melton)*
Duncan, Peter *(Galloway & U Nithsdale)*
Duncan Smith, rh Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Francois, Mark
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Hague, rh William
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark
Hogg, rh Douglas
Horam, John
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Jack, rh Michael
Jackson, Robert *(Wantage)*
Johnson, Boris *(Henley)*
Key, Robert
Kirkbride, Miss Julie
Lansley, Andrew
Letwin, rh Oliver
Lewis, Dr. Julian *(New F E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Loughton, Tim
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, rh Francis
May, Mrs Theresa
Moss, Malcolm
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Prisk, Mark
Randall, John
Redwood, rh John
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Rosindell, Andrew
Ruffley, David
Sayeed, Jonathan
Shephard, rh Mrs Gillian
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Widdecombe, rh Miss Ann
Willetts, David
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim

Tellers for the Ayes:
Chris Grayling and
Mr. Desmond Swayne

NOES

Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Banks, Tony
Barnes, Harry
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Bell, Stuart
Benn, Hilary
Benton, Joe *(Bootle)*
Betts, Clive
Blears, Ms Hazel
Blunkett, rh David
Boateng, rh Paul
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Breed, Colin
Brennan, Kevin
Brooke, Mrs Annette L.
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burnham, Andy
Burstow, Paul
Cable, Dr. Vincent
Cairns, David
Calton, Mrs Patsy
Campbell, Mrs Anne *(C'bridge)*
Campbell, rh Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Carmichael, Alistair
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, hon. Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann

Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Cotter, Brian
Cousins, Jim
Cranston, hon. Ross
Crausby, David
Cruddas, Jon
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Dalyell, Tam
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dobbin, Jim
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Doughty, Sue
Dowd, Jim
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Ewing, Annabelle
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, rh Derek *(Bishop Auckland)*
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harris, Tom *(Glasgow Cathcart)*
Healey, John
Heath, David
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Heyes, David
Hill, Keith
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hoon, rh Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Jones, Helen *(Warrington N)*
Jones, Lynne *(Selly Oak)*
Joyce, Eric
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kemp, Fraser
Kennedy, rh Charles *(Ross Skye & Inverness W)*
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green & Bow)*
Kirkwood, Archy
Ladyman, Dr. Stephen
Lamb, Norman
Laws, David
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Lloyd, Tony
Llwyd, Elfyn
Love, Andrew
Lucas, Ian
Luke, Iain
McAvoy, Thomas
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McIsaac, Shona
McKechin, Ann
MacShane, Denis
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, hon. Robert
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moore, Michael
Moran, Margaret
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Naysmith, Dr. Doug
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Pugh, Dr. John
Purchase, Ken
Purnell, James
Quinn, Lawrie
Rapson, Syd
Reed, Andy
Rendel, David
Robertson, Angus *(Moray)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Rooney, Terry
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Joan
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Short, rh Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Spink, Bob
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Tami, Mark
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro & St. Austell)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Thurso, John
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vaz, Keith
Ward, Claire
Wareing, Robert N.
Watson, Tom
Watts, David
Webb, Steve
Weir, Michael
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Winnick, David
Wishart, Pete
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Younger-Ross, Richard

Tellers for the Noes:
Mr. Ivor Caplin and
Mr. Bill Rammell

Question accordingly negatived.
Bill reported, without amendment.
Order for Third Reading read.

6.12 pm

Ms Blears: I beg to move, That the Bill be now read the Third time.

After that rather surprisingly swift canter through the rest of the agenda, I am delighted that, at this early stage of the evening, we have arrived at the Third Reading of what I believe to be a tremendously important, significant and, dare I say, historic Bill.

The Bill has been extensively debated in Committee; I was going to say that it was extensively debated today, but clearly that is not the case. No amendments have been made to the Bill at either stage. That is not surprising as, first, it has had the benefit of lengthy debates in another place, where several amendments were made. I pay tribute to Lord Clement-Jones for his resourcefulness in promoting the Bill there and taking it through as a private Member's Bill. Secondly, the Bill is of course largely the same measure as the Government Bill of the same name that was before the House in the previous Parliament, when it was improved in a number of ways.

It is worth repeating just what this Bill will do and why it is necessary. It will ban tobacco advertising and sponsorship in this country in order to protect public health and to protect children. Smoking eventually kills one out of every two smokers, 120,000 of our fellow citizens every year. Advertising of tobacco products promotes a deadly product. We know, too, that children tend to smoke the most heavily advertised brands. We cannot turn the clock back and legislate tobacco out of existence, even if we wanted to, but we can act to help the majority of current smokers who want to stop and, as importantly, to control the marketing of this lethal product so that fewer people take up this lethal habit in the first place.

The evidence is clear and demonstrates the importance of a ban on tobacco advertising. We have talked about the Smee report, commissioned by the Department of Health in 1992 under the previous Government, which examined international evidence from Norway, Finland, Canada and New Zealand. Smee concluded:

"in each case the banning of advertising was followed by a fall in smoking on a scale which cannot reasonably be attributed to other factors".

The report was commissioned by the previous Conservative Government, but we do not need to rely on it alone. The World Bank's report "Curbing the Epidemic" said:

"A recent study of 22 high-income countries based on data from 1970 to 1992 concluded that comprehensive bans on cigarette advertising and promotion can reduce smoking, but more limited partial bans have little or no effect."

The evidence, then, is that banning tobacco advertising does reduce consumption, but only if the ban is comprehensive. That is a very important point. It explains why the Bill introduces a comprehensive ban on tobacco advertising and promotion, with very limited and tightly drawn exceptions. We know that only if we introduce such a ban will we make a real impact on smoking consumption and prevalence. It has been shown in other countries that where there is a ban only on direct advertising, and not indirect advertising, the effect is lessened.

We have estimated that the impact of this ban will be to reduce smoking consumption and prevalence by around 2.5 per cent. in the longer term. Some people may think this a small reward for the banning of advertising of a legal product. However, we estimate that a 2.5 per cent. reduction in consumption could, in the longer term, save 3,000 lives a year. Even in the shorter term, it could save up to 1,600 lives a year. Every single life saved means less grief, heartache and sorrow for people and families. It is a prize worth having. The Bill will make a huge contribution to creating a healthier nation.

The tobacco industry has consistently claimed that its advertising merely affects market share of different brands. I do not think that that is a credible position, and the evidence from Smee and others undermines it. The Select Committee on Health looked in detail at the industry's marketing strategies. It had access to evidence that had not previously been in the public domain, and that evidence was incredibly revealing. The former chairman of the board of the advertisers McCann-Erickson, which handled $20 million in tobacco account sales, said:

"The cigarette industry has been artfully maintaining that cigarette advertising has nothing to do with total sales. This is complete and utter nonsense."

Those are the words of someone who was involved intimately in the advertising of tobacco products. He went on to say:

"I am always amused by the suggestion that advertising, a function that has been shown to increase consumption of virtually every other product, somehow miraculously fails to work for tobacco products."

That illustrates the naivety and disingenuousness of those who seek to present the case that there is little evidence that an advertising ban will lead to a reduction in smoking. My hon. Friend the Member for Luton, North (Mr. Hopkins) has said that the advertising companies spend in excess of £100 million a year in this country, so they must believe that that money is well spent in terms of investing for their future profits.

The industry claims that it only wishes adults to smoke. Let me accept that claim for the sake of argument. However, the evidence is that, regardless of that avowed intention, 14 and 15-year-old children see and react to the industry's advertising just as much as 16-year-olds. An interesting exchange of views took place in the Health Select Committee, where witnesses from advertising companies gave evidence. They were pressed to explain the distinction in an advertising brief, whereby they could pitch an advert at young adults and avoid it having an effect on 14 and 15-year-old children.

Despite their valiant attempts to make that distinction to the Select Committee, the people involved in the advertising pitches and briefs—the creatives involved in drawing up advertising campaigns—were forced to admit, after being pressed intensely on the issue, that it would be difficult to provide advertisements aimed at young adults that did not also appeal to the fantasies of teenagers. Therefore, that evidence is extremely important.

Once one starts smoking, it is very hard to stop: the Royal College of Physicians' report, "Nicotine Addiction in Britain", made it clear that nicotine addiction is about as addictive as heroin and cocaine. It is therefore a very serious issue.

The Bill gives Ministers a number of regulation-making powers. That is deliberate, because we wish to ensure that we can keep up in legislative terms with any

[Ms Blears]

developments that occur. We have said that some of those powers will be kept in reserve in case there are abuses or problems that need to be sorted out. However, we have said all along that we intend to make regulations as quickly as possible on point of sale advertising, brand sharing and transitional arrangements for sponsorship. We issued a consultation document in August and are seeking views now on the detail of those regulations. The consultation period ends on 15 November. I commend the consultation documents to hon. Members, because they go into the regulations in great depth and illustrate the Government's determination to ensure that we have good and effective regulations in that area.

We have already said that we reserve our right to bring in regulations in relation to displays of products. If we feel that manufacturers are beginning to abuse displays of products, we will not hesitate to introduce regulations to try to control that activity. I do not wish to be vindictive in pursuing the tobacco companies, but the history of the industry shows that the companies have been ingenious in finding other ways to advertise and promote tobacco products in places that have introduced restrictions. Those other methods include sponsorship and brand sharing—or brand stretching, as it is increasingly called. The debate in the other place gave some interesting examples of brand sharing. There is, for example, a Benson and Hedges bistro in Kuala Lumpur, which is there to promote the Benson and Hedges brand. Before the bistro was opened, the Benson and Hedges market share had declined dramatically. After the bistro opened, the brand's trading position was secured. The person running the bistro said that he wanted to be "smoker-friendly" and that people associated cigarettes with a cup of coffee. He said:

"After all, they are both drugs of a kind."

I found that very revealing.

Mr. Hopkins: My hon. Friend points out that coffee is also a drug, but does she agree that recent evidence suggests that coffee drinking can be beneficial, unlike cigarette smoking?

Ms Blears: As a confirmed tea drinker, I am well aware of the health benefits of the antioxidants in tea and if coffee has similar effects, I look forward to seeing that evidence. My hon. Friend makes the serious point that tobacco is a dangerous and lethal substance that has led to the deaths of thousands of people—in fact, of millions of people worldwide.

Baroness Jay gave some interesting examples of the use of cartoon characters to promote cigarettes in the United States. Joe Camel, a character promoted in connection with Camel cigarettes, had a high recognition factor with young children. By the age of six, children recognised Joe Camel as much as they did Mickey Mouse or Donald Duck. That is very worrying in relation to the provisions on brand sharing and brand stretching.

We have also introduced consultation on the transitional arrangements for sponsorship to ensure that once advertising is outlawed the money does not go on extensive and glamorous sponsorship arrangements. We want to outlaw sponsorship for all sports by 2003 and for global sports by 2006. After that date, no sponsorship will be allowed.

Some hon. Members have raised concerns about the ability of companies to continue trading in what are legal products, but the Bill does not compel people who want to carry on smoking to stop. Smokers will continue to be free to contact suppliers and request information about the products available. It would not be right to allow suppliers, even specialist tobacconists, to send out tobacco advertisements to people who had bought tobacco products from them in the past when many of those people are likely to be among the 70 per cent. of smokers who say that they want to give up. We want to ensure that those people are not bombarded with regular advertisements so that every time that they resolve to give up they are undermined by the next lot of glossy leaflets and special offers that come through the post to entice them to carry on smoking.

The issue of corporate sponsorship by tobacco companies has been raised on several occasions. The Bill does not prevent a tobacco company from giving money to support an event or activity, as long as the tobacco company's products are not given any promotion in return. If a tobacco company wishes to support the ballet, the opera or other artistic activities, it will be entitled to do so, as long as the purpose or effect is not to promote its tobacco products. It is conceivable that some advertisements linked to the corporate sponsorship of events could have the effect of promoting tobacco products even if they do not mention the name of specific products. If that does happen then the parties involved might be liable to be prosecuted under the Bill. Companies will need to be vigilant about the kind of corporate sponsorship that they undertake in the future.

It has been suggested that the Bill will impede the freedom of the tobacco industry to develop products that are less harmful to health. However, we have seen what happened in the past when people were encouraged to smoke particular brands on the basis that they were light or mild. We are supporting action to outlaw those terms, because experience has shown that they were not helpful and that the best way to confront the health risks of tobacco is to stop smoking. Descriptions such as "light" or "mild" did encourage people to take up those products. Descriptions of products as "low tar" made people think that they were safer and less harmful.

Experiments showed that if the smoke from those cigarettes was extracted by a machine, it was less harmful, but people who smoked them changed their smoking habits. They would inhale more deeply or cover up the ventilation filters on the cigarettes to ensure that they got an amount of nicotine that maintained the drug in their system at the level to which their bodies were accustomed. People might have been smoking lower tar products, but the way in which they smoked them meant that the harmful effects on their health were just as great. Indeed, the adoption of low tar products often meant that people made no effort to give up. That marketing was, therefore, more harmful than helpful.

If new tobacco products appear which are genuinely less harmful than those now available, we will consider how they should be marketed, but it would be wrong to give the tobacco industry carte blanche to market them

as it sees fit. We would be failing in our duty if we were to allow that, and that is why it is right that the Bill will impose a comprehensive ban on tobacco advertising.

The Bill is part of our broader strategy to tackle smoking. Smoking is the biggest cause of early death in this country. It causes one in seven deaths from heart disease and 85 per cent. of deaths from lung cancer. It causes cancer of the mouth, the larynx, the oesophagus, the bladder, the kidneys, the stomach and the pancreas. It is one of the principal causes of the health gap between rich and poor. Some 120,000 of our fellow citizens die each year from smoking-related diseases. The loss and misery is shared by their loved ones. Those are needless deaths caused by an industry that hides the truth from consumers.

Tobacco is the only legal product that kills one in two people who use it. The Government are determined to tackle this epidemic. That is why we have made a commitment to reduce the number of smoking-related deaths. That is why we have introduced the best smoking cessation services in the world. And that is why we will ban tobacco advertising and promotion. I call on Members from both sides of the House to join us to support this Bill which will help to save lives.

6.29 pm

Tim Loughton: I do not demur from the Minister's final comments and her grisly catalogue of horrible diseases, conditions and implications that are caused by cancers linked to smoking. I repeat that smoking is a killer and we want less of it, but that was not the point of contention between us in the Bill.

The Minister said that she was surprised to reach Third Reading a little more quickly than she had anticipated. I do not think that she should be surprised, given that new clause 2 made it clear that we were not trying to undermine the Bill or the ban that it introduces by the amendments that we have tried to make to it. We think that the Bill is flawed and that it is bad law in some cases, but we do not disagree with the wish to do anything to deter people from smoking. We are not convinced, however, that the Bill is directly linked to that end.

The Bill has been around for quite a long time. The Minister comes to it rather late in the day—some of us have been with it longer, in the previous Parliament. The Bill was lost before the last election; it was almost scuppered by the Germans over the summer but survived to come before us this evening. In fact, the Bill is before us because a private Member of the upper House reincarnated it earlier in the year, so for all the Minister's proud words, the Government are not responsible for it.

I repeat my earlier point that there is evidence to suggest that if, soon after the Government came to power in 1997, they had gone to the tobacco industry for a tougher voluntary agreement, which had been successful in reducing the prevalence of smoking until then, the Bill might not have been necessary, because tobacco advertising would have disappeared, by voluntary agreement, five years ago. The Minister cannot say otherwise and neither can other hon. Members who question that. It is a shame that we have had to go through all these processes and false dawns five years on to achieve what the Government said that they wanted to achieve in their 1997 election manifesto.

It is also slightly odd that only now, five and a half years on, are we in the midst of the consultation exercise on the draft regulations accompanying the Bill that I pulled off the internet. With great respect to the hon. Lady, I think that members of the Committee would have expected to be sent a copy of them when they came out in the middle of August because they were relevant to the work of the Committee and are relevant to Report and Third Reading. It is a shame that that did not happen.

We are united, on both sides of the House, in trying to achieve the same ends—to deter people from smoking and especially to deter young people from taking up a foul pursuit. We all want to improve public health; the cost of unhealthy life styles to the national health service and to us all is enormous, and that includes people who choose, against all the advice, to continue smoking.

It is rather arrogant of Labour Members to suggest that in wishing to scrutinise the Bill, Conservative Members are somehow pro-smoking. I have always approached the Bill with an open mind. I am a committed non-smoker: I have hassled my father about smoking over many decades, without success, and frown when people smoke in my presence. The Government have not had the courage of their convictions to go the whole way and ban smoking outright; indeed, I do not think that anybody would agree with that action. However, the implication of many of tonight's contributions is that smoking itself should be banned, not only the advertising of its products.

Our approach to the Bill over the weeks, months and years of our involvement has been to ask whether it will have the desired effect or be counter-productive. I repeat my comments about the measures on price competition being far more dangerous than price-cutting in inducing young people in particular to smoke. As for the loss of £130 million worth of advertising revenue, I said on Second Reading that I would be in favour of measures that obliged cigarette advertisers to cover virtually the whole billboard with grisly warnings about smoking killing and leading to long, lingering deaths, thereby leaving only a small space to advertise the product, in whatever obscure form. That would be an effective way of getting £130 million of free advertising for a health promotion campaign. There are other ways of doing it, but we need to tackle the legislation, as we have done all the way through, on the basis that, whether we like it or not, it remains legitimate and legal to smoke, produce and sell tobacco and that, however much we may hate it, many of our fellow citizens, for their own good reasons, continue to do so.

The Bill, along with other public health promotions that the Government quite rightly carry out, will not induce the tobacco manufacturers to shut up shop and go home. The Government must justify a ban by saying whether it will work in practice, whether it is watertight and whether it is fair and proportionate. For all the reports that the Minister rightly trots out, other reports contradict those findings, and they are non-conclusive. Other countries have tried tobacco advertising bans or other forms of obligatory legislation, yet smoking prevalence in the United Kingdom fell faster than in virtually every other country in the west, for a whole raft of reasons, when a voluntary agreement with the

[Tim Loughton]

industry was in place. The Government did not seek to renegotiate a voluntary agreement with the industry. Had they done so, the result might have been different.

Mr. Andrew Miller (Ellesmere Port and Neston): If the hon. Gentleman's argument were followed to its logical conclusion, no company would spend any of its revenue on advertising. He has outlined a set of circumstances in which the Department of Health could make gains out of tobacco advertising. Surely he must agree that advertising works, and that in these circumstances it should be banned.

Tim Loughton: I was simply giving an example of how such advertising could be used; we have not agreed on what effect advertising has. We covered all the schools of thought about brand switching and so on before the hon. Gentleman appeared in the Chamber. My idea was that advertising would be turned against the person paying the advertising bill in the interests of public health promotion. It might be a fanciful idea, but it was worth investigating. However, the Government chose not to follow a voluntary route and I think that they may have missed a trick.

Mr. Hopkins: I am interested in the hon. Gentleman's suggestion that a billboard should be used to advertise the terrible effects of smoking. If that depressed cigarette smoking and cigarette sales, would the tobacco companies carry on with it?

Tim Loughton: Probably not, in which case this legislation would not be necessary. We would have the desired effect and everybody would be happy. We are all trying to achieve the same thing.

Passing the Bill without definitive evidence requires a leap of faith. The regulatory impact assessment gives a fairly wide spread of 0 per cent. to 5 per cent. as the likely reduction in smoking that such a ban will bring about, and the Government have plumped for the mid-range figure of 2.5 per cent. As one of my hon. Friends said earlier, that is fairly woolly science. The Conservatives are far more concerned about the many other practical measures that the Government should pursue far more aggressively, and give greater priority than this one piece of legislation.

The prevalence of smuggling is probably the single largest factor that has led to the increase in smoking over the past five years. The Government need to tackle that more seriously. They should clamp down with more vigour on the illicit selling of bootleg cigarettes in the vicinity of school playgrounds. Flogging bootleg cigarettes from car boots should be better policed. I would conjecture that a combination of such measures could be more effective in decreasing smoking, especially among young people, than the Bill will be.

The Government could also tackle the influence of product placement. We have all seen the weekend report that the cast of "EastEnders" and "Coronation Street" are more widely recognised than most members of the Cabinet. Soaps, like the rest of television and the media, have an enormous influence on people's observations and habits, yet time and again we see brands of alcohol and cigarettes appearing in socially acceptable scenes. What are the Government doing about that?

Judy Mallaber (Amber Valley): I am slightly puzzled. Does the hon. Gentleman accept that the logic of his argument is that advertising does work? If showing a brand of alcohol or cigarettes on a soap affects people, that means that it is an effective form of advertising. Has he not proved that advertising works?

Tim Loughton: If that were the case, according to the hon. Lady's logic, the tobacco companies would not have to pay for any of their advertising. My point was that having famous actors smoke cigarettes in a socially acceptable context is harmful and has an effect on people who want to emulate those in virtual reality television shows.

Pete Wishart: I agree with the hon. Gentleman; we are all aware of the dangers of product placement—but would it not have been more helpful if he and his colleagues had tabled some amendments to combat product placement, rather than making innocuous suggestions?

Tim Loughton: I am talking about a far greater issue than simply amending the Bill. Of course, when cigarettes appear in soaps there are no health warnings, whereas adverts and close-ups of the products have severe health warnings attached. That is another difference.

We all agree that those things are not helpful. The Government could be examining them more closely, yet they are considering, almost exclusively, the banning of tobacco advertising as the panacea to reduce smoking.

As many of us said earlier in the passage of the Bill, another aspect that the Government could be tackling is the European Union's continuing subsidising of tobacco production by some £600 million a year. When we, rightly, are taking all the public health promotion measures that we can to reduce smoking, it is nonsense that as taxpayers we are still subsidising the tobacco farmers in southern Europe who produce the vile weed, to the tune of £600 million a year. The Bill would have greater credibility if the Government were taking that problem more seriously and pursuing it more vigorously.

In passing the Bill we are taking a large leap of faith. We chose to scrutinise it in Committee as fully as we could in the time available, which was not nearly long enough. We were contemptuously questioned about why we had to go through the "rigmarole" of scrutinising the Bill, although on our side of the Standing Committee there were completely new Members, who had not been involved with the legislation when it was scrutinised previously in the House of Lords and in this House.

We scrutinised the Bill in Committee without any help from the Liberal Democrats, who followed the Government hook, line and sinker, and tabled no amendments. On their rare appearances, they always voted with the Government.

Ministers in this House have resisted any attempt to amend the Bill, despite the fact that it had wider implications than those for tobacco products.

Sandra Gidley (Romsey): Does the hon. Gentleman agree that as the Bill was introduced by Lord Clement-Jones and we felt that he had got it about right, there was no need for us to table a vast number of amendments, especially as the Bill had already had a Committee stage in this House, albeit in another Parliament?

Tim Loughton: The hon. Lady says that she did not feel the need to table a vast number of amendments; in fact she did not table a single amendment in the entire Committee stage, and on her rare appearances she seemed content blindly to accept the Government line. I had not realised that Lord Clement-Jones had achieved such godlike status.

Of course there are things in the Bill that need to be questioned. That is why we spent a long time in Committee raising questions, many of which were not properly answered. That is what a Committee stage is all about. I fear that there are still many unanswered questions, as the questions that my hon. Friends and I asked were all greeted with a look of glazed indifference by the former Minister responsible, the hon. Member for Pontefract and Castleford (Yvette Cooper), who is now the Parliamentary Secretary, Lord Chancellor's Department, but who is still here today. She seemed to think that it was a cheek for anybody to be going through the proper parliamentary processes of scrutinising the Bill and daring to find fault with it—but find fault with it we did, and she gave only a few assurances in response.

The catch-all response, which made us most sceptical, was that it was up to the courts to decide on the definitions and interpretations in the Bill. Apparently, it was not for us to define what the law was about; we were to leave it to the courts, for lots of lawyers to argue about among themselves. That is surely unsatisfactory. The House should legislate to provide a high degree of certainty, so that people know precisely where they stand and do not have to rely on courts, long drawn-out legal processes and highly paid lawyers. With this Bill, that has not been the case.

I shall concentrate on the terms of the Bill rather than the horrors of what smoking does; we all agree about that, and we can bank it. However, in the context of clause 1, we did not resolve in Committee the definition of what constitutes an advertisement. I appreciate the spirit of that part of the Bill, but at the end of our deliberations it was still not clear whether an advertisement included the tobacco product itself, its packaging, invoices and letterheads relating to the selling of the product, business signs used inside premises, or the effects of brand sharing, Dunhill shops and so on.

The Minister went to some lengths to avoid such questions, saying that she did not want to open loopholes. However, she was unable to define what some of those loopholes were, despite the fact that previous legislation, such as the Consumer Credit Act 1974, the Medicines Act 1968 and the Gaming Act 1968, contains proper enforceable definitions of what constitutes an advertisement.

Will the Bill cover smoking avoidance products? It would be nonsense if it did, but no clear assurance was given that the various nicotine substitute products that help to wean people off tobacco would not fall foul of it.

There were many unanswered questions about the impact on internet communications about tobacco products, which are beyond the reach of UK legislation. Questions about unwitting printers and publishers of magazines and newspapers in which tobacco advertisements appear were also unanswered. There was a fine line with regard to trade publications, whether they were available to the public through subscription or off the shelf, and whether they fell foul of the provisions. Under the Bill, will shareholders in tobacco companies still be able to get information about the advertising campaigns for products promoted by the companies in which they have invested?

Also questioned was the role of specialist tobacco businesses—legitimate businesses with clearly targeted ranges of specialist adult clients that play no role in encouraging children to take up smoking, but which could be seriously curtailed. There are also serious implications for in-flight magazines and airlines that earn revenue from legitimate duty-free sales—a point understandably made by my hon. Friend the Member for Spelthorne (Mr. Wilshire), whose constituency includes Heathrow airport.

We welcomed clause 17, which reversed earlier changes to the burden of proof defence, a principle that was debated in the upper House. We did not get satisfactory answers, however, to clause 7—the Henry VIII clause—under which the Secretary of State can change virtually anything in the legislation under the guise of technological advances. We then came, of course, to the thorny issue of sponsorship and the very special treatment meted out to tobacco company sponsorship of Formula 1 racing—a leading player that bunged the Labour party £1 million. Coincidentally, it found itself the beneficiary of special treatment.

Mr. Stephen Pound (Ealing, North): That is ancient history.

Tim Loughton: It may well be ancient, but it is highly relevant to legislation that still has not gone through, until we approve it—or not—this evening. Extraordinarily, the Minister declined to support the helpful amendment of my hon. Friend the Member for Spelthorne, which would have avoided all hint of accusations of double standards by not extending special exemptions to groups that have made political donations in the previous 10 years. Not surprisingly, that was another case of the Liberal Democrat health spokesman, the hon. Member for Oxford, West and Abingdon (Dr. Harris)—he is no longer here—praising the amendment and the spirit of it, and then voting against it. Again, the amendment was a legitimate attempt to reduce the Bill's vulnerability to further allegations of sleaze by the Government or any other party.

We were dealing with clause 20 and the effect on world professional darts and other global sports, when we were cut off in mid-flow. Unlike Formula 1, such sports are not flush with cash. They may not seem the healthiest of pursuits, but they are worthwhile as they

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encourage young people to take up activities that are much more positive than some others that they might get up to.

We also had a problem with the guillotine in Committee—we should have properly scrutinised the clauses, but we were unable to do so because we were limited to just five sittings. As a result, many clauses were not debated. However, we did not pursue that point this evening. In the interests of pushing the Bill on, we were happy not to table further amendments. In the spirit of seeing this Bill through, we were prepared not to revisit those clauses and to concentrate instead on a paving provision for a sunset consideration. That would have required the Government to keep up to date with research on the legislation's impact, and to change it accordingly if it had no effect, or a detrimental effect. It is a shame that the Government were not prepared to accept that new clause.

We all want the same end. We all hate smoking and we all want to deter it wherever possible.

Bob Spink: My hon. Friend is treating the House to an extraordinarily eloquent summary of the issues surrounding the Bill, and I am very grateful to him. However, I wonder if I could tempt him to explore an issue on which he has yet to pontificate: the negative publicity that one company might dish against another. Will the Bill deal with that satisfactorily, or will we need to reconsider it at some stage? Will that issue provide the lawyers with a great deal of work and money in future?

Mr. Miller: He is a lawyer.

Tim Loughton: The hon. Gentleman suggests that I am a lawyer but I never have been and I never will be. My hon. Friend has picked up the lingo sharpish. He uses a technical term—to "diss"—that was used by the Minister, the meaning of which had to be explained. The use of that phrase was as offensive as my use of sunsetise, so we are both guilty in that regard. His question is one for the Minister to answer, not me, and she will doubtless deal with it at the end of the debate.

As I said, we all want the same end. I hope that the Government will keep closely under review the implications and effects of this legislation—if it is enacted—and not just treat it as a box to tick, saying, "We've banned tobacco advertising, we've done the stuff against smoking—that's it." There is much more to it, as the Minister said. We have serious reservations, as we made clear throughout Committee stage. Parts of the Bill are bad law, but it has been much more closely scrutinised than a lot of other legislation, and we are prepared to give it the benefit of the doubt. As such, we will not oppose Third Reading.

6.56 pm

Mr. Hopkins: I wish that the Bill had been enacted years earlier, but it is welcome even at this stage. It is a necessary measure to reduce smoking and the prevalence of the terrible diseases that smoking causes, but it is not sufficient in itself. We have to go much further in reducing smoking and avoiding the terrible health damage that it causes. In particular, we must try to persuade young people not to take up smoking. As I said and as we all appreciate, it is extremely addictive. My hon. Friend the Minister suggested that it is as addictive as certain of the hard drugs that are currently illegal, and I am sure that that is true. I remember the terrible struggle that I had when I gave up smoking all those years ago. I smoked considerably, and giving up was that hard that it took 10 or 11 weeks before I stopped dreaming about cigarettes. Fortunately, I managed to overcome it in a "cold turkey" manner—I believe that that is the terminology used in these circles; it is not a phrase I use frequently—and came greatly to dislike smoking. I do feel, however, for those who continue to smoke. They are clearly still addicted, and many of them desperately want to give up.

I believe that tobacco advertising that is associated with pleasurable events such as sporting fixtures, and which makes use of nice settings, does not help people to give up smoking. It gives them a degree of comfort, and a warm feeling about this dreadful habit. We have done the right thing in moving toward banning such advertising. The hon. Member for East Worthing and Shoreham (Tim Loughton) argues that we should somehow establish a voluntary ban. That is fine if it works, but why oppose a compulsory ban if we do not have a voluntary one? If a compulsory ban would not have any effect, why would a voluntary one be necessary? Any economist would say that advertising is a clear attempt to induce people to purchase and use a product. If one takes away that inducement, less of it will be purchased and consumed. That is what the Bill is about—reducing the attractions of smoking, and changing its image.

We must address the culture of smoking. We live in a society that, historically, has smoked for a long time—since Sir Walter Raleigh brought tobacco back from America. In doing so, he did not do us any favours, but I suppose that its discovery was inevitable at some point. It is still a fact that, among young people, smoking is seen as adult and attractive. It provides an image, and it is that image that we must dent somehow. The Bill will help take us further along that route. Certainly, in the circles in which I mix, smoking is not fashionable these days; indeed, it is very unfashionable. A small number of people do smoke—some members of my family do so—but they know that it is not fashionable. However, they are addicted, and they have to leave the building and stand outside the back door—even if it is someone's home—in order to smoke. That is very embarrassing, but it is right for us to try to change the culture so that we make people feel that smoking is bad not only for them but for everyone and that they should try their best to give it up.

One of the attractions of giving up smoking is financial, although I accept that that point has nothing to do with the Bill. Since I gave up, I have not spent on smoking about £75,000—a substantial sum. Unfortunately, I do not have it to hand. From time to time, I advocate the benefits of giving up smoking and I find that health arguments are not as persuasive with young people. They think that lung cancer might not affect them in early life and that later on they would die anyway, but the financial arguments are often persuasive, especially to those who are not well-off: £75,000 sounds like a great deal of money to a young

person, whereas the possibility of being ill when one is 40, 50 or 60 is not as convincing, so I use the financial argument frequently.

The hon. Member for East Worthing and Shoreham referred to price-cutting. I hope to persuade my hon. Friend the Minister to consider that point because price-cutting is a real risk. If tobacco manufacturers are banned from advertising, they will spend less on their products so they will have extra income and could, conceivably, reduce their prices while making the same amount of profit. They might even increase their profits because they might induce more people to smoke; clearly, there is a demand curve. In addition, existing smokers might smoke even more. Will my hon. Friend have a word with our right hon. Friend the Chancellor and point out that one way of overcoming that problem would be for him to raise the tax by the same amount as the reduction in the costs of cigarette advertising? For example, if that reduction amounted to 10 per cent. of the price, the tax should be raised by 10 per cent. The price to the consumer would not change, but the take for the Chancellor would increase. That would be a sensible approach and I can see no arguments against it, although smokers and tobacco manufacturers would probably not be terribly keen on it. However, such a measure would certainly help to finance the health service and to deal with some of the problems caused by smoking.

The hon. Member for East Worthing and Shoreham also mentioned smuggling. I strongly agree that it is a serious issue. It is distressing that, recently, there has been pressure on Customs and Excise to be less fierce with people who smuggle alcohol and cigarettes into the country. I should like a stronger regime, with lower limits on the number of cigarettes one can legitimately bring in; much fiercer regulation of sales of imported tobacco products; higher penalties and much more rigorous investigation. For example, I understand that ice-cream salespeople, driving around with their bells and their jingles, frequently sell rolling tobacco and cigarettes under the counter.

Mr. Pound: Will my hon. Friend give me the details?

Mr. Hopkins: We all know that my hon. Friend is a smoker, so I shall certainly give him what information I have.

Obviously, ice-cream causes no harm and we can all enjoy it.

Mr. Pound: What?

Mr. Hopkins: I do not care for ice-cream, but that is not the point. Selling illicit, cheap, imported tobacco or cigarettes, especially to the less well-off, is not acceptable and could easily be effectively policed.

Some corner shops sell such illicit tobacco products and they, too, could be policed easily. If there were serious penalties, the practice would be stopped. At the same time, we must police our borders, which is much easier for us as an island than if we had land boundaries. We should address smuggling; it is a serious problem. Cigarettes and tobacco products are easier to smuggle than alcohol because they are so small and light, but we should take steps to stop, or at least severely reduce, smuggling.

When my predecessor as Member of Parliament for Luton, North—John Carlisle—left this place, he took up employment in the tobacco industry and, for a salary several times larger than that of a Member of Parliament, speaks for the industry on television programmes such as "Newsnight". He has done extremely well out of the tobacco industry.

Mr. Pound: Is my hon. Friend aware that his distinguished predecessor has never, despite the financial emoluments, allowed himself to savour the sweet, aromatic produce of the glorious tobacco plant? He is a non-smoker.

Mr. Hopkins: In that sense my predecessor is altruistic, because he is advocating something that he does not do himself. He advertises the pleasures of smoking without actually being a smoker, although there are of course financial inducements. I digress, however, Madam Deputy Speaker, and I will not test you further.

It is significant, however, that the tobacco companies found it useful to employ an extremely articulate former parliamentarian to speak on their behalf, to promote their products and the idea that smoking is fine.

Mr. Martin Salter (Reading, West): Does my hon. Friend agree that even more pernicious than the employment of ex-Members of Parliament, whether or not they smoke and whatever their salary, is the way that tobacco companies have permeated sports sponsorship? It will be a Herculean task for many sports to wean themselves from their dependency on tobacco advertising. Will my hon. Friend and my hon. Friend the Minister bear in mind the problems for my sport—angling—due to its sponsorship by Embassy? The company is currently sponsoring the Embassy pairs final. All the qualifying heats are due to be completed by May 2003 for an event that will take place in Spain the following year. However, the event may fall foul of the regulations as currently drafted. Has my hon. Friend given any consideration to the introduction of the regulations?

Mr. Hopkins: I thank my hon. Friend for that intervention although I have no immediate answer to his difficulty. I appreciate the problem: regrettably, sports have learned to depend on tobacco producers for sponsorship and will have to look elsewhere. One hopes that they are successful. However, that is not an argument for sustaining such sponsorship for longer than necessary. When the Bill is enacted, one hopes that it will disappear quickly.

Branding is extremely powerful. The mere use of a colour, with no reference to cigarettes, is enough to make people think of Benson and Hedges, John Player or Silk Cut. When I was a young person—some years ago—and a smoker, we all favoured our own brand; one's identity was bound up with the cigarettes one smoked—

Mr. Pound: Hopkins king-size?

Mr. Hopkins: It may seem humorous now, but we were all addicted to cigarette smoking.

[Mr. Hopkins]

One or two of my friends were Francophiles and chose to smoke Gauloises or Gitanes. Others liked king-size cigarettes—as my hon. Friend pointed out. I mixed with amateur jazz musicians and in those circles it was fashionable to smoke roll-up cigarettes—

Madam Deputy Speaker (Sylvia Heal): Order. The hon. Gentleman really should confine his remarks to Third Reading.

Mr. Hopkins: Thank you, Madam Deputy Speaker. I shall move to a conclusion.

I wanted to emphasise that branding and personal identity are very powerful indeed—the idea that "I'm a Park Drive man" and so on. We must address that issue because brands will continue, even without advertising. I am not suggesting that all cigarettes should be sold in brown paper packets, numbered "1", "2" or "3". Nevertheless, we must deal with branding because I am sure that tobacco companies will persist in trying to reinforce our loyalty to cigarette smoking and to particular brands by every subtle means at their disposal, so we have to look beyond the Bill to further measures.

I shall end my speech very soon, as I have made my points, but I want to make a final point, which I made in Committee as well: alcohol is very different from cigarettes, although there are some similarities. Alcohol is not addictive for most people, and most people drink it in moderation. Indeed, some people consider that it is healthy in small quantities. However, one cigarette is bad; 100 cigarettes are 100 times worse. All cigarettes are bad. They are fairly quickly addictive, and most people who smoke are addicted, which is not true of people who consume alcohol. So I emphasise the difference between cigarettes and alcohol, although, in time, we must address the problems of alcohol, too.

Finally, I thank the House for giving me this opportunity to speak, and I congratulate my hon. Friend the Minister on picking up the reins so effectively and skilfully on the Bill at a late stage.

7.11 pm

Sandra Gidley: I am here tonight as a substitute in many ways for my hon. Friend the Member for Oxford, West and Abingdon (Dr. Harris); it is his birthday, so I thought it would be useful to let him have the chance to get away.

As has been said by the hon. Member for East Worthing and Shoreham (Tim Loughton), apart from a passing interest, I have had little involvement in the Bill this time round, but I served on the Committee that considered the Bill when it was first introduced during the previous Parliament. I should like to pay tribute to the Parliamentary Secretary, Lord Chancellor's Department, the hon. Member for Pontefract and Castleford (Yvette Cooper), who was here earlier this evening, for displaying a strong commitment to the previous Bill, and she has since publicly expressed her disappointment that it was not included in the Queen's Speech in 2001.

I question why we had to go through things in so much detail again. I have listened to the litany of amendments that the Conservatives have tabled—all very valid, but I can remember all of them being discussed in Committee during the 2000 Session. In fact, most of them were probably debated at great—some would say, over-great—length by the then Member for South Dorset. Obviously, that seat has changed hands and he is no longer with us, but I can remember him bringing in items of clothing with logos to show the power of branding. At that stage, there was much emphasis on various vested interests, and I feel that that has not been escaped because the Conservatives still seem to stand up for an industry that funds something that is not in the best interests of health.

The Bill interests me on a personal level because my father died from lung cancer. He was a non-smoker, but I have absolutely no doubt that he was a victim of passive smoking in his work environment, so I personally support anything that will reduce smoking. Not many people smoke in my circle of friends, so it is very easy to fall into the trap of believing that smoking is declining, but I used to work in the retail sector, where the situation was very different.

I worked as a pharmacist in supermarkets, and nearly all the young people used to head for the smoking box at break time. Most of them had started smoking at school. I do not know how influenced they were by advertising, but I am fairly sure that allowing fewer images of smoking, fewer reminders and fewer prompts suggesting that a brand is sexy in some way can be only to our benefit.

The Minister has said that the Bill is historic. In fact, I am sure not whether she intended to use those words because the historic bit seems to be that the pledge to introduce it has been hanging around since 1997. I am not quite sure of the reasons why we could not agree about the Bill sooner. If the Conservatives were so keen for the Bill to go ahead, there is no reason why it could not all have been worked out through the usual channels when the election was called.

I pay tribute to my noble Friend Lord Clement-Jones. He saw the opportunity to reintroduce the Bill that had fallen. He called himself

"the frail instrument by which we hope to reintroduce the Bill"—[*Official Report, House of Lords*, 2 November 2001; Vol. 627, c. 1647.]

However, his attitude toward progressing the Bill has been anything but frail, and I express my admiration and respect for his tenacity. It goes to show that Liberal Democrats can make a difference. [HON. MEMBERS: "Oh."] I had to get that in, didn't I?

The Minister has said that smoking eventually kills one in two smokers, so does she accept that the delay has been unfortunate and has cost lives? I need to make that point, but I do not want to be too churlish. It is clear that the Bill will make a significant contribution to reducing the number of deaths, and I am glad that it will have the support of the House, but it is not a stand-alone measure.

Much has been said about smoking cessation initiatives, but they are still too few and still not advertised widely enough. The health education messages are not getting across, and we must do something to tackle the problem. Most children in my constituency are dead set against smoking when they leave primary school, but something happens to change that. We need to look closely at why that change occurs.

I agree with the hon. Member for East Worthing and Shoreham that soaps and films have a very powerful influence. If people see someone smoking whom they admire or think is attractive, it adds to the package and sends the wrong message. Somehow, we have to get the message through to the media that we should have a few more positive health messages, rather than negative ones.

I also wish to add my comments on bootleg cigarettes and alcohol. Again, I was working in the supermarket sector when the duty-free arrangements changed, and nearly every supermarket in the south of England experienced a dramatic drop in its cigarette sales. I do not believe that that drop occurred because everyone was jumping on to a booze cruise to stock up on personal supplies at the weekend. Many people spent a lot of time and effort making a lucrative living from the change in duty-free arrangements. It is bit rich for the Conservatives to complain at length about that issue because they cut down the number of Custom and Excise staff considerably when they were in government, but I am glad to say that they appear to have seen the light now.

On Second Reading, Conservative Members claimed that there was insufficient evidence that the Bill would lead to a quantifiable reduction in tobacco consumption. There may be no such evidence, but there is certainly no evidence that introducing the Bill will increase tobacco consumption. I happen to believe that reducing such images will decrease tobacco consumption, and if we tackle the other problems together, perhaps the rate of smoking will fall dramatically.

7.19 pm

James Purnell (Stalybridge and Hyde): I must start by declaring an interest as an occasional smoker.

Mr. Pound: Montecristos, I take it.

James Purnell: Marlboro Lights, actually. That is the last piece of free advertising that I shall give any cigarette company.

I started smoking when I was about 12. I clearly remember the influence that advertising had on my decision to start smoking as a teenager, which is not quite so long ago as it is for my hon. Friend the Member for Luton, North (Mr. Hopkins). As the hon. Member for Romsey (Sandra Gidley) said, children leave primary school absolutely determined not to smoke, but they then get the idea that it is glamorous. That idea is partly imparted by their peers, but largely through advertising, Hollywood films and television. The current restrictions on advertising somehow make the situation worse because the tobacco industry does not advertise the product but instead something like a purple stripe or a strange part of middle America. That increases the mystique of smoking.

The hon. Member for East Worthing and Shoreham (Tim Loughton) suggested greater reliance on a voluntary code, but that idea is doomed to failure. Previous examples of voluntary codes trying to reduce the amount of advertising to children and teenagers show that, as long as the industry regulates itself, it will find ways of being able to adopt a position that it can just about defend while continuing to advertise as it seeks the 120,000 new customers that it needs each year to replace those whom it kills. The point was made in the debates in the Lords and in this House that the industry would not spend so much on advertising if it did not think that it had any effect. That point is unanswerable. I first tried to give up smoking after I had been to hospital and saw someone being wheeled out to the smoking room and painfully putting a cigarette not to their mouth, but to a hole that had been put in their throat. That experience of the consequences of cigarette smoking shocked me out of my complacency at that time.

As all the previous speakers have said, the Bill cannot stand alone. It must be accompanied by smoking cessation programmes and education in schools. However, to suggest that we should do other things does not invalidate the arguments for the Bill, which will be a building block in trying to reduce the amount of smoking, in particular, by young people.

However, there are good liberal arguments against such a measure. For example, Lord Naseby has referred to the potential conflict with article 10 of the European convention on human rights, and his argument deserves to be heard. It is important to show the problems that the Bill may cause, and I have some sympathy with those arguments. I would not want freedom of expression to be curtailed except when there is a strong case for doing so. In this case, I think that the case has been made. It is worth repeating that tobacco kills one in two of the people who take it up and undermines people's willpower and ability to make a rational decision. As such, Mill's hope that free speech and a discussion of the arguments would result in the truth coming out and the desired effect on behaviour seems slightly idealistic. The fact that the product undermines people's willpower and ability to make choices for themselves and kills many more than the drugs that are currently banned justifies the drastic moves to ban tobacco advertising and sponsorship.

The Government must, however, take account of the effects on sponsorship companies and on the sponsorship deals for sport. I know that the Government have done much to wean sport off such deals, but it is worth bearing in mind those who work in the tobacco industry. Through no fault of their own, they have become involved in an industry on which restrictions will be placed. In that context, I wish to mention the Gallagher factory in Hyde in my constituency. It closed at the beginning of the Government's term of office, because the company received an incentive to move it to Northern Ireland. The Gallagher building, which dominates Hyde, is empty and the hundreds of people who worked there lost their jobs. Many of my constituents have not found other work since the company moved to another part of the country.

I therefore urge the Government to consider what can be done to provide much greater transitional aid to people who are affected by such industrial change. People who had worked for a lifetime in the tobacco industry lost their employment and did not receive the help that they might have expected. I know that the Department for Work and Pensions now puts in place much more quickly effective transitional work programmes when mass redundancies occur, but I hope that we learn the lessons of my constituents' painful experience.

[James Purnell]

The clinching argument to justify the Bill is that about health inequality. If one compares prosperous neighbourhoods with those such as mine, it is clear that smoking plays a central role in the greater rate of early death in working-class families. However, it is all too often easy to forget that, behind those figures, lies a personal tragedy for each of those families. People do not only lose a relative but may lose the household's whole income. We cannot deal with health inequality just by building more hospitals and by investing in primary care. We must deal with the causes, and a central cause is the higher rate of smoking among people from low-income households

David Taylor: I am listening carefully to my hon. Friend. Does he agree that billboard advertising, in particular, is focused in areas of low incomes and high unemployment? That is a particularly cynical move by the tobacco companies to reinforce tobacco consumption in those sections of the population who are most damaged by it.

James Purnell: That is an extremely good point. Anyone who works in such areas notices that. It is not the only cynical action that the tobacco industry has taken. For example, the marketing to young people and the cocktail of glamour, Hollywood or sport to encourage people to smoke by association are all in its catalogue of cynicism. Furthermore, the industry denied the link between smoking and cancer. For as long as possible, tobacco companies tried to pretend that something that they must have known was the case was not actually the case. That, combined with what continues to happen despite the good words that the industry uses about voluntary codes and not advertising to children, are testament to what it is up to.

I am not suggesting that people should be prevented from smoking. The hon. Member for East Worthing and Shoreham suggested that the Government did not have the courage of their convictions in not banning smoking. Such action would be deeply illiberal. Smoking is legal and to ban it entirely would not be justified. It is not a question of not having the courage of one's convictions but of doing what is appropriate to deal with a particular evil. Banning would be excessive, but the consequences of smoking on young people, in particular, are sufficient to justify the Bill's drastic provisions.

I hope that we will not use the Bill as an excuse not to concentrate on other measures to promote smoking cessation. For example, I congratulate the Department of Health on its "don't dare" campaign that has run over the past couple of years and particularly at Christmas to encourage people to give up smoking. The use of a broken cigarette is an extremely good way of reminding people of the slightly pathetic side of smoking.

My problem with smoking is that I find it easy to give up. Whenever I give up, I decide to start again because I will find it easy to give up again. That happens quite often, and one finds that one has not really given up. We should put the emphasis on getting the Government to advertise as effectively as possible and to continue their campaign to discourage smoking; we should not allow tobacco companies to advertise to young people in their attempt to keep them addicted to smoking. That would be a major step in reducing health inequality, and would save hundreds and perhaps thousands of families from the tragedy of losing someone to lung or tongue cancer. Such provisions would be widely welcomed in the community.

7.29 pm

Mr. Flook: First, I declare an interest, which can be found in the Register of Members' Interests. I also declare an interest as a heavy ex-smoker who smoked well over 30 a day for about 10 years. I did not need hypnosis to give up. Unlike the hon. Member for Stalybridge and Hyde (James Purnell), however, I found it so easy to give up 30 a day that I would not dare take it up again.

As a neighbour of mine for many years, the strictures on smoking by my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) were such that I had to have a puff before I visited him. Every time I wanted another cigarette I had to go home, three doors away. I also recall that on an armed forces parliamentary scheme trip, the bus was held up while the hon. Member for Ealing, North (Mr. Pound) had yet another puff and continued his way with the wicked weed.

I am concerned that attempts on both sides of the House to scrutinise the Bill, which has been five years in the making, seem to come down to the fact that the Government cannot make their mind up. Instead, they say, "Don't worry. We'll ask the courts." Although the measure was a commitment in the 1997 Labour party manifesto, the Government decided that rather than introduce domestic legislation immediately, they would support and promote a European directive. That was mistake number one. The contentious legal basis of the directive meant that the European Court of Justice annulled it in October 2000. The Government were forced to introduce a Bill to ban tobacco advertising, promotion and sponsorship, but it ran out of time. It is a great pity that they should try to make political capital and blame the Conservative party for that. The Bill needed amending and the important amendments were not just in our name, but in those of Labour Members and Cross-Benchers in another place.

We have gone over the arguments time and time again. It is important that we consider the Bill in that light. The Liberal Democrats make great play that the Bill is their Bill. I am sorry to say, therefore, that this Bill is their Bill improperly scrutinised. It is distressing that the hon. Member for Romsey (Sandra Gidley) contradicted herself. She said in an intervention that there was no need to add to Lord Clement-Jones's Bill in the other place. However, in her speech she said that the Conservative amendments were valid. She cannot have it both ways.

I want to address the failure of parliamentary scrutiny. The Government have tried to stifle the process of scrutiny by resisting every amendment that we tabled. Indeed, the Minister said that she had some sympathy for new clause 2, but she would still not accept it. Her predecessor, now the Parliamentary Secretary, Lord Chancellor's Department, the hon. Member for Pontefract and Castleford (Yvette Cooper), refused to

accept amendments. The only way out of the problem is for the Government to ask the courts. However, the consultation paper on the draft regulations, which they intend to make as soon as the Bill is passed, baldly states that a picture of a packet of tobacco is an advertisement. It also says that an indication of a special price or offer is an advertisement, according to the Bill. The Government cannot have it both ways. They cannot say that is for the courts to decide what is and what is not an advertisement and then provide for us their determination of what is or what is not an advertisement. In that respect the Bill lacks a high degree of certainty.

Twice I have raised the issue of whether promotion can be matched with dissing, which my hon. Friend the Member for Castle Point (Bob Spink) raised. I have yet to receive a proper answer.

Bob Spink: The term is dishing.

Mr. Flook: Either will do, although dissing is the more correct terminology for people of my generation.

Dissing a competitor's product would have the same impact as, for example, Benson and Hedges against Marlboro—

Mr. Pound: No contest.

Mr. Flook: There may well be no contest for the hon. Gentleman who, if memory serves me right, smokes a particularly wicked brand of tobacco.

It is of great concern—*[Interruption.]*

Madam Deputy Speaker: Order.

Mr. Flook: Many Conservative Members are greatly concerned that the ability of the tobacco companies to spend their way to success by advertising their products will be replaced by the tobacco companies employing lawyers to run circles around the Government by being inventive with such poorly drafted legislation.

7.35 pm

Judy Mallaber: It is not stifling scrutiny for Labour Members to say that we do not agree with amendments. There has been plenty of time to discuss and make the case for them.

I am pleased that the Opposition will not vote against Third Reading, but they have come up with the most extraordinary smokescreens to prevent tobacco companies from being stopped in their attempts to addict people, which is what they are about. They are living in cloud cuckoo land if they think that tobacco manufacturers will happily agree to effective voluntary measures. Those companies have spent a fortune defending claims that they have given people cancer. A chilling John Grisham thriller, which was made into a film, portrayed tobacco manufacturers going through the courts to ensure that they did not have to pay big damages. I am sure that that depiction was close to the truth. Tobacco manufacturers have spent a fortune on targeting young people. They now want to get cigarettes more widely smoked within the third world and developing countries. There is no way that they will voluntarily do anything that stops them making profits.

The next smokescreen concerns the prevalence of smuggling. No one says that a ban on advertising is the only measure or the panacea. It has to work alongside measures to tackle smuggling, but smuggling would not be profitable if people had not been persuaded into becoming addicted to smoking. The hon. Member for East Worthing and Shoreham (Tim Loughton) said that we were suggesting a ban on smoking. The argument on Second Reading that we were removing civil liberties did not stand up. Conservative Members were pushed into admitting that the only limitation on civil liberties was the liberty of the tobacco manufacturers to addict people to smoking. People will still have the freedom to choose whether they will smoke.

As a non-smoker, my civil liberties have been abused for years by people blowing smoke in my face and forcing me to participate in passive smoking, but I have never sought to ban that. I could easily make that argument, however, because my civil liberties have been impinged.

Mr. Hopkins: Does my hon. Friend agree that the right to breathe fresh air is a prior liberty to the right to smoke?

Judy Mallaber: I agree. The right to roam across our beautiful countryside is another such right, and I am pleased that we have introduced it.

This morning I launched a healthy living centre in Amber Valley to encourage healthier communities. Its role is to promote a range of measures, in particular the reduction of health inequalities, as discussed so eloquently by my hon. Friend the Member for Stalybridge and Hyde (James Purnell). The centre promotes measures on healthy eating, deals with health in the workplace and highlights proposals on exercise and on mental nourishment through arts programmes. It also promotes ways to help elderly people to live independently. But what is the point of promoting that range of public health measures if we still allow the promotion of a drug that is one of our biggest killers? What is the point of putting all that extra money into our hospitals to pick up the pieces created by the appalling promotion of that drug? What is the point of including all the measures in primary care, which is doing wonderful things in my area? They enable the setting up of anti-smoking clinics, which pick up the pieces. The Bill is essential and I am delighted that it is making progress.

On Second Reading, I mentioned several issues that related to young people from my experience in my constituency. I visited a school and read out a poem that a young child had written about how awful smoking was. It was effective and moving, and I spoke to many young children about the desperation that they felt because their father or grandfather smoked.

We went on to the early teen stage, when children are vulnerable. I drew attention to a theatrical project in one of my schools in which a year 7 boy talked about why he believed that he might smoke. He said that he had not smoked because he thought that it was dangerous. He then paused and said straight to camera in a video booth by himself, "But I think I probably will start smoking when I get older and I just don't know why." We know why. This evening, hon. Members have mentioned the

[Judy Mallaber]

glamour, the soap stars who smoke, the brand promotion and the advertising. They appeal to young teenagers. That is the age group that tobacco manufacturers target. That is what we must stop, and why the Bill is so important. Those who have not smoked by the time they are 20 are unlikely to take up smoking. We must stop the blatant advertising that promotes smoking as cool.

Tobacco manufacturers will not voluntarily give up advertising. They want to be able to promote their products. They need to get children addicted. If they cannot do that in this country, they will do so in third world countries and try to spread smoking there.

I am delighted that the Bill will be passed. Tomorrow morning, members of the Stroke Association will take a petition to Downing street that argues for more facilities for stroke patients. We want to move quickly on that. I shall be pleased to join them and be able to say that at least we are introducing a measure that will result in fewer strokes.

I visited my local branch of the Stroke Association a couple of weeks ago in stroke awareness week. I talked to people about the problems that they had experienced as stroke patients. My dad died of a stroke. He was a smoker who gave up smoking after his first stroke. However, soon after he retired, he had a second stroke. He never had a chance to enjoy his retirement. I shall be pleased to tell people from the Stroke Association tomorrow that today we took steps to ban tobacco advertising.

I congratulate everybody who has played a part in getting the measure through. It has taken far too long, but I welcome what has happened tonight.

7.42 pm

Pete Wishart: Again, I am the sole representative on these Benches. I am delighted to follow the hon. Member for Amber Valley (Judy Mallaber). I have heard her speak on the matter on a couple of occasions, and she speaks elegantly and with commitment. It is unfortunate that we have reached the last few speeches on the subject, which has been kicking around both Houses for some time.

I am delighted to contribute to Third Reading and to reach that stage. People who work in health care, including primary care and cancer wards, will be prepared to congratulate the House this evening. There will be general delight throughout the country. Only the tobacco companies will be unhappy about today's proceedings. They will no longer be able to promote their poisonous product with impunity.

The journey towards the measure began in Edinburgh when the Scottish National party MSP Nicola Sturgeon promoted her private Member's Bill to attempt to ban tobacco advertising in Scotland. We believed that the Government prevaricated this time last year, and that Ministers' statements were ambiguous. Perhaps we were impatient, and the Government fully intended to introduce a Bill as soon as possible. However, last summer, we believed that the Government needed gentle encouragement along the road to ensure that we reached our current position. I am glad that we played our little part in the Scottish Parliament.

We were disappointed that the Queen's Speech did not include a Bill to ban tobacco advertising. If we could not have a full United Kingdom ban, at least the Scottish Parliament had the power to ban tobacco advertising in Scotland. However, let us be clear: we wanted a full UK ban, which is superior, just as a full European Union ban would be superior to UK legislation alone.

Since that time, Lord Clement-Jones's Bill has been adopted and we withdrew our measure in the Scottish Parliament. However, let us give credit where it is due. Nicola Sturgeon and our colleagues on the Health and Community Care Committee of the Scottish Parliament deserve credit for helping us to reach our current stage. They formed part of the tapestry that led us to Third Reading. I do not believe that we would be here without the gentle encouragement of Lord Clement-Jones, Nicola Sturgeon and the Scottish Parliament at a time when a great deal of backtracking was going on.

The Scottish National party and Plaid Cymru are satisfied that the Bill is comprehensive and will significantly reduce smoking and thereby smoking-related disease. It was important that the Bill was amended but remained comprehensive. I am pleased that the Conservatives' amendments were not supported. The Bill is now comprehensive, leaves tobacco advertisers nowhere to go and gives them no hope for future advertising opportunities.

Several hon. Members have talked about culture and the dangerous age between 12 and 17 when young people appear to be attracted to smoking. I have an 11-year-old son, and he and his friends can be pious when they talk about smoking. They can cite chapter and verse about why smoking is bad for people but I fear for them when they go to secondary school because something dramatic happens then. We should undertake a qualitative study to ascertain what happens between the ages of 12 and 17 that encourages young people to start smoking.

I agree with the hon. Member for East Worthing and Shoreham (Tim Loughton) who was worried about product placement. The Bill does not cover that comprehensively and I share his anxieties about cigarettes and drinks being advertised in soap operas. My previous honourable profession in the music industry has a part to play. We need role models and people who will champion an anti-smoking cause. One rock star or film star with a cigarette in his hand is worth more than 100 tobacco-advertising billboards. We must do more to challenge that culture. We must try to adopt champions for that and make progress.

As the Minister said, the tobacco industry will try to circumvent the Bill. When tobacco companies lose hundreds of smokers a day, they need new recruits and they will do anything to find them. We must remain vigilant and, if necessary, revisit the measure if loopholes appear.

I congratulate the Government on pushing the Bill through this evening. I also congratulate the House of Lords and the Scottish Parliament on their work in ensuring that we reached our current stage. We have a good Bill that will significantly reduce smoking and smoking-related disease throughout the United Kingdom.

7.47 pm

Mr. Pound: In the interests of balance, it may be appropriate to hear the gasping tones of at least one smoker. Oscar Wilde said:

"A cigarette is the perfect type of a perfect pleasure. It is exquisite, and it leaves one unsatisfied."

However, he also said:

"As long as war is regarded as wicked, it will always have its fascination. When it is looked upon as vulgar, it will cease to be popular."

That is the key factor.

I support the Bill, although I have grave doubts and reservations about it, as part of a wider initiative that is right. There is no question about that. However, can we be honest for a moment about cigarette advertising? Twenty or 30 years ago, it was aggressive and influenced people to smoke. People felt that there was something distinctly wrong with them if they did not smoke. I remember the advertisement for Rothman's, which featured an airline pilot gracefully landing his jet at Heathrow, leaning back in the cockpit and lighting a revivifying Rothman. Often, my nine-year-old and 10-year-old schoolmates and I leaned back in our soapbox carts and said, "Now it's time for a Rothman."

"You're never alone with a Strand." I remember the enigmatic figure in a raincoat in the days when men wandering the streets the London at night in raincoats were comparatively innocent. That man satisfied himself on the bridge at midnight with a Strand. *[Laughter.]* It was immensely seductive. *[Laughter.]* I am sorry, Madam Deputy Speaker; the hon. Member for East Worthing and Shoreham (Tim Loughton) has unmanned me.

In those days, an innocent child with no thoughts of nicotine could wander the streets of Fulham and be ensnared by aggressive advertising, and many of us were. In my case, I distinctly remember going to see the doctor on a matter that I do not choose to share with the House. The doctor invited me in and said, "Sit down, old chap, you look frayed. Have a cigarette." He whipped out his case—Turkish cigarettes on one side and Virginia on the other—and we sat and smoked. But that was then; this is now.

I cannot, in all conscience, believe that anyone who has never thought of smoking wanders down the street and, seeing a sign advertising Lambert and Butler, says, "Well, stone me, I think I'll start smoking!" It simply does not work like that. It might persuade people to smoke brand X rather than brand Y, but it is not the reason that people start smoking. I have teenage children at secondary school, and I know damned well why many of their classmates will smoke. It is because smoking is perceived as cool. To revert to the comment by Oscar Wilde, as long as smoking is wicked, it will be popular, and as long as we say, "This is evil and must be stopped", there will be children saying "Yes! I'll have some of that!" A few years ago, it was—allegedly—possible to import via the internet cigarettes that had a skull and crossbones on the packet and were called Death cigarettes. They sold by the bucket load—not that I wish to declare an interest in this in any way whatever. This is not the way to do it.

I was delighted to hear my hon. Friend the Member for Luton, North (Mr. Hopkins), the Minister and others talking about another real problem: the issue that we blithely call product placement. As long as some sensual siren who reaches peaks of sexuality that people like me can only dream about leans back in her silken sheets after a hard night and lights a cigarette—and if the closest that I can ever get to Gwyneth Paltrow is to have a cigarette after thinking about her—it is inevitable that many other people will also do that. That is the problem. We have heard about villains on television, such as those on EastEnders, who smoke cigarettes and are perceived as hard, ruthless people who just do not care. That, sadly, is attractive to teenagers, and we have to address this issue.

I am going to support the Government because, well, frankly, I always do. I will support them, but not entirely with a full heart or even, possibly, working lungs. The reason is that this ban on tobacco advertising will not ban tobacco. Not for the first time, I am disappointed in Her Majesty's Opposition. Had they but had the courage to say, "This is a foul, evil business. We'll ban the lot! Let's go for prohibition!", I would have admired their intellectual honesty. They could quite easily have gone for that. Instead, they have been dancing around tabling these different amendments and I have to say that, in some cases, they have been rather foolish. The Government have accepted a pragmatic response and offered a pragmatic solution involving a range of options. I agree with that, and I will support them, but I implore the Minister and other hon. Members to realise that every time we send out the message that cigarette smoking is vile and wicked, some teenager somewhere—for the same reason that they buy those appalling Eminem records—will choose to smoke.

I do not wish to detain the House further, as many people wish to go to the smoking room after this debate. I will, of course, support the Government, but nobody should kid themselves that taking the names of tobacco companies off racing cars or ocean-going yachts is going to end cigarette smoking. That is not going to do it. It may cause great pain in the world of sports sponsorship—indeed, it probably will. My predecessor as Member of Parliament for Ealing, North is still sponsored for a pensioners' tea party every year by Gallagher. Fair play to him: it is legal and he continues to do it. I choose not to do so. But the Bill is part of a wider package involving cessation and health warnings, and I wish the Government a fair wind. I only wish that I could muster one myself, but my lungs are not quite up to it.

7.54 pm

Ms Blears: I am delighted to have the vulgar loyalism of my hon. Friend the Member for Ealing, North (Mr. Pound). If that is the most support that he can give us, I am grateful for it.

I want to deal with some of the issues raised by hon. Members as briefly as I can, because we have been over this ground many times before. The hon. Member for East Worthing and Shoreham (Tim Loughton) said that he was still not convinced that there was a link between advertising and smoking. I wonder how much more he wants to see. He described his new clause as a paving clause for a sunset clause. One cannot get much more indirect than that. We saw his true colours there. That new clause was a last-gasp attempt to allow the industry to continue to ply its trade of advertising and promoting tobacco. We need to be honest about that.

[Ms Blears]

The hon. Gentleman also talked about smuggling. He is well aware that the Government have put an extra £200 million into tackling smuggling, along with X-ray machines at all our ports and thousands of extra customs officers, and that 3 billion cigarettes have been seized this year. There is a lot more to be done to tackle smuggling, but he is well aware of the Government's determination to crack down on the problem. He also said that there was not enough time fully to scrutinise the Bill in Committee. The way in which he has failed to move his amendments this evening gives the lie to that. He had every opportunity to spend another couple of hours scrutinising the Bill and moving his detailed amendments, but he chose not to do so.

The hon. Gentleman and others mentioned product placement and the impact of the activities of celebrities such as soap stars on young people taking up smoking. That important point was raised by the hon. Member for North Tayside (Pete Wishart) and by my hon. Friend the Member for Ealing, North. We intend to do whatever we can to get some champions for our anti-smoking campaigns, to ensure that we get the message across as powerfully as we possibly can, particularly to young people. If any hon. Member can suggest anyone who might be prepared to help that cause, we would be grateful for that information.

My hon. Friend the Member for Luton, North (Mr. Hopkins) made an important point about price cutting, and asked whether the Chancellor might look at that in the Budget. I assure him that the Chancellor takes into account the effects of price in his Budget process, and he will certainly continue to examine that area. My hon. Friend the Member for Reading, West (Mr. Salter) raised an important point about the National Federation of Anglers, which is proposing to hold an event in 2004. The consultation on sponsorship is out, and people have until 15 November to respond to it. I shall ensure that the National Federation of Anglers is properly consulted in that process.

I welcome the support of the hon. Member for Romsey (Sandra Gidley) for the Bill. She also raised smoking cessation services. Several hon. Members have seen the Bill as part of a package, and they are right. Zyban is now available on prescription, and 40 per cent. of the prescriptions issued for it are free. The evidence is, therefore, that we are reaching the poorest communities, which are targeted by tobacco companies to promote their products. My hon. Friend the Member for Stalybridge and Hyde (James Purnell) raised an important issue about his constituency and the impact on employment of measures to reduce smoking. He made a good point about the need for proper transitional provisions for retraining, reskilling, diversification and ensuring that people can get into other forms of employment.

The hon. Member for Taunton (Mr. Flook), who is no longer in his place—I understand that he had another engagement—asked about negative advertising, which I dealt with earlier. If the effect of negative advertising is to promote a tobacco product, it will be caught by the prohibition. The crucial question will be: what is the effect of the advertising? My hon. Friend the Member for Amber Valley (Judy Mallaber) made a passionate and committed contribution to the debate. I had the pleasure of reading the speech that she made on Second Reading, and it was one of the most persuasive speeches that I have read. It was based on the real experiences of people in her constituency, particularly those of young people. She rightly raised the issue of the cost to the national health service of picking up the pieces as a result of tobacco promotion in this country over many years.

We have seen the true colours of the Opposition this evening. They will the ends but not the means, and they are afraid to make the hard choices that are the test of any Government. I also believe that they are out of step with public opinion in this country. Sixty per cent. of the people support an advertising ban, and 70 per cent. of smokers want to give up. The Opposition are also out of step with the rest of the world.

A worldwide convention on tobacco control is taking place in Geneva today. Doctors from every part of the world have joined to present a manifesto intended to ensure an end to misleading claims that some cigarettes are safer than others, and an end to all tobacco advertising. They want clear, informative health warnings on every packet of cigarettes. They want non-smokers to be protected from tobacco smoke, and they want tobacco taxes to be increased. World opinion says that we should end tobacco advertising.

I genuinely think that the Opposition are clinging to the myth that a ban on advertising, sponsorship, brand-sharing, coupons and free gifts is not justified by the evidence. We have proved here today that stopping advertising and promotion will help to save lives.

If the Tories are genuine in their desire to change, to reflect the views of people in this country today and to speak up for the most vulnerable in society, they will have to think carefully about how they vote. They must think about the children drawn into addiction at the age of nine or 10. They must think about the teenagers who are bombarded with images of glamour and macho dynamic sports. They must think about people living on low incomes in poor communities such as mine, who proportionately spend far more on cigarettes than better-off people do. They must think about pregnant mothers whose smoking damages not just themselves but their babies. All those people are vulnerable—vulnerable to the predatory actions of the tobacco companies that have to promote their products knowing that they maim and kill, just to maintain their profits. They made £3 billion in pre-tax profits last year.

Tonight's vote will be very revealing. It will show whose side the Opposition are on. If they are really on the side of the vulnerable in this country they will not merely abstain, but support the Bill and ask every other Member to take that positive action.

Question put and agreed to.

Bill accordingly read the Third time, and passed, without amendment.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9) (European Standing Committees),

EU Action Plan on Drugs

That this House takes note of European Union Document No. 10207/01, Commission Communication on the implementation of the European Union Action Plan on Drugs (2000–2004); welcomes the mid-term review of the plan; and urges that it should be revised to ensure that priority is given to achievable, timebound targets that will contribute measurably to the European Union's contribution to the fight against drug abuse and trafficking.—*[Jim Fitzpatrick.]*

Question agreed to.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

Northern Ireland

That the draft Local Elections (Northern Ireland) (Amendment) Order 2002, which was laid before this House on 11th July, be approved. —*[Jim Fitzpatrick.]*

Question agreed to.

Urban Design (Crime)

Motion made, and Question proposed, That this House do now adjourn.—[Jim Fitzpatrick.]

8.2 pm

David Wright (Telford): I am pleased to be able to speak about a subject that is not just close to my heart—given my background in urban regeneration—but crucially to communities throughout our towns and cities.

The quality of urban design is important for many reasons, but perhaps the main reason is the fact that well-designed urban environments promote a sense of self-worth. I want to focus on the potential of good urban design to reduce crime and promote the creation of sustainable communities where people want to live, work, shop and enjoy their leisure time.

I believe that if people have a well-designed neighbourhood that is well maintained they will treat it with respect, and will endeavour to police it themselves. They will create an atmosphere that tells criminals "You are not welcome here." If an area is poorly designed and poorly maintained, however, people will respond to their environment in a negative way and will accept decline as being the natural trend. As I said earlier, people derive a sense of their own self-worth from the condition of the environment around them: their aspirations for themselves and their families are shaped by their locality.

In terms of general principles, our objective as a Government must be to encourage the creation of physical environments that are conducive to the overall security of communities. To do that, we need to examine some of the dynamics of modern urban living and adapt our approach accordingly. Increasingly nowadays, geographical communities are breaking down and being replaced by communities of interest. People now have a series of social contacts that are not necessarily linked to the location of their homes. Friends from work, for example, often live many miles away, but they see more of them than they do of their neighbours.

People do not have as much contact with their neighbours as they used to, which creates a sense of isolation in communities. More people are living alone as well, and many do not speak to their neighbours at all. A friend of mine once told me that he was more likely to hear the voice of Nelson Mandela on television that evening than to hear the voice of his neighbour.

Those changes in social infrastructure are compounded by the poor design of many neighbourhoods, which at worst encourage crime and at best fail to provide any deterrents. I also believe that some people nowadays have expectations that are unachievable in relation to quiet enjoyment of their homes. That is difficult for many to acknowledge, but we must understand that our society is changing. People often do not want their children to play a long way from their homes; they want them to play in the street outside. Although they may not like it, people must accept that that is a growing trend.

Why is the issue important? Antisocial behaviour and crime on estates are the number one issue in my advice surgery and in my postbag. There is a feeling that many estates are, in the words of Telford residents, "out of

[David Wright]

control", and gangs of predominantly young people are behaving in an increasingly lawless manner. The fear of crime is of course more significant than its incidence in most cases, but the quality and structure of the local environment is a major contributory factor in the level of fear.

The amount of police cover available in many areas will never meet the needs of local communities, and recent research by the National Association for the Care and Resettlement of Offenders has shown that closed-circuit television is not necessarily the panacea that many think it to be. Effective design that reduces the incidence of crime and the fear of it is not a luxury today, but a necessity.

It is easy to highlight practical design problems in parts of my constituency that lead to crime and the fear of it. Telford contains a number of housing estates built in the 1960s and early 1970s with the Radburn layout. On those estates, the housing and street pattern is the reverse of the traditional layout, with vehicular access to the rear of the property and pedestrian access to the front. Residents cannot see their vehicles once they have parked them, and unless they fence off their front gardens they merge into the wider public realm.

The access-ways on those estates are a maze, and public space is ill defined. The planting is often overgrown, and makes pedestrian routes through the estates dark and unwelcoming. Local facilities—shops and community centres—are provided in small arcades that are themselves visually unattractive and at night are literally steel-shuttered bunkers.

Some of the potential solutions to those problems are just common sense. I am thinking of the creation of defensible space, which I will return to shortly; the promotion of mixed-use development, often with higher densities of housing, so that areas in towns do not close at 5.30 pm and become no-go zones; the creation of distinct neighbourhoods in housing areas with their own character, or legibility as the professionals like to call it, so that people begin to recognise and associate with their neighbours again; and the removal of unwanted areas of public open space through, for example, the incorporation of rear access ways into gardens, better lighting, and better allocation of pedestrian space.

Those things sound so simple, but on many estates throughout Britain they have not been achieved. We are not seeing significant improvements in the physical environment.

The design of new housing is obviously important. Design features that reduce crime need to be incorporated—for example, doors and windows overlooking the street and public spaces to provide natural surveillance opportunities. Developers need to consider that when submitting proposals to planning authorities. However, the issue does not relate exclusively to the design of new homes; in fact, most problems occur in existing residential environments. The refurbishment of homes needs to be done with crime-reduction principles in mind, and as much attention needs to be paid to the external street scene as to the fabric of the properties.

So how can we move forward? I want to recommend four key areas of action. First, we need to ensure more cross-departmental working at national level, particularly between the Office of the Deputy Prime Minister and the Home Office. Designing out crime should be a core activity in regeneration initiatives, and should be measured in terms of project outputs. Government should at an early stage consider consolidating the complex array of legislation relating to the design, management and use of the street. That can be coupled with the development of public realm strategies, which should bring together all the players involved in designing the urban environment. Tackling crime and antisocial behaviour can form a cornerstone of that work. The excellent homezone initiative that is being rolled out across the whole country, including in Woodside in my constituency, could be used as a starting point and pilot for much of this work.

Secondly, communities should be encouraged to work together to resolve problems of crime and antisocial behaviour. I would particularly like to compliment the Urban Design Alliance, which is supported by the Office of the Deputy Prime Minister and English Partnerships, for its work on the placecheck initiative. That initiative encourages local people to identify problems in their own neighbourhoods and develop practical solutions. Much of the work being done in this area by the Institution of Civil Engineers and the Design Council is also excellent. Local parish councils can play a particularly important role in drawing out community perspectives and providing seedbed funding for local initiatives. A number of parish councils in my area have been particularly good at drawing up parish plans. St. George's and Priorslee parish councils are leaders in this area.

Thirdly, local authorities should vigorously apply crime prevention criteria when evaluating planning applications. That is a material consideration. The planning system must be used to generate attractive and easily managed environments. There is no excuse for local authorities, as the planning guidance is already in place. Circular 5/94, PPG 1, PPG 6 and PPG 12 all contain guidance on addressing crime through the planning system. Local community safety partnerships are beginning to move these issues up the agenda in many areas, and the police flagship scheme "Secured by Design" is extremely important.

However, I feel that the services being offered by police architectural liaison officers are often seen in the police service and locally as a luxury add-on and not a fundamental tool through which to reduce crime. Government, local authorities, various agencies and players and the police service need to put that right.

That links to my fourth point, which is that developers need to ensure that designing out crime is at the centre of their work. It is not a fringe activity, whose principles can be discarded once projects are on site.

Those are the four key areas of work that I hope the Minister will consider this evening and in coming weeks and months.

Rob Marris (Wolverhampton, South-West): My hon. Friend is an expert in this area, having spent many years

working on local authority housing. Could he help me in my constituency? A couple of estates have the Radburn layout, which he has explained to us.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I remind the hon. Member that he should address the Chair.

Rob Marris: I beg your pardon, Mr. Deputy Speaker. I was hoping that my hon. Friend could explain what could be done in older areas of terraced housing. There are some excellent initiatives in my constituency on alley gating, some of which have been funded through the Government's new deal for communities. Is there anything else that could be done in older, terraced areas? I know that they are not as prevalent in my hon. Friend's constituency, but he is an expert.

David Wright: I thank my hon. Friend for his kind remarks. One of the key things is to close off access points, as is being done in parts of his constituency. The main problem with that is the mixed ownership pattern in terraced streets. Many people have purchased their home with the right to gain access at the rear of the property, and they often do not want to give that up. It is up to the people in those streets and communities to come together and reach agreement about how to manage rear access ways. With common agreement, closure of access ways can be achieved. The Government have recently issued additional guidance on the closure of rights of way in urban areas, and local authorities should consider those issues carefully.

The issue of designing out crime in neighbourhoods is not new. In the early 1990s, the Conservative Government funded a project called the design improvement controlled experiment.

Mr. Tom Watson (West Bromwich, East): My hon. Friend will be aware that there was a DICE project on the Durham estate in my constituency. Despite initially giving great hope to the community, it is now popularly considered a failure because the community buy-in and response to the proposals was inadequate. Does he agree that the role of elected councillors is vital in designing out crime? They amplify the voice of a community. In that ward in the past 20 years, my constituents have been miserably let down by their three Liberal Democrat councillors.

Mr. Stephen Pound (Ealing, North): 'Twas ever thus.

David Wright: As my hon. Friend says, 'twas ever thus. My hon. Friend the Member for West Bromwich, East (Mr. Watson) will be aware that I did some work on that project, which I shall refer to in a moment. As he rightly says, one of the key issues is to ensure that communities buy into those initiatives. It is not just about change to the physical environment.

Professor Alice Coleman led the DICE initiative, and I worked on one of the projects in the west midlands. The concept involved the redesign of council estates to reduce the incidence of crime. Much of the work was good, but it did not address some of the underlying socio-economic problems that people in deprived neighbourhoods face. The simple fact is that designing out crime needs to be part of a wider approach to regeneration: it cannot stand alone. Investment in the social infrastructure of areas is as important as investment in the fabric.

The architect Oscar Newman spent a considerable time working on issues relating to urban design and its impact on crime, and he particularly focused on the theory of defensible space. That process involves reassigning the perceived ownership of residential space, thus allowing residents to assert control over their environment. Newman said:

"Once residents re-establish control of their environment the criminal is isolated because his turf is removed".

How right he was. That seems to me an excellent statement of intent for future design in relation to crime reduction.

In closing, I say to the Government and all the agencies involved in urban regeneration and design that we should use the design process to give people their areas back and communicate to people that we care about their environment and about them.

8.17 pm

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Mr. Tony McNulty): I congratulate my hon. Friend the Member for Telford (David Wright) on securing this debate and raising this important issue. I also congratulate my hon. Friends the Members for Wolverhampton, South-West (Rob Marris) and for West Bromwich, East (Mr. Watson) on their insightful comments. My hon. Friend the Member for Wolverhampton, South-West referred to alley gating, which, together with local councils, we are trying to do something about, and my hon. Friend the Member for West Bromwich, East tutted and made telling comments about the failure of Liberal Democrat councils. Such comments are all too frequent, and sadly that is an experience that we all know only too well from our own constituencies.

I would also echo the comments made about the experience of my hon. Friend the Member for Telford in regeneration and urban design. Recently, I was in Sandwell where he did much of his work, and he was still fondly and lovingly regarded by all in West Bromwich. Like many hon. Members, my hon. Friend understands that regeneration has for too long been separated from urban design and many of the other areas to which he referred. If the Office of the Deputy Prime Minister does anything, it will be to ensure that regeneration, housing, planning and designing out crime are all part of one key policy, which is to build and sustain our vibrant communities. That cannot be an afterthought or an add-on; it must be rooted into plans for regeneration at the start of the process. For most of the summer I have been visiting places around the country. I do not want to be less than generous to the architectural profession, but it seems to me that in the 1960s and 1970s, architects up and down the country were awarded prizes for designing crime in rather than designing crime out. I have been through a number of dark alleyways abutting railway stations, as well as walkways and covered ways around a variety of estates, which are beyond belief, although any fool could tell that they would be dens of iniquity and criminality. Even though much money from the public purse has been spent by a range of councils from all parties to design out crime after architects designed it in, such places are a sight to behold.

[Mr. Tony McNulty]

The Government are fully committed to tackling crime and the fear of crime, and I want to return to the point that my hon. Friend the Member for Telford made about social capacity, social capital and designing out crime not being sufficient of themselves. They must be part of a wider context and a wider policy framework. Designing out crime and tackling the fear of crime must be the key to the regeneration programme for our urban areas and to producing sustainable communities.

We are spending more money than ever on crime reduction initiatives. For example, over the past three years through the crime reduction programme, we have invested more than £340 million in 1,470 projects to build on proven approaches to tackling local crime problems and to develop evidence of what works.

Our plans also mean more police and more modern and efficient police forces throughout the country. The Police Reform Act 2002 contains measures to create a police service that will be flexible, responsive and in a better position to give local communities the ability to live free from crime and the fear of crime.

As my hon. Friend the Member for Telford said, we are developing and mobilising our partnerships with local authorities, agencies, private industry and community groups to deliver crime solutions that work for local people. If the solutions do not have the ownership and buy-in—for want of some other, far less clumsy phrase—of the local community, they will not work. That is the point that my hon. Friend made. We are working across the Government effectively to focus our efforts on the shared goal of community safety and neighbourhood renewal.

Rob Marris: The Minister has mentioned a number of partnerships which, laudably, the Government are setting up and getting involved in to tackle this important issue. Have they had a chance to tackle the architectural profession, to which he has referred, in terms of its training and awareness of those issues? If so, will he say a few words about that?

Mr. McNulty: If my hon. Friend will bear with me, I have plenty of nice words to say about the architectural profession as well, but at least part of the legacy of previous architects is there for us all to see.

As my hon. Friend the Member for Telford said, the planning system also has its part to play in tackling crime. While good planning alone cannot solve the problem of crime, its contribution, when co-ordinated with other measures, can be significant. Well-designed developments can reduce the fear of crime, make crime harder to commit and increase the risk of detection, but once a development is complete, the main opportunity to incorporate crime prevention measures has been lost. Much has been done subsequently in many estates to build out and design out crime, but that is far more expensive and disruptive than designing out crime at the start of the process. The Government want community safety not to be seen as an optional add-on, but to be integrated in the design of new developments.

As my hon. Friend the Member for Telford said, we have already produced Government guidance on planning out crime that sends out hard-hitting messages. Crime prevention can be a material consideration—in English, a relevant factor—when local planning authorities consider planning applications, and it must be considered when reviewing their development plans.

To be entirely fair, much of local government, certainly in its latter-day initiatives such as unitary development plans, is taking designing out crime and its crucial importance in the pre-development stage far more seriously. Initial research shows that incorporating crime reduction features in buildings and environments at the planning stages reduces crime. For example, a 2000 Home Office study of the effects of the principles behind "Secured by Design", which is promoted by police forces throughout the country, showed that burglary levels in homes built to the "Secured by Design" standard in West Yorkshire are 30 per cent. lower than in non-standard homes. There is tangible evidence of what my hon. Friend the Member for Telford has chosen to highlight in the debate—this is a serious matter—and it does work.

We have therefore stressed how important it is for local planning authorities to take advice on developments from police architectural liaison officers at an early stage. That is especially important where there is potential to eliminate or reduce crime, such as in new housing estates. Much of what my hon. Friends have said involves existing estates and housing developments, where such measures are equally important. In too many instances, however, criminals' work has been made far too easy and people's lives have been blighted unnecessarily, so the Government still need to take further action.

My hon. Friends the Members for Telford and for Wolverhampton, South-West mentioned the Radburn design for housing estates, which may be seen in some of our new towns dating from the 1960s and 1970s, and elsewhere too. With access to property from front and rear, and limited natural surveillance, in some cases burglary has been more of a problem than it should have been. As my hon. Friends attested, residents have suffered.

The Government can take action, which is why we are committed, as stated in the urban White Paper, to driving home the fact that crime prevention is and must remain a key planning objective. We will review and update the existing Government guidance, "Planning Out Crime", and produce a good practice guide to accompany the guidance. The guide will set out what works in designing out crime, and will be relevant to both local planning authorities and the police. It will also be practicable and robust in a wide range of circumstances.

We have already underlined the key messages in "Planning out Crime" in planning policy notes as they have been reviewed and updated. My hon. Friend the Member for Telford alluded to that. For example, PPG 3, on housing, encourages local authorities to promote layouts that are safe and to take account of

"crime prevention and community safety considerations".

More recently, PPG 17, on sport, open space and recreation, published this summer, states that "security and personal safety" must be principles for planning new facilities and open space. My hon. Friend is right: we must consider not just design and layout on housing estates, new or old, but the spaces between the places

where people live and work, whether they are parks and green spaces or the wider urban realm and public domain in which we all live and work. I shall come to that in more detail shortly.

The Government are committed to higher-quality design, including in residential developments, which is key to providing thriving, inclusive and sustainable communities. The updated guidance on crime will reinforce and complement existing guidance and good practice advice that we have already issued on housing design. My hon. Friend was robust in his lyrical description of at least the PPG titles to the extent that I might be knocking on his door for further planning expertise and advice. As he said, we already have clear planning guidance—PPG 1—on the importance of securing good design. We underlined in the urban White Paper the Government's commitment to good design, and we shall restate that in the promised update of PPG 1. Good design means safe as well as sustainable places.

For my sins, I am, among other things, the design champion for the Office of the Deputy Prime Minister. I am keen to ensure that good design is embedded in the ethos of my Department's work. My hon. Friend mentioned the Urban Design Alliance. I had the great pleasure of launching its urban design week, and I shall continue to work closely with it in all the good work that it does.

To spread good practice, in 2000, something called the DTLR published with the Commission for Architecture and the Built Environment the guide "By Design", which looks at the tools local authorities have to help to deliver better design and how to use them effectively. Last September, we published "Better Places to Live", a companion guide to PPG 3, which provides sound, practical guidance on how the planning system can help to achieve quality residential environments. It emphasises that by giving attention to the urban design principles and approaches that underpin successful housing such as safety, community, attractive and clearly defined public and private spaces, the quality of housing layout and design can be improved and everyone benefits.

Equally, high-quality, accessible and safe urban parks and green spaces rely on good design. The recent urban green spaces taskforce report highlighted the need for a design-led approach in providing new, and improving existing, green spaces. Green spaces and parks are as important as spaces on estates. We will be launching our response to the taskforce's report later this month at the urban summit on 31 October to 1 November in Birmingham; tickets are available at a very reasonable price, if there are any left.

For my sins, I am also the Minister with responsibility for parks and green spaces. I work with the Minister for Social Exclusion, who leads for the Department on the cross-cutting review that has just been concluded on open spaces. My hon. Friend the Member for Telford is right: unless we tackle the urban realm, open spaces, parks and green spaces on a cross-governmental basis, taking account of the concerns of other Departments such as the Home Office and the Department for Culture, Media and Sport, schemes will not be as successful. Our conclusions from the cross-cutting review will form part of our wider response at the urban summit.

As my hon. Friend said, home zones can also play a key role in improving the quality of life in residential streets. By reorganising the road space to strike a better balance between the needs of drivers and others, principally pedestrians, there is scope to engender more of a sense of place and community. I cannot remember whether it was my hon. Friend the Member for Telford or my hon. Friend the Member for Wolverhampton, South-West who said that all this is very good but if it is not accompanied by a real sense of pride and ownership, recapturing the essence of what our communities are about, it will not be as effective as it should be.

Through good design we can secure safe neighbourhoods where people want to live, which are well connected to an inclusive town, city or locality. Modern practices in urban design are being brought forward through local strategic partnerships. In many cases, crime and community safety are key priorities.

It is not rocket science. In some instances, it is simply about better lighting—lighting that is more thought through. It is about imagining what a walkway or hidden path would be like late at night in an ill-lit environment. My hon. Friend the Member for Telford will know that, in Telford, English Partnerships is working in partnership with the council, the Housing Corporation and the regional development agency on the redevelopment of the Woodside estate, which will embrace current policy on urban design and designing out crime. I am keen that the same principles apply also to the millennium community proposed for East Ketley.

I think that it was a constituent of the Deputy Prime Minister who told him on one occasion, "I love living here but not like this." That goes to the heart of the problem of designing out crime and recapturing and reclaiming our communities from the criminal and those who would indulge in antisocial behaviour.

Most crime is opportunistic. Design principles based, frankly, on common sense, such as encouraging natural surveillance or providing defensible space, can help to improve an area's security for both people and property, and defend communities and areas against the opportunistic criminal, which is crucial. There is no reason why community safety and crime prevention should not be central concerns for local authorities when exercising their planning responsibilities and every reason why they should.

In the three or four months since I have been in this position, one of the most impressive schemes for me, which has made a tangible difference and is tangential to what we are talking about—designing out crime and the fear of crime—has been our programme for street and community wardens. Almost wherever I go, they instantly attract a sense of ownership and pride back to local communities and allow people to reclaim streets that previously they would not walk down at all. They are not policing on the cheap or special constables in different T-shirts or uniforms. As with designing out crime, the ethos behind street and community wardens

[Mr. McNulty]

is about reclaiming our space for our communities, giving people back a sense of ownership and pride, which is important in developing social fabric and capacity.

Of course local authorities should be careful that they do not step beyond what they can legitimately pursue under the planning Acts, but implement policies that make real improvements to the quality of people's lives. I thank my hon. Friend the Member for Telford for drawing this matter to the attention of the House. It is a serious matter. I also thank my hon. Friends the Members for Wolverhampton, South-West and for West Bromwich, East for their comments, which I shall take on board too. My hon. Friend the Member for Telford can be assured that I have taken note of the serious concerns that he has raised and look forward to meeting him on this and other issues such as English Partnerships in the very near future.

Question put and agreed to.

Adjourned accordingly at twenty-six minutes to Nine o'clock.

House of Commons

Tuesday 22 October 2002

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

LONDON DEVELOPMENT AGENCY BILL

MILFORD HAVEN PORT AUTHORITY BILL *[LORDS]*

Read the Third time, and passed.

COMMITTEE OF SELECTION

Order read for resuming adjourned debate on Question [16 October],

That Mr. John Hayes be discharged from the Committee of Selection and Mr. Peter Luff be added to the Committee.—*[Mr. Jim Murphy.]*

Hon. Members: Object.

Debate to be resumed tomorrow.

Oral Answers to Questions

SCOTLAND

The Secretary of State was asked—

Business Start-ups

1. **Dr. Julian Lewis** (New Forest, East): If she will make a statement on Government support for new business start-ups in Scotland. [73572]

4. **Gregory Barker** (Bexhill and Battle): If she will make a statement on Government support for new business start-ups in Scotland. [73575]

The Secretary of State for Scotland (Mrs. Helen Liddell): This Government have provided a stable economy with low inflation, low interest rates and, since 1997, cuts in the average corporation tax bill for small companies by 30 per cent., all of which are essential for new business start-ups; and the new 10p starting rate of tax is of great value to small firms, many of whom in Scotland are unincorporated.

Dr. Lewis: The Secretary of State recently travelled all the way to Australia and New Zealand to promote the virtues of the private finance initiative. Does she think that PFI will help to arrest, and even reverse, the decline in small business start-ups in Scotland? Was she any more successful in promoting the virtues of PFI to the New Zealanders and Australians than she has been with her own Scottish Back Benchers?

Mrs. Liddell: The hon. Gentleman should do his homework before he asks questions. There were 10,769 new business start-ups in the first six months of 2002—22 per cent. up on what they were previously. Great use is, of course, made of public-private partnerships in Scotland. Indeed, the complete refreshment of the secondary sector in Glasgow has meant that there has been a considerable increase in procurement from small businesses, which helps the overall environment for small business start-ups.

We are well aware of the popularity of the Government's proposals on PPP, which have been widely taken up by my colleagues in the Scottish Executive. Wherever one travels, the first point one must make is that this is not the old Tory model of PFI, which did not work.

Gregory Barker: What is the situation for business start-ups compared with that in 1997? Will the Secretary of State confirm that since 1997 business start-ups have dropped by 30 per cent.? Will she also confirm that 50 per cent. of Scotland's graduates emigrate each year because there are not enough opportunities for them in small business?

Mrs. Liddell: The hon. Gentleman obviously does not know his Scottish history, because one of its great strengths is that our graduates have moved throughout the world. Indeed, the hon. Member for Vale of York (Miss McIntosh), who is sitting next to the hon. Gentleman, is a Scottish graduate who sought to pursue her career elsewhere, as is the shadow Front-Bench spokesperson, the hon. Member for Beckenham (Mrs. Lait). That all adds to the resource that is available to Scotland internationally.

I am not going to confirm the hon. Gentleman's figures, but I will say to him that there has been an historic problem with small business start-ups in Scotland. There has been a wealth of research over the past 25 years. Some of the evidence relates to risk aversion in the Scottish population, some to a fear of failure and some to the fall in informal finance. The Government, working with the Scottish Executive, have a target of 100,000 new Scottish start-ups by 2009; we are doing what we can to reverse the trend.

The key to the future of small business start-ups in Scotland is the overall European climate. During the Lisbon processes, the Government began a change that will assist small business start-ups; that change will continue to create the 20 million new jobs that will be needed throughout Europe. The splits in the Conservative party do not help that one bit.

Mr. David Stewart (Inverness, East, Nairn and Lochaber): Does my right hon. Friend share my view that a very important niche market for Scottish business start-ups is the Scottish film industry, from the new Inverness film studio to the very successful "Monarch of

the Glen", filmed in my constituency? Is not Scottish film going to be the start of the renaissance in Scottish jobs and business?

Mrs. Liddell: My hon. Friend asks an important question and makes an important point. The film industry in Scotland is composed mainly of small businesses, many of which are extremely successful. Ecosse Films, which made "Monarch of the Glen", is a very successful company. I had the privilege of visiting the "Monarch of the Glen" set a few weeks ago. I am very conscious of the fact that as a result of "Monarch of the Glen", 50 million people throughout the world can see how attractive my hon. Friend's constituency is. That helps more than small business; it helps the tourism industry the length and breadth of Scotland.

Mr. Iain Luke (Dundee, East): Given the initiatives in this year's Budget to stimulate the growth of small business throughout the United Kingdom, such as small business start-up helplines and starter packs, will the Secretary of State undertake to work closely with her colleagues in the Scottish Executive to ensure that both Administrations lend their weight to the creation of more small businesses in Scotland, especially in areas such as mine that suffer from high unemployment?

Mrs. Liddell: My hon. Friend makes an important point. I agree that we must work very hard to ensure that there is daily co-ordination between national schemes and Scottish schemes. Moreover, this is not just about Government schemes, because Governments alone cannot establish businesses, but about creating the right climate. The Government are creating the climate that helps small businesses to start—low inflation and low interest rates, reform of value added tax and changes to personal taxation—but politicians must make a co-ordinated effort to ensure that entrepreneurship is valued, as it should be. In fact, some years ago, research conducted by Scottish Enterprise revealed that entrepreneurs were classed with politicians and journalists; we have to do something to improve the status of entrepreneurs in Scottish society.

Mrs. Jacqui Lait (Beckenham): I hope that the question is brief, and that I shall get a brief answer. As new business start-ups are as likely to suffer from fires as any other business, can the Secretary of State tell us whether, when she leaves here, she will urge the First Minister and the Joint Ministerial Committee at No. 10 to make available all firefighting equipment to the troops wherever possible?

Mrs. Liddell: The Prime Minister has already made a statement on that issue, as has the Deputy First Minister in Scotland. Securing safety for people is a pre-eminent issue, and I share the view of the Prime Minister and First Minister that there is a need for the Fire Brigades Union to accept the recommendations; it should await the result of the independent review.

Mrs. Lait: I understand that the Deputy Minister for Justice in the Scottish Parliament, who is a member of the Labour party, has said that firefighting equipment will not be made available to the troops—

Mr. Speaker: Order. The hon. Lady is out of order. She must stick to the question before us; she should ask a supplementary question about start-ups.

Mrs. Lait: Indeed, Mr. Speaker. Fires will affect small business start-ups just as much as they affect other businesses, so will the right hon. Lady make it clear that she supports making firefighting equipment available to the troops to protect Scottish small businesses and lives?

Mrs. Liddell: I reiterate the point that I made: the Prime Minister has made the Government's position absolutely clear, and that position is shared in Scotland and the rest of the United Kingdom.

Mr. Stephen Hepburn (Jarrow): How can the Minister seriously talk about economic development when in some places the basic business link between Edinburgh and Newcastle is nothing more than a country road? Does not the fact that that road was closed by a little drop of rain today pour scorn on the multi-modal study? I ask the Minister to get in touch with the Scottish Executive and United Kingdom Transport Ministers with a view to building a proper road, dualled all the way from Newcastle to Edinburgh, so that we can achieve proper economic development.

Mrs. Liddell: I understand that rather more than a little drop of rain has affected the border between Scotland and England. Indeed, my sympathy goes out to all those people who have been inconvenienced as a consequence of the adverse weather conditions. The Government and the Scottish Executive are now putting considerable resources into transport policy, not just in Scotland but throughout the United Kingdom, with a view to ensuring that roads and the rail network are improved, especially the links between Scotland and England.

Unemployment

2. **Mr. Mark Simmonds** (Boston and Skegness): If she will make a statement on unemployment levels in Scotland. [73573]

The Parliamentary Under-Secretary of State for Scotland (Mrs. Anne McGuire): Claimant count unemployment in Scotland is at its lowest level since 1975 and has fallen by more than 57,000 since the spring of 1997—a reduction of 38.8 per cent.

Mr. Simmonds: I am grateful to the Minister for her response to my question, but it would be interesting if she could explain to the House how she squares comments made in August by her colleague, the Secretary of State, with the latest figures to emanate from the Scottish Executive. Her colleague said:

"These encouraging figures are proof that the Scottish economy remains strong."

However, the Scottish Executive says that Scottish gross domestic product has reduced by 0.7 per cent. in the first quarter of this year, compared with the rest of the United Kingdom, where it rose by 0.2 per cent. Will not the problems of the contracting Scottish economy be

further exacerbated by the introduction of the North sea oil and gas tax, which could cost up to 18,000 jobs in certain areas of Scotland?

Mrs. McGuire: I am always fascinated when colleagues who represent parts of the United Kingdom other than Scotland seek to talk Scotland down. Data for the past two quarters have, of course, been disappointing, but I hope that the hon. Gentleman will acknowledge that the glitch is temporary and is nothing like the downturns that we saw over the previous 20 years. Underpinning the Scottish economy there is health, vibrancy and energy.

I use the opportunity to allow the hon. Gentleman to reflect on the fact that the Government's economic policies have created stability and brought many benefits to his constituency, where more than 720 people have benefited from our new deal policy.

Mr. Russell Brown (Dumfries): My hon. Friend will be aware of the problems that arose in my constituency last year as a result of the foot and mouth outbreak. At that time, many people were forecasting significant job losses, but unemployment in my constituency is 3 per cent., which is 14.8 per cent. down on last year and about 34.9 per cent. down on 1997. However, I ask my hon. Friend and my right hon. Friend the Secretary of State to impress on our colleagues in the Department of Trade and Industry the need to revitalise the manufacturing sector.

Mrs. McGuire: I thank my hon. Friend for his question. The area that he represents suffered terribly from foot and mouth disease. I know that he has been leading the campaign to reinvigorate the agricultural industry in his constituency, and I am delighted to hear that there has been a reduction in unemployment. Interestingly, the figures that he highlighted reflect the reduction in unemployment throughout all rural communities in Scotland. When the Government come under pressure about their attitude to rural communities, we should reflect on the fact that, on average, rural communities in Scotland have seen a reduction in unemployment of more than 45 per cent. I will take up my hon. Friend's specific point about discussions with the Department of Trade and Industry.

John Thurso (Caithness, Sutherland and Easter Ross): Is the Minister aware of the many reported job losses in the oil and gas supply industry, which particularly affect constituencies such as mine, where they have contributed significantly to unemployment? Many would attribute these factors, at least in part, to the changes set out in the Budget. What consultations has the Minister had with the Treasury on royalty? When might we expect a result from the recent consultation?

Mrs. McGuire: I thank the hon. Gentleman for his question. We must be careful about the figures that have been bandied around about job losses in the North sea. There are job gains—in the new Ardmore field, for example. The hon. Gentleman knows that there is ongoing consultation. A report will be made available soon.

Mr. Eric Joyce (Falkirk, West): My hon. Friend will be aware—unlike those in Skegness, perhaps—that since 1997 unemployment in my constituency has dropped by 30 per cent., and long-term unemployment by 70 per cent. Does she agree that it is important to focus on providing additional support through the new deal to those who are still unemployed?

Mrs. McGuire: My hon. Friend is correct. The new deal has been one of the Government's success stories. Wherever Members go, they will come across people who have been long-term unemployed, who were thrown on the scrapheap because they have disabilities or because they are lone parents. It was rich of the Conservatives to say at their conference that the war on lone parents has been ended. The reality is that they left many vulnerable people on the unemployment scrapheap.

Michael Weir (Angus): The Minister will be aware that Scotland has the second highest unemployment of the nations and regions of the United Kingdom and that the Scottish economy is in technical recession. Would she like to revise the statement that the Secretary of State made last November that the Scottish economy is performing well? Does she agree that Scotland is under-employed, rather like the Secretary of State?

Mrs. McGuire: No.

Mr. Michael Connarty (Falkirk, East): I am sure that my hon. Friend accepts that Opposition Members talk a lot of nonsense purely for the sake of publicity—they are always talking down Scotland. As one who is deeply involved in the oil industry, does she accept that analysts say that the Scottish economy, and the oil industry in particular, are riding out the world recession very well? That is seen in the chemicals industry in her own area, where Avecia is applying for a biotechnology research park. The future is there and the companies are going towards it—unlike Opposition parties, who are running away from it.

Mrs. McGuire: My hon. Friend is right, and, knowing that he represents Grangemouth, I bow to his superior knowledge of the petrochemicals industry. I recently held discussions with senior oil industry people and I know that they are extremely optimistic about what can still be produced from the North sea by introducing new technology and finding different ways of accessing North sea resources. Like my hon. Friend, I am really weary of hon. Members trying every month to talk Scotland down.

Mrs. Jacqui Lait (Beckenham): What message is sent to the unemployed when the PA to a Scottish Minister is put up for two nights in a five-star hotel, paid for from a fund that is supposed to benefit the people of Lanarkshire?

Mrs. McGuire: That is not a matter for the Government; it is a matter for the Labour party.

The hon. Lady should not have gone down that path at a Question Time that is intended to highlight the issues that affect Scotland—jobs, education and employment, in which the Government are scoring a great success.

Debt

3. **Mr. David Marshall** (Glasgow, Shettleston): What plans she has to help combat poverty arising from debt in Scotland; and if she will make a statement. [73574]

The Parliamentary Under-Secretary of State for Scotland (Mrs. Anne McGuire): We are consulting on a major overhaul of the Consumer Credit Act 1974 to provide better safeguards for individuals taking on borrowing commitments. We are determined to tackle abuses by unscrupulous lenders head on.

Mr. Marshall: Is the Minister aware that last year the citizens advice bureaux service in Scotland dealt with more than 160,000 cases involving some £70 million of debt, an increase of £10 million on the previous year? Credit unions and money advice centres also deal with several thousand similar cases each year. Given that responsibility for dealing with debt lies with both the United Kingdom and the Scottish Parliaments, does she agree that the best way to deal with that serious problem might be to draw up a joint parliamentary strategy between Westminster and Holyrood, as suggested by Citizens Advice Scotland; and will she take steps to ensure that that is done as soon as possible?

Mrs. McGuire: Like my hon. Friend, I am a great admirer of the work of citizens advice bureaux, and I was especially pleased to be able to speak at their annual conference in Scotland in August. In addition, my right hon. Friend the Secretary of State was a volunteer in a citizens advice bureau during a recent volunteers week. CABs do significant and valuable work on debt and with people who find themselves in debt. I agree that the Government and the Scottish Executive should look for ways in which to work together, so I am sure that my hon. Friend will be delighted to learn that the Government, the Scottish Executive and the financial sector are piloting three debt telephone helplines, one of which is in Fife, and seeking ways in which they can provide additional advice and support for those who find themselves in difficulties.

Malcolm Bruce (Gordon): Will the Minister acknowledge the important role that LETS—local exchange trading schemes—and credit unions play in helping people not only to manage debt, but to avoid it? I am thinking in particular of the Strathbogie credit union in my constituency, which I believe covers the largest rural area of any credit union in Britain. Does she acknowledge that credit unions have a good record of protecting their customers' interests as well as giving them advice, and will she make representations to ensure that the Financial Services Authority does not regulate them in a way that creates excessive charges and means that they cannot operate effectively?

Mrs. McGuire: I agree about credit unions' valuable work. The credit union in the Raploch area of Stirling provides a very valuable resource. However, we have to recognise that if credit unions in Scotland are to come of age, they need robust financial regulation around them. Work is being done with the FSA and volunteers and staff at credit unions to make sure that they have a robust regime that has the confidence of both creditors and those who want to borrow.

Tony Worthington (Clydebank and Milngavie): Does my hon. Friend agree that credit unions have come of age in Scotland, and none more so than Dalmuir credit union, which now has 7,000 members? It has grown since the Secretary of State opened the new building and it lets out £4 million a year. Scotland leads the way in that, and the biggest credit union in Scotland and in Great Britain is the Scotwest credit union, with more than 16,000 members. That is truly coming of age.

Mrs. McGuire: My hon. Friend is correct. I know that my right hon. Friend the Secretary of State helped launch the Dalmuir credit union a few months ago. Yes, both the Government and the Scottish Executive have shown their support for credit unions. They are coming of age. All of us in the House have a duty not just to highlight the advantages of credit unions to some of our more disadvantaged areas, but to encourage people in our more advantaged areas to see the credit union as a valuable way of supporting their local communities.

ADVOCATE-GENERAL

The Advocate-General was asked—

Human Rights

24. **Mr. Tam Dalyell** (Linlithgow): What human rights issues she has dealt with since 9 July. [73597]

The Advocate-General (Dr. Lynda Clark): Last week, I appeared in the Privy Council in the case of R *v.* Her Majesty's Advocate. The case raises important issues, such as the interpretation and effect of article 6 in so far as it deals with the right to have a trial determined within a reasonable time, and its relationship with the Scotland Act 1998. In addition, I have dealt with more than 60 new cases, which have been intimated to me as devolution issues alleging various breaches of convention rights.

Mr. Dalyell: In view of the fact that the distinguished Glasgow solicitor, Eddie McKechnie, has taken the case of his client in Barlinnie to the European Court of Human Rights, what is the role of the Westminster Parliament in the Lockerbie case now?

The Advocate-General: There is a special procedure whereby the registry of the European Court of Human Rights would, if it thought fit, in due course make communication to the UK Government in relation to the Lockerbie case, but unless and until such communication is made there is no role for the UK Government.

Trident Fishing Boat Inquiry

25. **Mr. Alex Salmond** (Banff and Buchan): What her role has been in the re-opened inquiry into the loss of the fishing boat, Trident; and if she will make a statement. [73598]

The Advocate-General: I requested and arranged a preliminary meeting of potential parties to the rehearing and their representatives, which took place before the Sheriff Principal at Aberdeen sheriff court on 27 September. I appeared personally to deal with the wide range of preliminary issues. As the hon. Gentleman may recall, I had previously met him in his role as constituency MP and one of the relatives on 25 April, at which time I explained my role and the general procedure that regulates such inquiries.

Mr. Salmond: I thank the Advocate-General for her consideration in meeting the relatives with me. As she is well aware, they have waited a quarter of a century to find out what happened to their loved ones in the loss of the fishing boat, Trident. Can she therefore give an assurance, first, that, in so far as it falls within her responsibilities, there will be no unnecessary delays in the inquiry process, and secondly, that the families will have proper legal representation throughout the process through public funds?

The Advocate-General: A vast amount of the delay was caused by the fact that the fishing boat in question was not discovered until relatively recently. So far as it is within my power, I shall certainly do as much as I can to expedite the process. The hon. Gentleman is aware that it involves highly technical work, which is dependent on the seas and the weather, so there will inevitably be further delays.

Legal expenses and representation is a matter for the Department for Transport, but the matter was raised formally at the preliminary inquiry and it is always open to parties to make representations directly to the Department.

Devolution

26. **Annabelle Ewing** (Perth): What devolution issues have been raised with her since 10 July. [73599]

27. **Miss Anne McIntosh** (Vale of York): What devolution issues have been raised with her since 9 July under the Scotland Act 1998. [73602]

The Advocate-General: Since 9 July 2002, 67 devolution issue cases have been intimated to me; all but three related to criminal matters, such as the right to a fair trial, the right to silence and undue delay in trial. Of the three civil matters intimated, two concerned professional disciplinary bodies and the right to a fair hearing before them. The third related to planning law.

Annabelle Ewing: As the Advocate-General has explained on a number of occasions in the House that a key reason for her limited number of interventions in devolution cases is the desire to save the taxpayer money, can she confirm the total cost of her interventions to date, and the percentage that it represents of the total cost of her office since its inception?

The Advocate-General: I do not think that I said that cost was a key issue, although it is certainly important. When I handle cases personally—I do so whenever I can—a substantial saving is made, but I regret that the figures for which the hon. Lady asks are not available.

Miss McIntosh: May I say what a pleasure it is to see the hon. and learned Lady in her place? Has she yet had occasion to give advice on the following scenario? The making of an application to extend a Scottish airport would be a reserved matter, whereas planning remains a devolved matter. Which jurisdiction would have the final decision?

The Advocate-General: I am always delighted to see the hon. Lady and I am glad to see that she, too, is still in her place. As I hope she knows, I always try to give her as much assistance as I can, but I regret that I must invoke the parliamentary convention that Law Officers have followed in the House for many years under different Administrations. I am afraid that it is not possible for me to give advice to the House about the various issues that I may or may not have considered.

LORD CHANCELLOR'S DEPARTMENT

The Parliamentary Secretary was asked—

Court Proceedings

28. **Mr. Graham Allen** (Nottingham, North): How many (a) lawyers and (b) others were held to be in contempt of court for delaying court proceedings in the last year for which records are available; and if he will make a statement. [73604]

The Parliamentary Secretary, Lord Chancellor's Department (Yvette Cooper): The Lord Chancellor's Department does not collate the requested information, but I am informed by the Bar Council and the Law Society that it is rare for lawyers to be held in contempt of court, but that where they are informed of cases, they can pursue disciplinary action. We are looking at new measures to reduce unnecessary delays in the courts.

Mr. Allen: I congratulate my hon. Friend and her Department on their input into the criminal justice White Paper, which will be a great step forward for many people, especially in my constituency, who need the nuts and bolts of the criminal justice system to be attended to. Before the proposals are considered in Committee, will she meet Inspectors Emmott, Wilson, Windmill-Jones and Whitmore from my constituency and hear their frustration about some of the difficulties that they encounter when witnesses are intimidated by yobs, youths and others in the constituency and fail to attend court? Will she talk to those people and listen to their concern that certain defence lawyers—not many, but significant numbers—abuse the system? Will she

also consider using contempt of court and waiting cost orders to a greater degree in the Criminal Justice Bill when it finally comes before the House?

Yvette Cooper: I am certainly happy to meet my hon. Friend and any delegation that he chooses to bring from his constituency to discuss the issues. He is right that there can be immense frustration among victims and witnesses when court cases do not go ahead on the day for which they are scheduled for trial. About 24 per cent. of trials do not proceed on the scheduled day, compared with 28 per cent. in 1997, so progress has been made but we need to go further. That is why we are considering a series of measures, including different incentives and sanctions for those involved in the process.

Mr. David Heath (Somerton and Frome): Delays and adjournments are not entirely the responsibility of defence lawyers. In magistrates courts, they are often due to the distances between courts following closures or the lack of availability of solicitors in criminal practice. May I make a positive suggestion to the hon. Lady? Will she consider applying a new rule to the Crown Prosecution Service requiring that all cases be prepared at least 36 hours before the listing of a case? Such a rule would ensure that all parties can be advised in due time if difficulties arise and that a costly adjournment that is pointless to everybody concerned can be avoided.

Yvette Cooper: The hon. Gentleman is right that there are a series of reasons why cases do not proceed on the scheduled day, including the failure of witnesses and defendants to show up. About 6 per cent. of trials in 2001 did not go ahead on the scheduled day because either the prosecution or the defence said that they were not ready on the day. We are considering a series of ways of improving case preparation, involving judges, lawyers and other court users. Part of the issue is that nobody takes responsibility when the case does not go ahead on the day. We need to specify who is responsible in what circumstances and what the different sanctions or incentives might be when something goes wrong. That is what the case preparation project is dealing with and I shall certainly take on board the points that he made.

Andrew Mackinlay (Thurrock): We have not mentioned one matter: the cover-up in the courts, to which we cannot refer in the House of Commons. Under the contempt rule, we cannot draw attention to cases that have been delayed by wealthy, greedy barristers who cannot agree their diaries. Cases have been drawn to my attention that I cannot mention on the Floor of the House because of our arcane contempt rules. Will the Minister go to the relevant file and discuss with the House authorities whether, without trespassing into the substance of criminal cases, we can, as custodians of the public purse, at least draw attention to the fact that the legal brethren are manipulating their diaries and maximising their profits and earnings at the expense of justice delayed?

Yvette Cooper: I shall certainly look into my hon. Friend's points. Anxieties have been raised. For example, last year's Audit Commission report stated that

"the current fee structure for lawyers may be seen to offer an incentive for legal representatives to prolong cases in the judicial process unnecessarily. That could be countered by the establishment of a culture in the courts that challenges inadequate preparation and measures the performance of lawyers, and a payment scheme that rewards the expedition of cases where possible."

We are keen to consider such matters as part of the case preparation project. There is a series of different issues involving the courts, the police and other players. However, I shall certainly consider my hon. Friend's points.

Comprehensive Spending Review

29. **Dr. Vincent Cable** (Twickenham): If he will make a statement on the implications of the comprehensive spending review for the performance of his Department in relation to IT. [73605]

The Parliamentary Secretary, Lord Chancellor's Department (Yvette Cooper): The comprehensive spending review set out plans to invest more than £1 billion in IT in the criminal justice system over the next three years. The Lord Chancellor's Department, the Home Office and the Office of the Attorney-General have been working together to determine the best spread of investment throughout the criminal justice system. Those discussions are not yet complete, but we expect the programme to include IT infrastructure in the Crown courts, the development of exhibit and the investment for magistrates courts that is already under way.

Dr. Cable: Does the Minister's answer imply that she accepts the criticism of the Master of the Rolls, Lord Phillips, who said that the Department was seriously at fault for under-investing in IT in the courts, such that the Lord Chief Justice's reforms are being seriously imperilled and there is a major pile-up of costs and delays in the civil courts?

Yvette Cooper: We certainly believe that there is a need for more investment in IT infrastructure, not only in the courts but in other parts of the criminal justice system and on the civil side. We are making progress in using IT. For example, the money claim online service, which allows people to issue claims over the internet, is proving a great success. The number of cases that now go through it means that it is the fourth largest county court in the country. Progress is being made, but it takes time to put in place the new infrastructure and IT that we need.

Mr. William Cash (Stone): Does the Minister accept that it is a matter of using IT not only in her Department but in other Departments such as the Home Office? She knows that not enough progress has been made in reducing unnecessary delays in the court system from arrest to sentence. Surely the time has come to embrace the concept of modern IT strategy, which will assist with

the more effective disposal of cases and reduce the alarming proportion that is unnecessarily discontinued. Will she make a pledge to use it more effectively?

Yvette Cooper: I am glad that the hon. Member for Stone (Mr. Cash) is present; we heard that the hon. Member for Surrey Heath (Mr. Hawkins) had taken over his responsibilities. I am glad that the hon. Member for Stone remains in his place; I imagine that he would be reluctant to give up being the shadow spokesperson for the Lord Chancellor's Department's new responsibilities for referendums and European elections.

I welcome the hon. Gentleman's support for IT throughout the criminal justice system. He is right that it needs to be applied throughout the system and that we need to examine the links between the police, the Crown Prosecution Service, the courts, the prisons and so on. That is why all Departments have been working closely together. We are making progress in reducing delays. I draw to his attention that the time from arrest to sentence for persistent young offenders is now 66 days, whereas when the Conservative party left office in 1997, it was 142 days.

Child Contact Centres

30. **Mr. Anthony D. Wright** (Great Yarmouth): What assessment he has made of the adequacy of facilities at child contact centres. [73606]

The Parliamentary Secretary, Lord Chancellor's Department (Ms Rosie Winterton): My Department is working with the child contact organisations to survey the current provision of child contact centres. This will help us to identify where the gaps are in provision and how we can improve that provision. The Government are also providing funding of £900,000 over three years to key child contact centre organisations to develop models of supervised contact aimed at supporting those most at risk.

Mr. Wright: I thank my hon. Friend for that reply. Is she aware that, in a few cases, contact is between not only parents and children but sister and brother? Over the past three or four years, I have been involved in a case in which the sister is also subject to the provisions involving supervision when she meets her brother. What facilities can the Minister offer in rare cases such as this, in which sister and brother also have to meet under supervision?

Ms Winterton: My hon. Friend is right to draw attention to the importance to children of keeping in contact with their siblings, when it is safe to do so. Through the parenting plan, the Government are encouraging parents who are separating to take that into consideration and to discuss it with their children when appropriate. When a court is considering contact between siblings, the children's views should be taken into account, whether through parents or through reports presented to the court. A child may also be separately represented. Of course, if a sibling is unhappy with a contact order, there are ways in which he or she can challenge it. I should be happy to write to my hon. Friend to set out those provisions in detail, if he would like me to do so.

Rev. Martin Smyth (Belfast, South): I welcome the Minister's statement concerning contact with children, but is she aware of the deepening concern in Northern Ireland, in the courts and among social services and parents, about the lack of secure accommodation for children and young adults who need that particular kind of care?

Ms Winterton: I am certainly aware of the need for more facilities for supervised contact. Obviously, the issue of secure accommodation is not a matter for my Department, but we are looking into the issue of proper facilities for supervised contact, which is why we are carrying out the current survey. I take on board the hon. Gentleman's comments and shall ensure that the appropriate Ministers are made aware of them.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Is my hon. Friend aware that, although the contact centres do a really important job, it is also vital that the supervision that they offer is precise? There has been a number of very upsetting cases in which children have been attacked, and I hope that my hon. Friend will look closely at the provision of proper security for children who are already at risk and need to be absolutely sure that they are not going to be put into an even more dangerous position by coming to a centre.

Ms Winterton: My hon. Friend is absolutely right. This is not only an issue for children; it can be an issue for other family members as well, particularly women who may be bringing their children to contact centres. It is certainly true at the moment that we need to look much more closely at what is available, particularly in terms of supervised contact. We want to work with children's organisations to develop proper methods of determining what is supervised and what is purely supported. Too often, we feel that there is not enough information available. Sometimes, there is not enough information available to the courts about where children are being sent, or about the adequacy of their supervision. This is something that the survey that we are conducting and the work that we are doing with those organisations will sort out.

Criminal Justice

31. **Simon Hughes** (Southwark, North and Bermondsey): What representations and submissions his Department has received in response to the criminal justice White Paper of July 2002. [73607]

The Parliamentary Secretary, Lord Chancellor's Department (Yvette Cooper): The Government published the criminal justice White Paper, "Justice for All" on 17 July. Since then, the Lord Chancellor's Department has received 39 responses, the Home Office has received 64 and the Crown Prosecution Service has received four. A wide range of interested parties has responded.

Simon Hughes: Will the Minister ensure that the responses are published as a matter of urgency by

placing them in the Library? Will she undertake that there will be time for the Home Office to consider them properly and, possibly, to respond to them—accepting the good ones and giving some public argument about why it rejects the poor ones, a bit like the way in which Select Committee reports are responded to?

Finally, does the Minister accept that we have not yet heard a good argument for changing the present rule under which previous convictions are not normally before a court because such evidence would prejudice a trial? Will the Government ensure that no such proposal is made unless there is a much better argument for changing the law than anyone has heard so far?

Yvette Cooper: I will certainly engage in further discussions about the responses that we have received—many from individual magistrates replying to letters we have sent them giving details. On previous convictions, the hon. Gentleman will know what was said in the White Paper. The Home Office has been leading a series of consultations and discussions with a range of stakeholders and will report to the House in due course.

PRIVY COUNCIL

The President of the Council was asked—

Modernisation

42. **Helen Jackson** (Sheffield, Hillsborough): To ask the President of the Council what plans he has to implement reforms of the sittings of the House. [73618]

The President of the Council and Leader of the House of Commons (Mr. Robin Cook): The Select Committee on Modernisation recommended that the House sit at 11.30 am on Tuesdays and Wednesdays so that questions, statements and opening speeches could take place earlier in the day and there would be a better opportunity to set the agenda on public debate. The Committee's report will be debated in the House next week, and I look forward to receiving my hon. Friend's support then.

Helen Jackson: I am one of those Labour Members who are immensely proud that it was this Government who established the Modernisation Committee and are driving forward a programme for change not just for our own convenience, but for the better working of Parliament and better linking of Parliament with the public. Would it not be a pity if, despite their natural inclinations, Conservative Members who might be inclined to support our modernisation agenda were prevented from doing so next Tuesday?

Mr. Cook: I entirely agree that sitting hours should be changed not for the convenience of Members, but to enable us to do a better job on behalf of Parliament and to enable this place to be more objective. At present we take ministerial statements at 4 pm. They constitute major announcements of Government policy. No Member on either side of the House would voluntarily plan a press conference to take place at 4 pm, which in itself is a case for our meeting earlier.

The other issue raised by my hon. Friend is more a matter for the right hon. Member for Bromley and Chislehurst (Mr. Forth). I recall that on Thursday, when I asked him whether there would be a free vote on sitting hours for Conservative Members, he nodded.

Mr. Eric Forth (Bromley and Chislehurst) *indicated assent.*

Mr. Cook: He has now done so again. Regrettably, however, *Hansard* has problems recording a nod, so it would be helpful if the right hon. Gentleman put his assent on the record from the Dispatch Box today.

Mr. Paul Tyler (North Cornwall): Is it the President's understanding that should we decide, sensibly, to revert to a more intelligent method of dealing with our business at a more intelligent time of day—that was the arrangement at many times in the past—the earliest that the BBC could broadcast our proceedings would be January, because otherwise Prime Minister's Question Time would appear in the middle of children's programmes? Some Members would think that entirely appropriate; but can the right hon. Gentleman assure us that if the House votes for these important and useful changes they can be in place by the new year, at least?

Mr. Cook: I am happy to give that assurance. It is important that those substantial changes, if we vote for them on Tuesday, should be introduced properly. I understand that the Table Office does not feel confident about handling the shortening of the period of notice for oral questions, which we will also discuss on Tuesday, before January. I think it right for us to introduce that at a time when it can be dealt with competently.

As for the earlier sittings, the hon. Gentleman is right. The BBC has assured us that it can accommodate Prime Minister's Question Time at noon from January, and I therefore propose that we sit earlier from January. I personally believe that that will not just assist the BBC, but will be of wider assistance in ensuring that the media have no excuse for not reporting what goes on in Parliament.

Mrs. Anne Campbell (Cambridge): Assuming that the House approves the reforms next week, as I sincerely hope will be the case, can my right hon. Friend explain what implications his proposals on the carry-over of Bills will have for private Members' Bills, possibly giving them more time to get through?

Mr. Cook: My hon. Friend makes a large assumption about the House agreeing to the proposals. The House will agree to them only if those who support them turn out and vote for them on Tuesday, and that would be my message to those who wish them well. On the question of carry-over, perhaps I should clarify that we are proposing carry-over only for Government legislation, not for private Members' Bills, for which there is a separate specific allocation within our Standing Orders. On the issue of principle, I have never understood why we have a sudden death for every Bill at the end of each Session. We are elected for a four-year Parliament, so it seems quite wrong—[*Interruption.*] Perhaps I have given away a secret and I should retract that. We are elected

for a potential five-year Parliament, so I have never understood why we then carve it up into one-year lumps. If we want to carry out a better job of scrutinising legislation, we need more time and we will get more time only if we escape from the sessional straitjacket.

Sir Patrick Cormack (South Staffordshire): Does the President of the Council accept that we are elected here to serve our constituents and not the media? Will he tell the House how many people responded to the survey that he conducted during the recent recess and what percentage of those Members were not seduced by his proposals for these ridiculous new hours?

Mr. Cook: Of course we are here to serve our constituents. Certainly many of my constituents think that we are rather odd and eccentric when we sit here until 10 o'clock and occasionally until midnight, whereas we could be working normal, reasonable hours. Of course, our constituents know about us through the media and it is therefore perfectly proper that we should operate in a way that enables us to communicate with them.

On the survey, I am pleased to say that five sixths of the House responded. I shall be sharing the figures with the Select Committee when we meet tomorrow, but in the meantime I can inform the House that there is a narrow majority in favour of change. Whether that narrow majority succeeds on Tuesday depends entirely on whether those who support change turn up to vote for change.

Modernisation

43. **Fiona Mactaggart** (Slough): To ask the President of the Council what plans he has to make proposals to the Select Committee on Modernisation of the House of Commons on the experimental seating arrangements in Westminster Hall. [73619]

The Parliamentary Secretary, Privy Council Office (Mr. Ben Bradshaw): The Modernisation Committee recommended in its recent report that Westminster Hall be made permanent, but made no recommendations on the seating arrangements. My right hon. Friend has no plans to propose a change to the current seating arrangements, but he is aware that my hon. Friend preferred the original layout.

Fiona Mactaggart: I am very disappointed by that reply, as I feel that Parliament has been perhaps inadvertently misled on this matter—[HON. MEMBERS: "Oh!"] When the original seating arrangement was changed, we were informed that it was an experiment, just as the original seating arrangement had been. I would have expected some assessment of the preferred outcome of the experiment. May I therefore urge the Minister to ensure that such an assessment is conducted if the Modernisation Committee's recommendation that Westminster Hall sittings be put on a permanent basis is pursued?

Mr. Bradshaw: Just because the arrangement for sittings in Westminster Hall is to be put on a permanent basis, it does not mean to say that the configuration of the seating is being made permanent. My hon. Friend is absolutely right that the current configuration, although it is continuing, is still experimental and she is as free as any other hon. Member to make representations to the Modernisation Committee. However, I would say to her that, as things stand at the moment, she is the only hon. Member who has expressed that view.

Michael Fabricant (Lichfield): The Minister will confirm, I am sure, that the original design of the semicircular seating based on the Assemblée Nationale was to try to bring a spirit of co-operation between the parties. Has it worked?

Mr. Bradshaw: The hon. Member knows that the original configuration was changed because a number of hon. Members, including those who chair meetings in Westminster Hall, complained that it sometimes made it extremely difficult to identify hon. Members who wanted to speak when large crowds of the public were coming in and out. I am not aware that the change to the configuration that my hon. Friend the Member for Slough (Fiona Mactaggart) is not so fond of has resulted in a less consensual atmosphere in Westminster Hall, but if I am wrong I am happy to hear from hon. Members that that is the case.

Written Questions

44. **Mr. Ben Chapman** (Wirral, South): To ask the President of the Council if he will make a statement on plans to allow hon. Members to table written questions during the recess. [73620]

The Parliamentary Secretary, Privy Council Office (Mr. Ben Bradshaw): If the House agrees to a parliamentary calendar without a three-month summer recess, there will be less need for questions to be tabled and answered during the recess. The Government and the House authorities have already co-operated this year to ensure that questions tabled shortly before the House rose for the summer were answered during the recess.

Mr. Chapman: If one effect of the modernisation proposals is to shorten the period in which we are not permitted to ask questions, to that extent I welcome them. I accept that, hitherto, it has been axiomatic that the House needs to be sitting for us to ask questions, but I wonder whether that is necessarily always so in relation to written questions. In recesses, Departments remain Departments and continue to function, and Ministers remain Ministers. Is it possible to find some mechanism whereby we can ask written questions, at least, when Parliament is in recess? Writing letters does not have the same effect as asking parliamentary questions. Could the Minister consider at least a weekly bulletin of questions during recesses that could be tabled and answered?

Mr. Bradshaw: I shall certainly take away my hon. Friend's suggestion, but I ask him to acknowledge that the Government have made significant improvements in the way that the system operates. As he himself says,

Members are still free to write letters to Ministers during the recess, and it is expected that those Ministers will reply within 15 working days.

Mr. Eric Forth (Bromley and Chislehurst): Has the Minister read the report of the House of Commons Procedure Committee on parliamentary questions? As he will agree, it has a majority of Government Members, as have all Committees. In particular, has he read paragraph 101, which states:

"We . . . recommend that with effect from 1 September each year, Members should be permitted to table written questions. We recommend this change should be made irrespective of whether the Government's proposals for September sittings of the House are adopted"?

The view of the Procedure Committee is perfectly plain. It has looked at this matter on our behalf and has recommended very strongly that there should not be a blanket ban on the asking of questions throughout the summer recess, whatever its length might be. Why is the Minister apparently ignorant of the contents of that report, and if he is not ignorant of them, will he please tell us that he is going to do something about it?

Mr. Bradshaw: I am not ignorant of what is in the report, which I have read, and I think that the right hon. Gentleman will be pleasantly surprised when he sees the Government's official response to it tomorrow. However, it is also within the Government's prerogative not to accept all the recommendations of a report from a Committee such as the Procedure Committee. For the reasons that I have already given, we believe that the most sensible way forward is for the House to approve the changes in respect of September sittings, so that we can halve the time during which Members are unable to table questions.

Modernisation

45. **Andrew Mackinlay** (Thurrock): To ask the President of the Council what proposals he plans to put to the Select Committee on Modernisation of the House of Commons on improving the system of Select Committees. [73621]

The President of the Council and Leader of the House of Commons (Mr. Robin Cook): The House debated the report of the Modernisation Committee on Select Committees in May, when it agreed to a large number of its recommendations, including increased specialist staff, better administrative support and a clear focus on core tasks. It is rather early to revisit the topic so soon, but I am always willing to listen to proposals for improvement.

Andrew Mackinlay: After 10 years of serving on Select Committees, may I point out to the President of the Council that—too frequently, unfortunately—some witnesses approach the process with insufficient candour, and that there is often much ambiguity? That is true across the spectrum of witnesses. Is it not time that we introduced automatic use of the oath, so that a person tells the truth, the whole truth and nothing but the truth? Even if I cannot persuade my right hon. Friend on this issue, could the attention of every witness at least be drawn to the Sessional Orders that we pass—to the sound, wrongly, of much laughter—at the beginning of each Parliament? They state that anybody giving false evidence before a Committee will be dealt with with the utmost severity. It is time that we made people focus on this issue rather like a hanging, so that they concentrate on what they must do: show frankness and candour before Parliament.

Mr. Cook: I cannot say that I come to the Dispatch Box as a supporter of capital punishment, but I congratulate my hon. Friend on his many years of service on Select Committees, some of which—in fact, rather too many—overlapped with my period as the relevant Minister. Of course, it is important that witnesses tell the truth and the whole truth, and there may be merit in routinely making the Sessional Order available to witnesses so that they are aware of the gravity of the occasion in which they are participating. However, I would hesitate to involve lawyers any more than we have to and would deprecate a situation in which any witness came with a solicitor just in case they ended up committing a criminal offence.

Firefighters' Dispute

3.30 pm

The Deputy Prime Minister (Mr. John Prescott): With permission, Mr Speaker, I would like to make a statement on the fire service pay dispute.

I am sure that hon. Members on both sides would agree that firefighters do a magnificent job. We greatly appreciate the contribution that they and staff in the other emergency services make to public protection. They are rightly held in high regard for their professionalism and dedication. As a previous Transport Secretary, I have visited some terrible scenes of disaster and one cannot but admire what the firefighters do.

Fire service pay is the responsibility of their employers, the local fire authorities, and the Fire Brigades Union. The negotiating process started earlier this year and the FBU lodged its claim on 28 May. It demanded a 40 per cent., no-strings-attached pay increase for firefighters, a 50 per cent. increase for control room staff and a review of the 1978 formula that governed their wages.

That formula has done a good job over the years. Since 1997, firefighters' pay has increased by 20 per cent. Over the same period, pay for police and teachers has increased by 19 per cent. I assume that is why only two years ago the general secretary of the FBU, Andy Gilchrist, said:

"Our wages remain ahead of other essential public sector workers precisely because we have maintained the formula".

The old formula solved the last pay dispute and has kept industrial peace for 25 years. I am sure that the House welcomes that.

The employers responded to the FBU's claim by indicating that any significant pay increase had to be matched by modernisation. But little progress was made in negotiations over the summer because the FBU refused to consider the employers' modernisation proposals. I want to be particularly clear on one point about the negotiations over the summer: at no point did the Government intervene in the negotiating process. Sir Jeremy Beecham, the leader of the Local Government Association, has made that clear on numerous occasions. I made it absolutely clear that we had played no part in the negotiations when I met Andy Gilchrist on 8 August. He accepted the Government's position, but made it clear that the FBU wanted a 40 per cent. increase and no inquiry.

On 2 September, the employers offered the FBU a 4 per cent. increase, plus an agreement to establish a new formula that would link increases in firefighters' pay to increases in the economy in general. The employers also invited the FBU to join them in asking for an independent review to be established. They also gave an undertaking that any increase in pay agreed by the review would be backdated to the 7 November pay settlement date. By any standards that was a reasonable offer. Nonetheless, the FBU rejected it.

It became clear that there was no prospect of a solution being found through the normal negotiating process. The employers made it clear that the negotiations had broken down, and requested a Government review. In those circumstances, the House will recognise that the Government could not stand aside. Fire disputes are different from most disputes. People's lives are put at risk and the Government have a responsibility to secure people's safety. So we acted quickly and decisively.

On 5 September, just three days after negotiations broke down—and after consultations—we set up an independent review. All sides, including the Fire Brigades Union, were asked for their input on the terms of reference. We secured the services of Professor Sir George Bain to conduct the review. Sir George is widely respected and has enormous experience of industrial relations. He is a former principal of the London business school and a member of the ACAS panel of arbitrators. He was also the chair of the Low Pay Commission. The TUC and the employers nominated one member each to support him. The TUC nominated Sir Tony Young and the employers nominated Sir Michael Lyons. That is an exceptional team to conduct an inquiry, and it is certainly independent. It is a team with the right expertise and the right background to provide a fair and balanced assessment of the way ahead.

Every relevant body, with the exception of the FBU, has submitted evidence to the review. The review is making excellent progress and will produce a report by mid-December, yet still the FBU refuses to take part in the review, and it has announced a programme of strikes covering 36 days before Christmas.

The FBU will not even suspend its industrial action until the review has reported. That is despite an offer from the employers to extend the mandate period in which the FBU strike ballot result is valid for another four weeks. If the FBU accepted that offer, it could take action without another ballot if, having seen the Bain report, it still felt that that was necessary. So industrial action is completely unnecessary and unjustified. The FBU's position is simply indefensible.

I turn now to the plans that the Government have put in place to secure public safety in the event of industrial action by the FBU. Following the FBU's claim and the initial response by the employers, the Government undertook prudent planning on the basis of the FBU's threat to initiate a national strike.

The fire service is a large and complex operation. It involves some 47,000 firefighters in England and Wales, and more than 3,000 appliances operating from 1,600 fire stations. Our focus has been on taking what steps we can to safeguard life and, as far as possible, to protect property where the normal fire cover is not available.

Detailed planning began in August and training started on 28 August, before the pay negotiations had broken down. The plans are based on support from the armed services, and the acceptance by the police of additional responsibilities during industrial action.

There are three main elements to the plans. First, on the assumption that the fire control centres will not be operating during the strike, arrangements are being made for fire service 999 calls to be redirected. Every call will be answered.

Secondly, emergency cover will be provided by a range of appliances staffed by crews from the Army, RAF and Navy. Nationwide, there will be 827 Green Goddesses, which will be able to provide a basic

[Mr. John Prescott]

firefighting capability. There will also be 331 specialist breathing apparatus rescue teams and 59 rescue equipment support teams that will offer specialist skills.

Thirdly, on Friday, immediately after the FBU's announcement of its programme of strikes, the Government made available basic safety guidance and information to the public and to business. That is being supplemented by a range of other measures such as a public information campaign on radio and television, a mail drop to some 4 million households and a letter to the 15,000 largest businesses giving specific advice on fire safety and general health and safety issues.

I can assure the House that the contingency arrangements are now in place. If the FBU goes ahead with its strike on Tuesday 29 October, the military and police, assisted by those firefighters and fire officers who choose to continue to work, will be in a position to provide a basic emergency service. Members of the public should continue to call 999 in case of emergency, and each call will receive a response. However, the military will not be able to respond to emergency calls as quickly as the normal fire service.

The emergency crews will have fewer specialised capabilities than the normal fire service, and they are likely to be unfamiliar with the incident site and the local geography. In this situation, I have messages for the public, business and the FBU.

I urge the public to take sensible precautions in their homes to prevent a fire occurring in the first place. To managers, safety representatives and others in industry and commerce, my message is to work on the basis that normal activities will continue during the strike. However, the single most important step is to check that all existing fire safety provisions are in place and fully effective. My message to the FBU is, "Think again."

Despite the wide range of measures that we have put in place, there is no doubt that the risk of loss of life and property will be higher when FBU members are refusing to work. My right hon. Friend the Minister for Local Government and the Regions therefore met Andy Gilchrist yesterday to urge him to clarify the extent to which the union would continue to provide a response to life-threatening incidents, whether house fires, major transport incidents or terrorist attacks. Mr. Gilchrist agreed to consider this with his executive tomorrow and to let the Government have a quick response. I hope that that response will be constructive.

We face a very serious situation. The House can be assured that I will, at every opportunity, keep it fully informed.

David Davis (Haltemprice and Howden): I thank the Deputy Prime Minister for that statement and for prior sight of it. I agree with him that we cannot but admire the work that firefighters do. However, I am also glad that he joins me in condemning, without reservation, the strikes planned by the Fire Brigades Union in pursuit of its unsustainable 40 per cent. claim. I hope that he will also agree with me that after more than 20 years of modernisation of the British economy and British industrial relations, now is not the time to plunge back into the dark days of the 1970s, when trade union bosses held the country to ransom and the picket line called the shots.

Britain is living in the 21st century, yet we stand today on the verge of the first national firefighters' strike since 1977. The threatened Fire Brigades Union strike is a matter of serious national importance that puts lives at risk. Against the background of a significant terrorist threat, the start of the strikes coincides with one of the busiest times of the year for the fire and ambulance services, when bonfire night and Diwali take place. The extreme gravity of the situation transcends normal political debate. Nevertheless, its very seriousness demands that the answers to a number of specific questions are put on the record.

Last night, a leader of the Fire Brigades Union made it clear on "Newsnight" that it would be "just not possible" to maintain current levels of public safety as a result of strike action, irrespective of any arrangements they come to. I think that the Deputy Prime Minister effectively confirmed that point. What are the emergency plans in the event of a major incident, and is the Deputy Prime Minister satisfied with the safety levels associated with them?

We have known for some months that the strike has been likely. Given that, why is it not possible to enable military personnel to have access to the best equipment for preserving public safety without having to cross picket lines on a daily basis? Is this an issue about crossing picket lines, as the Minister for Local Government and the Regions claimed yesterday, or is it merely one of practicalities, as Downing street claimed this morning? Is the Deputy Prime Minister making any arrangements to ensure proper training and access to modern equipment in the event that the strike unfortunately lasts longer than expected?

It has been reported in the press that a number of other unions will refuse to operate transport and other facilities—for example, the London underground—on the basis of safety. Clearly, nobody wants any unnecessary risks taken, but neither should this be used as an excuse for what would otherwise be illegal secondary action. This could cripple a series of vital industries from the railways to power stations, from chemical plants to oil refineries. That is unacceptable. Who will take the final decisions on safety? Will it be the Health and Safety Executive, senior fire officers or the Deputy Prime Minister? If it is the right hon. Gentleman , on whose advice will he act?

Has the Deputy Prime Minister discussed with the fire authorities where the liability lies for fatalities and destruction arising from failure to provide full cover? What is the situation regarding household and other insurance fire cover? Is there a danger that people's household policies will be invalidated and, if so, what will he do about it? The Minister for Local Government and the Regions knows that I gave advance notice of that question.

The Bain inquiry is not expected to report until nearly Christmas. Throughout its deliberations, the public will be at risk, and there are likely to be fatalities. That is unacceptable. In 1972, the Wilberforce inquiry, meeting night and day, came to a conclusion in eight days flat and allowed the rapid resolution of a bitter national dispute. Will the Deputy Prime Minister make the resources available to ensure that Professor Bain's inquiry comes to an equally rapid conclusion, to allow early resolution of this very serious dispute?

Finally, given the Deputy Prime Minister's assertion that the Government did not intervene, the other outstanding question is how we got into this dangerous situation and the Government's role in it. I should like the Deputy Prime Minister to confirm or deny whether the account that I have been given is correct. We have been told that the employers' organisation was committed to making an offer on or before 9 July this year. However, on 3 July, at a meeting ahead of the LGA conference in Bournemouth, the Deputy Prime Minister told a number of Labour LGA members and officials that he intended to set up an independent inquiry in the immediate future, and that any settlement above the rate of inflation would not be funded by central Government.

As a result of that intervention, the employers failed to meet their commitment to make an offer by 9 July. The Fire Brigades Union discovered the proposal for an independent inquiry and lobbied Ministers and Labour Members of Parliament throughout July, culminating in a meeting, without officials, between the Deputy Prime Minister and Mr. Gilchrist in early August.

As a result, the inquiry was not called until 5 September. Had it been called in early July, the result would be available now and we would not face an impending threat to public safety. Can the Deputy Prime Minister corroborate that version of events? If so, does he accept his personal responsibility for the crisis that the country is facing today? All summer, that problem has been brewing, and all summer the Government have sat on their hands. A few frantic days of activity do not make up for a summer of neglect.

The Deputy Prime Minister: The right hon. Gentleman's last statement about the circumstances of events is totally untrue. As he was not in the country at the time, and facing his own difficulties, he will not know.

As for the wage settlement, most public authority wage negotiation settlements have been at least twice the level of inflation—that is a gain that those workers have made under this Government, not under the previous Administration—so it would be most unusual for me to oppose that in regard to the FBU, if I were actively involved. It would go against common sense and recorded history.

On whether I attempted to raise the matter on the day to which the right hon. Gentleman referred—I think that the meeting with the Local Government Association was in Bournemouth—I was there to make a speech. I did not interfere in any way with the firefighters' negotiations. It is true that we have been asked from time to time whether we would fund more than the 4 per cent. that was being offered. We put the ball back with the employers, telling them that it was for them to make a judgment on the wage negotiations. I gave the same advice in the local authority negotiations, which were taking place at the same time and had also reached a difficult situation—I think that they settled for something like 7.9 per cent. over two years. In neither case did I actively interfere with the negotiations; they were settled between the employers and the employees.

The FBU general secretary raised the matter with me on only one occasion. I had a discussion with him in my office, one to one, in August—[HON. MEMBERS: "Ah!"] It is a matter of record. I have said so before. He asked me whether I had interfered in the negotiations, the point being that he had heard the rumour. I made it very clear that I had not and, to be fair to him, he accepted that and has since gone on record to make that precise point. I know that he is making a different point at the present time, but he has made conflicting statements on the formula. Two years ago, he thought that it was a very good formula. That does not seem to be his view at the moment. However, one can have different views and the right hon. Gentleman asked me to comment on the points that he made about that.

On whether the timetable for the inquiry could have been more rapid, when the general secretary saw me in mid-August he was complaining that the employers had not made any offer and that there was to be a meeting in September. It seemed ridiculous that the employers had not made any offer. We made it clear that they should make an offer to find out whether the firemen would accept it. That was done on 1 or 2 September, as I recall. The firefighters made it clear that they did not want an inquiry.

My right hon. Friend the Minister for Local Government and the Regions asked the FBU general secretary whether he wanted to contribute to the terms of reference of the inquiry, even though he did not want to participate—this is another contradiction, but we have the letter here. He made it clear that he did not. We made that offer in writing—the letter is available if anyone wants to see it—and in telephone conversation. He chose not to reply. I understood his view, but in those circumstances I could set up an inquiry, about which there was a division, only after the negotiations had broken down, and they broke down only on 2 September, when the FBU rejected the local authorities' offer. In three days, I had established an independent inquiry and it had started its work.

As to when the inquiry will report, the timetable would be quicker if the FBU was actually co-operating. It believes that a new formula is required, so I presume that means that we should debate it rather than just accepting it. An inquiry is needed so that we can make a judgment. The employers have pointed out that if they are to pay more, they want some modernisation, so there is a dispute about whether modernisation should be tied to pay increases. We believe that the two are connected and that an independent study should consider them. The inquiry is due to report in the middle of December.

If the FBU now wants to give evidence to the inquiry, we could ask the chair to consider that and we might be able to hurry up the process. It is difficult for an independent chair, who is being attacked by the Fire Brigades Union for not knowing about the circumstances, to give them due and proper consideration in the inquiry, but that is what we have been doing.

The right hon. Member for Haltemprice and Howden (David Davis) asked what we had been doing about insurance liability. We have had some discussions with the people involved and they are continuing. The situation is not yet fully satisfactory and I shall report to him when my right hon. Friend the Minister for Local Government and the Regions has concluded those discussions.

[The Deputy Prime Minister]

In respect to safety, we cannot offer a service as good as that provided by the firefighting service. There is no doubt about that; we have never hidden that fact. Green Goddesses of that age cannot begin to provide the sophisticated service offered by modern fire machines. We accept that, but we will do all that we can to assist, as is right.

Some trade unions have pointed out that the situation is unsafe and cite health and safety legislation. That is fine, but that legislation, passed by the House, gave independence to the Health and Safety Executive to make objective judgments about safety. I take advice from the HSE, as the legislation requires, and the unions, too, should stand by its objective judgment and not make it an excuse to extend the strike.

Mr. Don Foster (Bath): I, too, thank the Deputy Prime Minister for his statement.

Will the right hon. Gentleman assure the House that in all his subsequent actions, the safety of the public will be of paramount importance? Does he acknowledge that, as much of the legislation relating to the fire service dates back to 1947, the Government could have taken action earlier to modernise the service?

We share the right hon. Gentleman's admiration for the work of our firefighters, but does he acknowledge that, even without changes in their terms and conditions of employment, they deserve a better deal? Does he acknowledge that the employers have already made an offer that is more than the rate of inflation and have agreed that they will backdate the recommendations of the Bain inquiry, subject to additional funds being made available by the Government? Will the Government give an assurance today that they will provide whatever funds are recommended by the Bain inquiry? If those assurances were given, does the right hon. Gentleman agree that the strike would be unnecessary, counter-productive and life-threatening?

The Deputy Prime Minister: I think that the strike would be counter-productive and there is no doubt that it would be life-threatening. That is why we appeal to the trade union to take part in the inquiry. I recall disputes in which trade unions were actually fighting for an inquiry. In this case, an inquiry was guaranteed right from the beginning.

The hon. Gentleman rightly points out that there has been considerable modernisation in the fire service. If we compare the money given during the first five years of the Labour Government with the money given during the last five years of the previous Administration, we see that there is a considerable difference in the resources not only for local authorities but also for fire brigades.

The hon. Gentleman points out that firefighters need and want a better deal. Everyone has acknowledged that the present formula is not acceptable and says, "Let's discuss another formula." There has not been a strike in the fire service for 25 years and the House should welcome that as the contribution of a professional force that wants fair pay for its work in helping to keep the country safe. We all accept that.

The hon. Gentleman asks for Government assurances that we will accept the Bain report. The inquiry is independent, and it has to judge whether there should be extra pay over and above the 4 per cent. that has been offered, which is twice the rate of inflation. However, if there is to be more than that amount, there would have to be modernisation and changes in working practices. That is why local government wanted the inquiry. If the inquiry comes up with a balanced picture—as is often the way in this country—it will, no doubt, along with whatever pay increases it recommends, make recommendations about modernisation and changes.

Now, do I have a guarantee that the FBU will say, "Okay; if that's the package, we'll take that package and we'll accept the modernisation"? As a Government, we cannot write a blank cheque to everything, but if a deal is dependent on both parties' accepting it, it is very difficult to say yes or no in those circumstances. We must wait. But we have given our evidence; the FBU should give its.

Ms Bridget Prentice (Lewisham, East): My right hon. Friend has said twice that Andy Gilchrist, general secretary of the FBU, was consulted about the terms of reference of the review. Can he explain to the House, if he knows, why Andy Gilchrist has not participated in the review, and say whether he gave any reasons as to why he would not respond on the terms of reference?

The Deputy Prime Minister: Having spoken personally to Andy Gilchrist in August, and read his statement since—I have no doubt that it is an honest statement—I know that he does not want pay of this form and his 40 per cent. claim to be connected in any way to any change in the organisation of the fire service. It is a straight position. We disagree with it as a Government, and so does local government in those circumstances.

We did ask Andy Gilchrist whether he would take part in the inquiry. He said no, so we thought that he might be interested in the terms of reference. My right hon. Friend the Minister for Local Government and the Regions rang him and made it absolutely clear, as he also did in a letter dated 3 September, that we invited him to make a contribution to the terms of reference of the inquiry. I believe that Andy Gilchrist has since told people, including some Members of Parliament, that that was never so, but that letter and telephone call are on record; he just refused to play a part in it. It is all right for him to take that position if he wants to, but I regret it. I would still encourage him to play a part, because to find a settlement—a just settlement—requires both parties to the dispute to give evidence.

Mrs. Angela Browning (Tiverton and Honiton): The evacuation of hospitals, hospices, residential and nursing homes is patently going to be very difficult. We hear that in the case of emergencies of a certain scale, the firemen will come in and operate the usual vehicles. Would such establishments fall within the category of those that the firemen would attend if a fire were reported?

The Deputy Prime Minister: That is precisely the question that my right hon. Friend the Minister for Local Government and the Regions was discussing with the general secretary of the Fire Brigades Union. The hon. Lady will recall that he had asked me, in the press, to pick up the telephone and put down the megaphone.

Most of the statements that we have had have been in the press. We did pick up the phone on Monday and dial four numbers in the office of the Fire Brigades Union. There was no one to answer them, but we eventually made contact.

When that offer was made, it was to discuss the very issues that the hon. Lady raised. We wanted to ask, on serious fire issues, whether the firefighters would play a part, make the vehicles available and attend. We have had the first meeting with Andy Gilchrist and asked him whether he would consider that. There is some consideration regarding the TUC formula on these matters and the agreements and the code of conduct that would operate in the essential public services. He has offered to put the matter to his executive and he will report back to us on Thursday.

Mr. Dennis Skinner (Bolsover): My right hon. Friend, like me, has been involved in a number of industrial skirmishes over the past 30 years. Some we have won and some we have lost, and his presence here today is partly due to what happened way back in 1966. All that I would say—I hope that my right hon. Friend will comment—is that in all those disputes there were statutory incomes policies; in this one there is not. Notwithstanding that, the Government may win a skirmish but they might lose in the long term. I suggest to him that although the union is refusing to do this, that and the other, somebody has to take command. In view of that, I think that it would be useful if the Bain inquiry were brought forward, because I was around when the Wilberforce inquiry settled a dispute in just over a week—it was a great victory. In these circumstances, it is important that the Government retain the high moral ground. Governments in the past have been stubborn and won in the beginning, but they can lose in the long term. I hope that my right hon. Friend will bear these thoughts in mind.

The Deputy Prime Minister: That is important, and I shall bear in mind what my hon. Friend says; we can recall the firemen's strike because we lived very close to one of the fire stations at that time.

At the end of the day, this is about social justice and whether we can arrive at a solution that all parties can live with, not necessarily totally agree with, but when there is such a different approach, we have to find an agreement, which is what inquiries are for. Of course how long the inquiries take depends on how people co-operate with them. I have been involved with a number of inquiries. In the seamen's strike, it took three months to come to a conclusion, but there was an interim report.

What is happening in this case is that the inquiry is being conducted, but it is taking evidence from only one source. I can only appeal to my hon. Friend to appeal to those in the Fire Brigades Union and ask them why they do not give evidence. The miners did so with regard to the Wilberforce inquiry. What is wrong with that? Someone's case either stands up, or it does not. What is different now is that the lives of our citizens are involved in this situation; it encompasses every one of us, and we must do whatever we can to get people to the negotiating table and to get a fair settlement that is accepted by all parties.

Mr. Douglas Hogg (Sleaford and North Hykeham): The right hon. Gentleman will understand that most of us think that this impending strike is dangerous and wrong and should be stoutly resisted. Given that, will he say whether he is planning to allow the armed services to train on and use modern fire fighting equipment, which is the property of the nation, not of the Fire Brigades Union? Will he also tell the House whether he might be minded to introduce legislation to prohibit the withdrawal of emergency cover, thus giving statutory reflection to the TUC guidelines?

The Deputy Prime Minister: The right hon. and learned Gentleman always has a legal solution to everything, but that does not always satisfy industrial situations. With regard to access to the vehicles, we must readily accept that it takes three months to train people to use them. I ask him to consider what judgments Governments have to make.

Should we have started three-months training in the middle of the negotiations and told the firemen, "Well, we are going to get ready because you are going on strike"; or should we encourage people to reach an agreement? There are difficult judgments to be made. Should we go to fire stations, saying, "Give us six of your machines. We want to practise on them in the next three months to get ready for you guys when you come out"? I ask hon. Members to make practical judgments about that. [*Interruption.*] I admit that these are not lawyers' points, but they are about the reality of industrial relations. In the circumstances, we should say, "Right, we need to get an agreement with you." That is what we are doing, and we have to make a balanced judgment.

Let us bear in mind that the current industrial relations situation is that the Fire Brigades Union has proposed to strike for two days, then two days and then eight days. Let us hope that will not happen, but there is a period when they will be using those machines at work. So would it not be better for them to have their machines to operate for the community, so that they are not damaged by unskilled workers who may not be sufficiently trained to deal with them, and nothing else happens that might inflame the situation?

Governments have to make a judgment, and we are accountable to the House. At the moment, what we have done is the best way to find a solution, and that is where we are focused. Let me make it clear that no one should doubt the Government's commitment to secure the safety of our citizens, and we will do everything to ensure that that is achieved.

Mr. Colin Challen (Morley and Rothwell): May I remind my right hon. Friend that, a couple of months ago in west Yorkshire, a fire tender was called to assist a man who had suffered from a heart attack? That is just one example of the new burdens that are placed on the fire service, showing why it has to be multi-skilled. For that reason, I would support a genuinely independent review, but would it be better if both sides of the dispute did not make statements about what they expected to come out of the review? One side is saying that it must have a certain percentage figure and the other side is saying that there must not be a certain percentage figure. It seems that the independent review will be bound, and it will not have the respect of the general public if both sides to the dispute try to tie its hands in advance.

The Deputy Prime Minister: There is a lot of sense in that, but it is an inevitable part of disputes that people

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will arrive at figures, one of which will be at one end of the dispute and one at the other, and an independent review is the way to deal with those circumstances.

My hon. Friend is perhaps referring to whether the Government should say whether a 40 per cent. increase is affordable, but I have to tell him that £450 million is quite a hefty bill, which Governments cannot ignore. Since I have been in this job, local authorities have settled for something like 7.9 per cent. over two years. If £450 million were to come out of the local authority budget, the money would basically be coming from other people's wages and conditions. I must take that into account. I have not made the judgment; I have allowed a committee to make an independent assessment.

My hon. Friend made a good point when he referred to the fire service attending a heart case. The service now is more of an emergency service than a fire service. It does a great deal of tremendous work and it needs proper equipment. Under our rules there is the absurdity that certain equipment that is needed for the work that the service undertakes is denied to it even though in some instances it does not act as a fire service. There is a need for modernisation. The service needs change. We should provide the necessary resources. We are asking that these considerations should be recognised all together. That is fair and that is right.

Sir Patrick Cormack (South Staffordshire): As public safety is rightly the right hon. Gentleman's prime concern, will he do two things? First, will he give clear guidance to those in my constituency and elsewhere who are planning bonfire night parties? Will he urge them to be as cautious as possible? If necessary, will he tell them to delay these parties? Secondly, will the right hon. Gentleman rethink his answer to my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) and give members of our highly trained armed forces whose own lives will be put at risk when using Green Goddesses, some of which are 50 years old, some access to modern equipment?

The Deputy Prime Minister: The House will be sympathetic to concerns about injuries, and sometimes deaths, that occur on 5 November, in or out of an industrial dispute. The timing of the dispute is to have one weekend on strike and the other weekend on strike, it being felt that 5 November is bonfire night. Anyone with any experience knows that there are bonfires during the weekend before bonfire night, the weekend after it and possibly during the weekends leading up to it. I have already talked to local authorities. In some instances they organise municipal bonfires, and I have asked that they make an appeal that perhaps fewer bonfires take place during the weekends to which I have referred, and that municipal bonfires should be attended in the circumstances. We should not get into a controversy about fireworks, because there are strong feelings in the House about that issue. It is a difficult and sensitive time and we will again be appealing to those involved not to take the actions that are being talked about, and to take the chance of co-operating with the inquiry.

Kali Mountford (Colne Valley): At the risk of repeating what others have said, I say to my right hon. Friend that public services turn to public harm when a set of public servants, such as firefighters, take such actions. Is it not time they took cognisance of the TUC guidelines to which they signed up, and provided the cover that we would like to see provided? Should not we in turn ensure that the review completes its work early so that we can all be sure that there will be an end to the dispute?

The Deputy Prime Minister: My hon. Friend makes an important point. The TUC code of conduct, to which she referred, came about immediately after the dispute in 1977. It was designed to deal with public services and essential services. It was agreed to by the Fire Brigades Union and the TUC. I know that the executive is meeting tomorrow, and my right hon. Friend the Minister for Local Government and the Regions discussed this with Andy Gilchrist when he met him yesterday. Consideration is being given to these points.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): The Deputy Prime Minister says that the Government have not interfered in this matter, but it is clear that they have. I shall ask two brief questions. First, when he met Andy Gilchrist on 8 August, did he mention the question of an independent review? Secondly, given that there was interference at that stage, why did it take so long, from 8 August to 1 September, for the Government to ask employers to make an offer, which subsequently was made two days later?

The Deputy Prime Minister: I understand the misunderstanding about dates and local authority negotiations. When I met Andy Gilchrist, I was surprised when he made the point strongly to me. I thought that the negotiations had broken down on 8 August. He said, "No, we have not been made an offer." That seemed rather silly. When I talked to the local authority negotiators, I asked them, "Is it true that you have not made a final offer? The FBU says that negotiations have not broken down because it has not even been given an offer." The local authority negotiators said, "Right. On 2 September we'll put on the table what we are offering and the union can say yes or no", which it did. I think that that was right in the circumstances. It was a bit unusual that no one asked that an offer should be put on the table, with both parties going around saying that negotiations had broken down. I thought that the part I played was common sense.

As for whether I asked Andy Gilchrist whether he would co-operate with an inquiry, the local authorities had already made it clear in negotiations that they would go further than 4 per cent. and alter the formula if the firefighters were prepared to co-operate with an inquiry into the modernisation of the fire service. Their view was that there had been many reviews of the fire service, the money had been taken, but little had been done about modernisation; they felt that there should be an independent assessment. I thought that there was a lot of sense in that and encouraged the union to accept an inquiry, but the general secretary made it absolutely clear that he did not want an inquiry—he believed that the union had co-operated in modernisation before and that that was not the issue. He said, "Give me the 40 per cent. or the 50 per cent." and

suggested nothing else. I did not push him on that, because I was not involved in negotiations. All I wanted to know was whether he would play a part in an inquiry, to which he answered, "No."

Claire Ward (Watford): What discussions have been held with the Retained Firefighters Union, what assessment has been made of the number of retained firefighters who have expressed a wish to work during the strikes, and what modern appliances might they be able to crew?

The Deputy Prime Minister: We readily acknowledge that, although a comparatively small part of the service, retained firefighters provide an excellent service in the areas in which they operate. They have taken the view that they are perfectly prepared to go to an inquiry and give evidence and that they do not want to take part in the industrial dispute. It is their right to do that and they have told the FBU that. They will have the same facilities as they have at the moment and, presumably, they will provide service even during the periods of industrial dispute. That is their decision.

Sir Teddy Taylor (Rochford and Southend, East): Does the Deputy Prime Minister agree that the fire safety problem would be far more serious if British industry and commerce managed their fire safety arrangements with the same incompetence as the House of Commons? Is he aware that after 25 months Portcullis House still does not have a fire certificate, and that this morning the fire alarm was activated and the fire doors closed, but owing to a fault the evacuation signal was not given, so no one was evacuated? Will he tell everyone involved in British industry and commerce—and the House of Commons—that the best thing they can do to prepare is to review their fire safety arrangements and make sure they work more effectively than the House of Commons' current arrangements?

The Deputy Prime Minister: The hon. Gentleman will be aware that I appealed to industry and all parties who might be affected by the dispute to do precisely that. As for conditions in the House of Commons, I am glad to say that that is nothing to do with me. No doubt my right hon. Friend the Leader of the House will take the hon. Gentleman's comments into account.

Alan Simpson (Nottingham, South): The Deputy Prime Minister certainly does not need to take any lectures on trade union rights from Opposition Members. He will remember the days when he was accused of leading

"a tightly knit group of politically motivated men",

when all he was doing was negotiating properly on behalf of his members. In current circumstances, it is difficult to know with whom the FBU should negotiate. Given that negotiations have broken down, is there not a case for intervention by the Prime Minister to accelerate the Bain report and to summon both employers and trade unions to continuous negotiations, so that we can prevent lives and public services being put at risk in an entirely avoidable dispute?

The Deputy Prime Minister: I have some sympathy with that point, but my hon. Friend must remember that the two parties disagree fundamentally on what might conclude the dispute. I have taken the opportunity to provide for an independent inquiry. As for his historical reference to me, at that time I was fighting for an inquiry; the firefighters have got one right away.

Mrs. Cheryl Gillan (Chesham and Amersham): The deputy chief fire officer in Buckinghamshire has rightly been concerned for some time about large warehouses used by the retail industry because they pose such problems for firefighters that, even in normal times, operational pre-planning is required. Has the Deputy Prime Minister made specific arrangements to ensure that the armed forces are fully trained to deal with that extremely hazardous type of warehouse fire? If not, and if no lives are threatened, will warehouses be left to burn?

The Deputy Prime Minister: The hon. Lady will understand that if there are two incidents, one in which lives are threatened and the other in which a building is simply burning down, the choice is clear. If two machines are not available to tackle both incidents, one goes where the greatest threat to human life is present. That is the rule that will apply, but the forces will be trained to deal with every type of eventuality that they may be called upon to tackle.

Mr. Michael Connarty (Falkirk, East): The Deputy Prime Minister may know that I represent the town of Grangemouth, which has the largest integrated chemical and petrochemical plant in the UK. Will any advice be given to the emergency planning teams as to whether such companies should consider rescheduling their production so that the threat, which has already caused two fires and a major explosion on that site in the past three or four years, may be avoided by management?

The Deputy Prime Minister: I understand the point that my hon. Friend makes. I have a similar chemical complex in my own area. He will know that in negotiations with chemical companies, there are special rules and regulations about intensive cover inside the plant, but inevitably the plant is also dependent on outside help from the fire services. In that respect, I am sure that the emergency services will do what they can, but I say to the employers, and I hope that my hon. Friend will say the same to the employers in his chemical plant, that they should make sure that all their safety arrangements are up to scratch, and that they should do their utmost in these difficult circumstances.

Mr. David Laws (Yeovil): If the FBU calls off this dangerous strike, which it clearly should do, will the Deputy Prime Minister consider asking the independent review group to bring forward its recommendations?

The Deputy Prime Minister: The FBU has made it clear that it feels that the inquiry is not independent. It must make a proper assessment of controversial matters. That is what dictates the time. If we have a reply by December, I have said and I repeat that if only the FBU would co-operate, perhaps we could consider how the hon. Gentleman's suggestion could be achieved. The co-operation of both parties in giving evidence makes it

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much easier for an inquiry to make its judgment. Unfortunately, it has been denied the co-operation of the FBU, so every assistance should be given to persuade the FBU to come and give evidence.

Mr. Mark Hendrick (Preston): Could my right hon. Friend reassure the House of the complete independence of the Bain inquiry?

The Deputy Prime Minister: Anyone who knows Sir George Bain knows that he is a man who makes recommendations and deals with inquiries without courting favour from Government. His recommendations on poverty pay and minimum pay are a good example of that. I trust him; his record is good. I also trust the people advising him.

Mr. Simon Burns (West Chelmsford): Has the Deputy Prime Minister any estimate of the proportion of retained firemen who will be expected to work if there is a strike? Also, have the Government any estimate of what proportion of incidents retained firemen will deal with, and what proportion the armed forces might deal with?

The Deputy Prime Minister: I will keep the matter under review. When I get any information, I will inform the House. It is a difficult issue. There is some dispute about the proportion of retained firefighters. The union says that it is organising for a particular number, and the other body says that it is organising for a different number. We do not know whether the retained firemen will heed the call to strike. It is difficult to make that judgment. As soon as I have any information about that, I will let the House and the hon. Gentleman know.

Mr. Kevin Hughes (Doncaster, North): There can be no doubt that our firefighters do a fabulous job on our behalf and deserve the highest of incomes that can be afforded by the Government. However, I fear that what they are asking for—a 40 per cent. increase in one go—is too much for any Government to contemplate, and they need to get realistic. During 1984, I was a member of the National Union of Mineworkers Yorkshire area executive committee, and we made provisions and gave dispensation to miners to make sure that safety work could be carried out underground and coal could be delivered to hospitals, old people's homes and so on, where it was needed. I cannot for the life of me see the ordinary firefighter sitting back when a disaster occurs in this country and not going to assist. We cannot say often enough that the Deputy Prime Minister must do all he can to ensure that if there is a disaster, firefighters go out there and do what they are best at.

The Deputy Prime Minister: In this House there is no doubt in anyone's mind that firemen feel strongly for their jobs and for safety. They are in that job because they like to do the job, and they are among the few groups of people who risk their lives to carry out their job. I am sure that it is a difficult decision for them to withdraw their labour, and they know that. The possibility of an inquiry was immediately granted so that they did not have to face that choice. I do not deny, as I said earlier, that they may have to make the choice, but not before the settlement date, 7 November. Why can they not co-operate with the inquiry up to that date or until the report comes out? I appreciate that it is a dilemma.

I cannot ignore the fact that, on the 40 per cent. figure, in my meeting with the general secretary, I said, "Your demand is obviously £400 million" and he said, "No, it is £450 million." I asked him how the Government should pay for such an increase—a legitimate question for the Government to ask in such circumstances. He said that we had all had a consultants' report and that X amount could be saved in respect of damage by fire. He estimated the figure to be about £600 million and said that we could pay the settlement with that money. Unless the insurance companies have discovered a way of transferring dividends to the Government in order to meet a wage requirement, however, that does not seem a sensible way of dealing with the problem.

We have not made a decision about the matter and have left the independent inquiry to produce a balanced judgment about the pay to be awarded—we agree to having a different formula—and the modernisation that should accompany it.

Mr. Patrick McLoughlin (West Derbyshire): Both the Prime Minister and the Deputy Prime Minister have said that our constituents cannot expect from the Army the same sort of service as is offered by the fire service. Our constituents have paid money to the fire service for a service that they will not get. What message does the Deputy Prime Minister have for the insurance companies and what discussions have been conducted with them to make it clear that, even though our constituents are not getting the service that they should receive, they are expected to stand by their obligations?

The Deputy Prime Minister: I understand the point that the hon. Gentleman makes. He can be sure that my right hon. Friend the Prime Minister and I are constantly in discussions with parties that will be directly affected by the dispute. On the essential question about insurance payments, which is a general one, I am well aware of what happened in respect of floods, let alone an industrial situation. In those circumstances, the companies did not face up to their obligations. This is a constant problem, but it is not really associated with industrial disputes.

Mr. Chris Bryant (Rhondda): Is not the offer of an immediate 4 per cent. pay rise plus any enhancement that may be recommended by the Bain review a pretty good one? Has the Deputy Prime Minister received any explanation of why the FBU is not prepared to accept it?

The Deputy Prime Minister: I think that the general secretary is clear about that. First, he wants the money to be given now and he wants a new formula. We are agreed that he should have that formula, but presumably, we must discuss why the old one is no longer acceptable, even though until two years ago he thought that it was very good. Clearly, he does not hold the same view now. Secondly, he says he does not want any settlement above 4 per cent. to be connected to modernisation. He makes it clear that he does not want any reorganisation or modernisation. He may be

rethinking that position—who knows? I hope that he does so and that he will give the reasons why he does not want modernisation. He may be fully justified in holding such a view, but in that case, he should put the evidence to the inquiry, so we can all make a judgment.

Mr. Steve Webb (Northavon): Given that lives will almost certainly be lost if the strikes go ahead, do not the Government have a responsibility to ensure that any eventual settlement incorporates a no-strike deal so that we do not face the same situation again?

The Deputy Prime Minister: The House will recognise that, even with a full fire service, lives are lost. That is tragic and many fewer lives are lost because of the firemen who risk their lives daily. The fact that they came to a voluntary agreement on a formula that gave us 25 years of industrial peace seems good sense. If we can get such agreement again, I will take it.

Mr. Bill Tynan (Hamilton, South): I am sure that my right hon. Friend will agree that, in a dispute of any kind, there are no winners or losers. Everyone is a loser in such circumstances. Does he also accept that the firefighters have expressed the view that the 1977 agreement is outdated and that, on that basis, the review would make a difference if it were implemented as soon as possible? Does he agree that, as a way of eliminating the bitterness that has tended to arise in the dispute, which will create an impossible situation in terms of reaching a settlement, we should be asking the general secretary of the FBU about an acceptable interim arrangement to ensure that no strike takes place in the next few days?

The Deputy Prime Minister: My right hon. Friend the Minister for Local Government and the Regions is meeting the general secretary, and also met him yesterday. He is talking to the executive about some of these matters and will report properly back to us so we can have some discussions. My hon. Friend is right to point out that the formula is no longer acceptable to the FBU. That has been accepted by the local authorities and by us, but if somebody wants a change in the formula, they have to come forward with some ideas that can be discussed in a proper review. It is difficult to comprehend the argument that the formula has produced poor pay for the fire brigade over the past 25 years.

One can argue that the pay is not good enough or that it should be more when compared with that of others, but two years ago, when the same Andy Gilchrist was general secretary, he said:

"Our wages remain ahead of other essential public sector workers precisely because we have maintained the formula".

He is entitled to change his mind, but he cannot claim that the formula failed for all those years.

By all means, let us discuss the formula, but we also discussed reorganisation for a modernised fire service that meets all the emergency needs, which require the courage, dedication and specialised skills of our fire people. We accepted that in principle, and Andy Gilchrist should sit down and negotiate the matter, as any trade union leader should.

Mr. Edward Garnier (Harborough): I understand that if the retained fire service in Market Harborough decides or has to stop working, the nearest Green Goddess cover will come from Corby, which is some miles away. Will the right hon. Gentleman ensure that in such circumstances, a Green Goddess is stationed in Market Harborough to cover that large rural area?

When the fire authorities get rid of their modern fire machines after several years, may I suggest that they are taken into Government ownership to replace Green Goddesses? It is ludicrous that we continue to rely on such elderly machines.

The Deputy Prime Minister: The hon. and learned Gentleman makes a fair point and raises a proper concern. We do not know whether retained firemen are likely to operate during an industrial dispute. Many said that they would, and there would not therefore be a problem. However, the hon. and learned Gentleman properly said that matters are more difficult if Green Goddesses have to provide cover. We shall review the position from time to time and consider his interesting suggestion about old appliances.

Ms Joan Walley (Stoke-on-Trent, North): First, I want to put on record my appreciation of the work of the Staffordshire fire service and the Staffordshire FBU in my constituency.

We are all losers in the current circumstances, and it is vital that we resolve the impasse. Will my right hon. Friend consider trying to find an informal channel of communication so that the review that we support can take place before we have to deal with members of the public whose loved ones are lost because of the strike? Will he search for an informal way of getting people back around the table?

The Deputy Prime Minister: I promised earlier that we would do whatever we could to help prevent the dispute. We have offered an inquiry, but there are many other methods, through connections and formal and informal discussions. The Government have not set their face against that. We have made our position clear. We are properly worried about safety and we have taken appropriate measures to deal with it. However, if there is good will on all sides in such a dispute, agreement can be reached.

I am sure that firemen in many stations throughout the country have made it clear that they support the dispute. They are dissatisfied. I say to them that that has registered with us, but we ask them to acknowledge that it is right for us to negotiate on such matters and reach a fair settlement. If they cannot trust us as a Government, they should rely on the Bain inquiry as an independent method of solving matters. That has been the British way for a long time. It served us well in the past and it will do so in future.

David Burnside (South Antrim): Does the Deputy Prime Minister agree that there is great support and sympathy for firefighters? That has always been the case in this country. They are perceived as decent, providing an essential service and doing a good job. After 11 September and the performance of the firefighters in New York, the service has become one of the most admired in the world.

Do we not need a more fundamental review of what constitutes an essential service in the wider industrial relations framework? There is a price to pay for such

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services. If we pay a high enough price, does the Deputy Prime Minister agree that we should consider the possibility of an industrial relations framework that removed the right to strike?

The Deputy Prime Minister: I am not sure, especially in Northern Ireland, whether one can proceed if all parties do not agree. The democratic method of dealing with such a problem is trying to get all parties to agree. I am not sure that making strikes illegal is a satisfactory way to achieve consensus in the community. There is much evidence for that. The recent programme about Orgreave reminded us of the possible consequences of such action. In a democratic system, we try to achieve a balance and find agreement between all the parties.

The available evidence shows that we manage to get our industrial relations right in this country. Few days are lost through strikes when compared with other countries. That is a credit to those who are actively involved. I prefer democratic accountability and consensus to simply imposing something on a community. The latter is not the democratic way.

Mr. Andrew Miller (Ellesmere Port and Neston): In recent letters from a couple of firemen, the inquiry has been described as a sham. My hon. Friend the Member for Bolsover (Mr. Skinner) rightly drew parallels with the Wilberforce review, which worked at the time for the people he represented. Will my right hon. Friend use this opportunity to make it absolutely clear to the firefighters and to all the people out there in the country that there is no sham here, and that there is an open, honest offer from the Government to have an inquiry undertaken that has, as it were, parallels with the Wilberforce situation? This is an honest offer from the Government and it is important that the firefighters receive that message loud and clear today.

The Deputy Prime Minister: I hope that the House will believe that I would not appoint an inquiry if it was made up of people who were not independent of mind. I ask Members to judge the record and background of the people involved. To be fair, there have been very few inquiries in this country, under any Administration, that people have not found to be fair, in their judgment. That does not mean that we agree with their conclusions—whether it be Wilberforce or the inquiry relating to the seafarers' strike—but if they produce an honest judgment arrived at by trying to find consensus for an agreement, that is what is important.

In this case, however, the Fire Brigades Union has not given a fair chance for the inquiry to be independent in that sense. It has given no evidence to it. The incident in which the general secretary of the union went to a private reception and talked to one of the inquiry members as someone within the trade union movement, then released details of that personal conversation to the press saying that the inquiry was fixed, does not make it look as though he wants to co-operate with the inquiry. He has a political position; he does not want to do that. I think that he is wrong. I hope that we can appeal to him to co-operate, but the judgment at the end of the day—this will be as true of this inquiry as of any other—will depend on whether it was a fair inquiry into all the circumstances. Whether it will be a proper one, producing an independent judgment, will be conditional on all parties putting their case. If one party does not do so, there is a great danger that a proper judgment cannot be made.

That is the view of the Fire Brigades Union, and I say to the firefighters and the people in the fire stations, "Look, what have you got to lose? Wait and see, and then you can make your judgment. Why subject us to a strike prior to the inquiry's findings coming out?" The date of the payment is 7 November. We are having a strike before that date, on which the old formula would have produced 4 per cent., which the firefighters are being given, with other factors involved. That is unreasonable, and the attitude of the union to the inquiry has to be seen against that background. I say to Andy Gilchrist: "Think again, Andy. Let your executives think again. Let us work it out. All the parties want consensus in this country, the inquiry will give us the forum, so think again and come into the inquiry."

Mr. Nigel Waterson (Eastbourne): Is the Deputy Prime Minister aware that during the last dispute, emergency cover in Eastbourne was provided by the Royal Navy and the Parachute Regiment? Will he urgently reconsider his decision to deny modern equipment to our service men and women? After all, their lives will be put at risk every bit as much as those of the professional firefighters are now.

The Deputy Prime Minister: I would say to the hon. Gentleman that he would not want to put any of those service men and women into dangerous situations and expect them to use sophisticated equipment when they have not been properly trained to do so. That is the reality that we are faced with; that training takes three months. I have explained to the House why we made the judgments that we have. I think that they are the right judgments, and they are the ones for which we will be held accountable.

Points of Order

4.34 pm

Mr. David Lidington (Aylesbury): On a point of order, Mr. Speaker. Last Thursday, during questions to the Department for Environment, Food and Rural Affairs, I asked the Minister, at column 459, when the Government were planning to publish their new contingency plans on foot and mouth disease and respond to the various inquiry reports. The Under-Secretary of State for Environment, Food and Rural Affairs, the hon. Member for Scunthorpe (Mr. Morley) replied that the Government were

"under way with the definitive strategy and contingency plan".

He continued:

"That involves a great deal of consultation and discussion. That is right and proper because we want to be open and transparent about this. We intend to bring forward the completed conclusions as quickly as possible and to encourage as much involvement and debate as possible."—[*Official Report*, 17 October 2002; Vol. 390, c. 459.]

Having heard the Minister's reassurances about openness and transparency, I was somewhat startled to see in *The Times* newspaper this morning a detailed account of what that newspaper described as the

"draft report from the Department for Environment, Food and Rural Affairs, seen by *The Times*, that is its"—

the Department's—

"response to the two official inquiry reports into the disease".

The newspaper went on to give details of policy proposals such as the use of vaccination and the imposition of duties on farmers to insure against disease, as well as other initiatives such as increased media training for veterinary surgeons and the creation of a dial-in message service called DEFRA Direct.

May I ask you, Mr. Speaker, whether in the few hours since I gave your office notice of my point of order you have been able to ascertain how information withheld from Parliament appears to have got into the possession of *The Times*? May I also ask whether you have had any approach from the Secretary of State for Environment, Food and Rural Affairs wishing to come to the House and make a statement, either simply to express her shock and outrage at the fact that a newspaper should have been informed ahead of elected representatives of the British public or, even better, to give Parliament a full account of whatever the Government intend to propose?

Mr. Speaker: I have had no such approach from the Secretary of State. The hon. Gentleman has raised matters that are for a Minister to handle. What I will say is that if there was a leak I deplore that, and I certainly hope that the matter will be investigated.

Mr. Andrew Turner (Isle of Wight): On a point of order, Mr. Speaker. The Secretary of State for Education and Skills misled a Select Committee—inadvertently, I am sure—about her promise to resign if literacy targets were not met.

During an Opposition Day debate on 2 March 1999, my hon. Friend the Member for Havant (Mr. Willetts) asked

"Will the Minister commit herself to the Secretary of State's pledge to resign if the Government do not reach their literacy and numeracy targets by 2002?"

The right hon. Lady replied

"Of course I will; I have already done so."—[*Official Report*, 2 March 1999; Vol. 326, c. 948.]

When the right hon. Lady appeared before the Select Committee of which I am a member on 24 October last year, she was asked whether she would resign if her predecessor's targets were not met. She replied:

"No, and I never said I would."

Would it be appropriate for her to appear either before the House or before the Select Committee to put the record straight, and to take the action that she promised?

Mr. Speaker: That is a matter for the Select Committee and the Secretary of State, not a matter for the Speaker.

National Nutrition

4.38 pm

Ms Oona King (Bethnal Green and Bow): I beg to move,

That leave be given to bring in a Bill to provide for the establishment of a national nutrition strategy; to provide development funding for Primary Care Trusts to address the issue of diet and obesity; to establish a minimum requirement for physical activity in schools; to develop a system of food labelling to enable consumers to identify high-fat foods and total calorie content; and to make it a requirement for health warnings to be displayed on all packaged convenience food with a high-fat or sugar content.

The arguments for a Government-backed nutritional strategy centre on three facts: the scale of the problem of obesity among adults and children, the health and economic consequences of obesity, and the fact that although obesity—like smoking—is portrayed as an issue of personal choice and action, the Government are in a position to make the healthy choice the easy choice for all our citizens.

The scale of the problem is alarming and growing. The latest figures quoted by the British Heart Foundation show that 46 per cent. of men and 32 per cent. of women are overweight. Moreover, 17 per cent. of men and 21 per cent. of women are obese. One in five six-year-olds in England is overweight, and one in 10 is obese. One in three 15-year-olds is overweight and the figure for obesity is nearly one in five. In the last decade the percentage of overweight children in the United Kingdom has virtually doubled. The worrying fact is that overweight children are more likely to become overweight adults with reduced life expectancy. Some health professionals are saying that if the trends continue there is a risk that a generation of parents will outlive their obese children. Worse, those from deprived families are most at risk, so social inequalities are involved. People in low socio-economic groups or with manual occupations are more likely to be overweight. Those who are south Asian or from other ethnic minority groups are also more likely to be overweight.

The health and economic consequences of poor nutrition are grave. Obesity is a risk factor for diseases and conditions such as high blood pressure, raised blood cholesterol and non-insulin-dependent diabetes. Poor diet and inactive lifestyles are thought to account for about 30 per cent. of cardiovascular disease, which is the United Kingdom's largest single killer, and for a third of cancers. Doctors are now treating type 2 diabetes in children; until recently, it was regarded as a weight-related disease of old age.

According to the National Audit Office, the minimum economic burden to the health service from obesity amounts to £0.5 billion a year—around £2.5 billion a year if indirect costs are included. The international obesity taskforce estimates the cost of obesity in the UK at around 1.5 per cent. of health spend, so obesity is a burden in terms of individual illness, disability and early death as well as in terms of the costs to employers, taxpayers and society.

As a nation our eating habits are poor, yet food matters from cradle to grave. Beginning with the cradle, there is good evidence that babies are programmed during development in the womb to be susceptible to obesity and related chronic diseases later in life. Breastfeeding reduces that risk, yet the UK has one of the worst rates of breastfeeding in Europe. Children are targeted commercially from pre-school onwards with high-energy-dense foods—foods and drinks that are high in fat and sugars. Sugar is the main cause of dental decay. Evidence shows deterioration in young children's dental health in areas of social deprivation and among ethnic minorities. Only 18 per cent. of children aged two to five eat fruit. Only 14 per cent. eat vegetables more than once a day and there is a long way to go until the majority eat five portions of fruit and vegetables every day.

Our couch-potato lifestyle is taking over. In England, 55 per cent. of boys and 39 per cent. of girls aged two to 15 are moderately active for at least one hour five or more days a week, but after the age of eight those rates decline sharply so that by the age of 15 fewer than one in five girls is active at that level. I recognise that many hon. Members may worry that they fall into those inactive categories, but I am sure that we all hope that more can be done to encourage greater physical activity in schools.

In 2001, the US Surgeon General said:

"Many people believe that dealing with overweight and obesity is a personal responsibility. To some degree they are right, but it is also a community responsibility."

Community responsibility includes the Government. I believe, as do the Government, that they have a responsibility to ensure that people throughout the UK have a choice of affordable, healthy food, accessible and clear information on the contents of food and access to simple, clear messages about what constitutes a healthy diet.

I therefore call for action along the lines of that taken in Finland. That was a whole-community approach whereby the food processing industry, farming, voluntary groups, health professionals and the media all contributed to Government strategy. There was monitoring and evaluation throughout, which allowed changes to be made as the programme developed. The result is that national vegetable consumption in Finland has trebled in 20 years; the Finnish diet, once so high in dairy fats, now has among the lowest fat contents in Europe, and after 20 years of action, premature deaths from coronary heart disease have been reduced by more than 50 per cent. That is something that the UK should emulate.

In the national health service, we need to ensure that the relevant national service framework for specific conditions such as coronary heart disease and diabetes address these issues and that national service frameworks for children bring together action to tackle obesity and overweight. Primary care trusts need to be funded to lead locally through their health improvement plans, and through practical grassroots work such as food co-operatives. We also need to monitor how national action such as the national fruit scheme works locally.

We need a comprehensible system of food labelling, and standards such as that proposed by the World Health Organisation, with bands of high, medium and low levels of fats and sugars. However, it has to be said that vested interest groups have systematically opposed that. We need to develop and implement a comprehensible system of food warnings on high-fat

and sugar-prepared foods. We need to protect children who are targeted in the marketing of high fat and sugar foods and drinks—from breakfast snacks and cereals, to confectionery, and takeaway and prepared meals. There is enough good evidence on this—from studies by Sustain: the alliance for better food and farming—in the form of the experience of Scandinavian countries, some of which have actually banned children's television advertising or the commercial sponsorship of children's television programmes.

Physical activity in schools is another area in which we must improve: a minimum requirement should be developed. Although the national curriculum provides for physical education, many children do not have adequate opportunities to be physically active because the school concerned has been allowed to disapply the national curriculum owing to a lack of facilities. That, unfortunately, is another legacy of the great playing field sell-off. The requirements of the national health school standard should be strengthened and monitored through Ofsted. We need transport and planning policies to encourage walking and cycling as everyday means of travel by children and adults.

I have touched only on some of the strategies that are required if we are to reduce the deaths to which I referred. I welcome the initiative announced by the Secretary of State for Health to set up children's trusts to bring together health and social care in local councils. This is an opportunity for joined-up government. It is an issue that we must take seriously, because the lives of future children depend on it. I want to ensure that we grasp this opportunity for joined-up government, and that we prevent obesity and poor nutrition from needlessly ruining and shortening lives.

Question put and agreed to.

Bill ordered to be brought in by Ms Oona King, Sandra Gidley, Siobhain McDonagh, Ms Julia Drown, Andy Burnham, Ms Debra Shipley, Geraint Davies, Dr. Jenny Tonge, Miss Anne Begg, James Purnell and Mr. Tom Clarke.

NATIONAL NUTRITION

Ms Oona King accordingly presented a Bill to provide for the establishment of a national nutrition strategy; to provide development funding for Primary Care Trusts to address the issue of diet and obesity; to establish a minimum requirement for physical activity in schools; to develop a system of food labelling to enable consumers to identify high-fat foods and total calorie content; and to make it a requirement for health warnings to be displayed on all packaged convenience food with a high-fat or sugar content: And the same was read the First time; and ordered to be read a Second time on Thursday 7 November, and to be printed [Bill 195].

Opposition Day

[UNALLOTTED DAY]

Affordable Housing

Mr. Deputy Speaker (Sir Alan Haselhurst): I should announce to the House that Mr. Speaker has selected the amendment in the name of the Prime Minister.

4.48 pm

Mr. Don Foster (Bath): I beg to move,

That this House notes that the current crisis in affordable housing has reached such a level that there is a national need for more than 80,000 new affordable dwellings per annum for the next decade and beyond; regrets the failure of the present Government to take earlier action while welcoming additional funding for that housing announced in the Spending Review 2002 and recent measures to tackle homelessness; and believes that urgent action is needed better to link local and regional planning and housing policies, to bring back into use empty properties, to increase the density of housing developments, to encourage local authorities to implement fully PPG3 and to reform the right to buy to prevent abuses of the system, while resisting the Conservative Opposition's proposals for its extension.

Judging by the amendments to our motion, there appears to be a great deal of agreement about the existence of a crisis in affordable housing, and a recognition that in recent years, inadequate attention has been paid to it. Of course, we could get bogged down in a debate on the definition of "affordable housing", and I am well aware that some make a very strong case for the alternative definition of "social housing". However, I hope that we can avoid definitional arguments and address instead the crisis that undoubtedly exists, and which has been brewing for many years.

Party manifestos of the past 50 years have promised action. It is interesting to note that the 1950 Labour party manifesto stated:

"The demand for new homes is pressing. We must move forward until every family has its own separate home, and until every slum is gone."

In 1[illegible], the Conservative manifesto called for the following:

"Increase council house building for slum clearance. Expand the work of housing associations, so as to provide more good homes, at reasonable prices."

Dr. Julian Lewis (New Forest, East): I thank the hon. Gentleman for his courtesy in giving way. While he is on the subject of manifestos, what has he to say about the Liberal Democrats' 2002 alternative Budget, which proposed the infliction of VAT of up to 7 per cent. on all new building? How would that help to increase the supply of affordable housing?

Mr. Foster: I will answer that in full at some point, but I hope that the hon. Gentleman will not mind waiting until later in my speech. Various Labour and Conservative manifestos have contained many fine

[Mr. Foster]

words on the subject, but despite that the crisis is mounting. The Deputy Prime Minister honestly accepted that when he said:

"We know the problems . . . We . . . recognise in the country and on both sides of this House that we have not done enough over the years. We need more homes where people want to live, near where they work, in the north and in the south, at a price that people can afford and in a way that protects our countryside."—[*Official Report*, 18 July 2002; Vol. 388, c. 442.]

That is a clear admission that enough has not yet been done. Fine words in manifestos and on the Floor of the House have not led to sufficient action to prevent the problem.

Mr. Andrew Love (Edmonton): As the hon. Gentleman is speaking about manifestos, I wonder whether the Liberal Democrat manifesto at the last election included a commitment to provide 80,000-plus new affordable dwellings, as suggested in the motion.

Mr. Foster: The manifesto proposed a range of solutions for the crisis that I am describing. If the hon. Gentleman will bear with me, I shall list several measures that were contained in the manifesto that would—I am sure he will agree—be sufficient to solve the problem. I hope that we will see much agreement across the Chamber tonight.

What do the problems mean in real terms for real people? In Friday's *Evening Standard*, I read about Emily Hill, aged 27, who teaches at Forest Hill school in Lewisham, where the shortage of affordable housing is acute. She earns £21,000 a year and is unable to find an affordable home. Indeed, only six new affordable houses have been completed in Lewisham since January. As a result of Emily Hill's particular problem, she may have to leave London.

The housing problem varies from one part of the country to another. Bath, for example, has increasing difficulty attracting so-called key workers. Applications for teaching jobs are falling dramatically, because potential applicants fear that they will not be able to find somewhere to live. An average home in Bath costs some £160,000, which is nine times the average starting salary for a teacher. Even a one-bedroom flat is likely to be beyond the means of a new teacher. We also have difficulty attracting nurses to our Royal United hospital. For a nurse, the average house price is 10 times his or her likely salary.

With such house prices, rents have also become unaffordable for teachers, nurses and other young people and families. Before anyone suggests that the Government's key worker scheme will help, I should point out that funds for the scheme are such that only 10 teachers in my constituency are likely to benefit. I question the merits of a scheme that is likely to fuel house prices instead of helping the vast majority of key workers. Surely it would be better to use the funds in building more affordable homes.

Mr. Gary Streeter (South-West Devon): I am listening carefully to the hon. Gentleman's speech on what is a serious and important issue. Does he agree that it is of immense concern that the Government do not seem to have realised that the crisis in affordable housing afflicts the west country as well as the south-east and London? Is not it a pity that the challenge fund money is not available to us in the south-west, but only to those in the south-east?

Mr. Foster: The hon. Gentleman is absolutely right. The Government seem to be myopic about the needs of the south-west in many respects. We are losing out in the area that the hon. Gentleman has described and it seems that we will continue to lose out in terms of local government funding and the provision of improved public transport facilities. He gives but one example of the Government's myopia in respect of the south-west.

In the country as a whole, housing is in a significant mess. More than 80,000 statutory homeless households live in temporary accommodation—the highest figure ever—and 100,000 children become homeless every year. More than 500,000 households are overcrowded. More than 3 million people live in poor housing.

It is no wonder, therefore, that Jon Rouse, the chief executive of the Commission for Architecture and the Built Environment, should have told the Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions Select Committee that we have "a housing crisis" on our hands. He is absolutely right.

The hon. Member for Edmonton (Mr. Love) referred to the need for specific figures for affordable housing. He is right. Cambridge university's housing and planning research centre estimates that, to meet current and future needs, between 83,000 and 99,000 new affordable homes will be needed every year for the next decade, and well beyond.

This year, the lowest number of new houses has been completed since 1924. There are far too few affordable homes—more than 80,000 are needed each year, but fewer than 20,000 will be added to the stock this year. Although some 10,000 additional properties have been acquired, converted or rented for affordable housing, even that means that there will be only 30,000 extra homes, compared with the need for well in excess of 80,000.

Bob Spink (Castle Point): The hon. Gentleman is right to bring this matter to the House's attention. It is most important, especially for my constituents. Does he agree that it would be a good idea to extend the right to buy to certain categories of housing association members, provided that all the receipts went towards the building of new social housing? Would not that be a way to secure the extra social housing that is so badly needed?

Mr. Foster: The simple answer to that question is no, it would not. I apologise for giving so many similar replies, but Conservative policy on right to buy is of great interest to the House, and I shall return to it in some detail later.

Mr. James Gray (North Wiltshire): Will the hon. Gentleman give way?

Mr. Foster: Go on then.

Mr. Gray: I am most grateful to the hon. Gentleman, who is my near neighbour. [*Interruption.*] That was close. My mobile telephone nearly rang. I shall put it down.

The hon. Gentleman mentioned the importance of building large numbers of new houses. How would Liberal Democrat Budget proposals to impose value added tax of 5 per cent. on new build affect that? Surely that would mean that there would be fewer houses, not more of them.

Mr. Foster: The hon. Gentleman has a problem with his mobile, and with listening to the debate. Had he come into the Chamber slightly earlier, he might have heard us deal with that point. However, the good news is that I have promised to reply in detail to that point later.

Mr. Geoffrey Clifton-Brown (Cotswold): Will the hon. Gentleman give way?

Mr. Foster: Of course.

Mr. Clifton-Brown: I am grateful to the hon. Gentleman, who has been generous in giving way. When he winds up his speech, will he also explain the Liberal Democrats' proposals on land value taxation, set out by the hon. Member for Torbay (Mr. Sanders)?

Mr. Foster: Yes, I will. I shall cheat slightly and leave it to my hon. Friend the Member for Torbay (Mr. Sanders) to catch your eye, Mr. Speaker, so that he can give a full explanation a little later, but I want the House to be aware that I fully support the proposal.

I have been trying to say for some time that the Government have made some progress, and I pay tribute to them for that. Indeed, the motion notes their recent measures to tackle homelessness and the increased funding made available for housing. I note that the spending review 2002 promises an extra £1.4 billion for housing capital investment by the year 2005–06.

Additional resources are desperately needed. However, they alone will not solve the affordable homes crisis entirely. We have not yet had a definitive statement on how those additional funds are to be spent. It is difficult to know how much will be used to plug the affordable housing gap. We are conscious that some will go towards the important issues of tackling low demand in areas of the north and the midlands, while some will quite rightly be used to bring up to standard existing housing stock. Shelter estimates that what may remain of the total additional funds that will be available is still likely to lead to a shortfall of between 25,000 and 35,000 new affordable homes each year. Therefore, those additional funds will not, by themselves, end the crisis.

We believe that a number of other initiatives are needed. First, we need to tackle the scourge of empty properties. It is a disgrace that with 200,000 homeless households in this country we have, and have had for far too long, some 750,000 empty properties. Every region has more empty properties than homeless households, and that is a national disgrace. Urgent action is needed to start bringing back more of those empty properties into use. To do so would make a significant impact on the crisis in affordable homes.

For example, the southern regions of England have some 325,000 empty properties, more than 90,000 of which have been empty for more than12 months. If all those were brought back into use, they would constitute two years' worth of the required supply of affordable housing in the southern regions. It is, of course, a well-known problem. Indeed, only last week, in answering a question from me, the Deputy Prime Minister said:

"The point about empty homes is obvious".

He also admitted:

"we have not done anything about that."

Sadly, he is right. Nothing has been done about the scandal of empty homes.

Many steps could and should be taken. I said last week:

"Is it not a disgrace that, if someone wants to build a four-bedroomed, double-garage, mock-Georgian house on a greenfield site, they pay no VAT, yet they have to pay full VAT at 17.5 per cent. to renovate empty properties? Should not VAT be equalised for both at 5 per cent?"

In answer to the hon. Member for North Wiltshire (Mr. Gray) about the implications of an increase in VAT for house building, the net effect of the measures that I have just described, by reducing for renovation and increasing for house building, would be zero. There would be no additional cost to the taxpayer and there would be increased opportunity to bring back many empty homes into use. Therefore, I was delighted when the Deputy Prime Minister, in an uncharacteristic display of generosity to the Liberal Democrats, said:

"That sounds like quite a good policy."—[*Official Report*, 16 October 2002; Vol. 390, c. 300.]

He went on to indicate that it might even come to fruition if only he could persuade the Chancellor. I hope that he does. However, other steps could also be taken.

Dr. Brian Iddon (Bolton, South-East): Will the hon. Gentleman give way?

Mr. Foster: I should like to make a little progress.

Local authorities could be given increased powers compulsorily to purchase houses that have remained empty for an unacceptable period. They should also be given powers to charge council tax on such homes. Their powers could be extended still further so that they have the same borrowing rights as housing associations. We should also introduce site value rating, a point on which my hon. Friend the Member for Torbay will elaborate, if he should happen to catch your eye, Mr. Deputy Speaker.

Second homes are another problem, often remaining empty for far too long. Ending council tax relief on such properties, as we have long proposed, would encourage owners to make better use of them, perhaps renting them out when they would normally lie empty. The Government have promised to adopt this policy, but so far we have not heard when. It was expected to be included in the draft local government Bill, but it was not. I hope that we will hear from the Minister today precisely when the Government intend to introduce that Liberal Democrat policy. I hope that we may also hear her say that she is willing to go still further on second homes. In some sensitive parts of the country, the requirement for local authority planning consent for a change of use for a second home would be very welcome.

We can make better use of empty properties and we could also make better use of land, and I do not mean any further encroachment into the green belt.

Chris Grayling (Epsom and Ewell): Will the hon. Gentleman set out his views on the Government's plans

[Chris Grayling]

for substantial investment in affordable housing, which I believe were the centrepiece of the Deputy Prime Minister's proposals to the House earlier in the summer? Those would include substantial developments around Stansted airport and Milton Keynes, for example. Does he support that policy?

Mr. Foster: The hon. Gentleman has heard me say on a number of occasions that the central determination of housing provision is not a sensible way forward. We have long argued that, within a regional framework and regional guidance, local authorities should make such determinations. Therefore, it would be inappropriate for me to pass judgment on the rights and wrongs of a particular housing measure. I hope that I have already indicated, however, that the additional investment from the Government, which is very welcome, will be insufficient to meet all the affordable housing needs and that other measures, such as those that I have proposed and others that I will mention, are vitally necessary.

It should be possible to meet the need for affordable housing without reneging on the 60 per cent. target for building on brownfield sites. Indeed, it should be possible to increase that target to somewhere in the region of 75 per cent. There can be little argument about the fact that land supply is restricting house provision. We continue to waste land throughout the country because of the density of housing developments. The figures for 2000-01 show an average density of housing of around 25 dwellings per hectare. We have not moved forward for a number of reasons—largely, inertia and resistance to change on the part of local authorities and developers and a reluctance on the part of the Government regional offices to intervene to enforce national planning policy guidance. If the sites developed for housing in the past year had been developed at an average density of 40 dwellings per hectare—midway in the unambitious minimum range set out in PPG3—60 per cent. more housing could have been provided on exactly the same amount of land. The waste of land is a serious issue and it affects the entire country, not only the pressurised south-east.

Mr. Clifton-Brown: The hon. Gentleman has come up with an inconsistency. On centralised Government targets, he said that decisions should be taken at a local level, dictated by the local regional assembly via its regional spatial strategy; on the other hand, he wants central Government to intervene on density through the regional assemblies. He cannot have it both ways. Either central Government are going to intervene through the regional assemblies, or they are not. Which is it?

Mr. Foster: The hon. Gentleman should have read the wording of the motion and listened to what I said. I spoke of the need to encourage local authorities to accept guidance. I did not suggest that the policies should be imposed.

Mr. Streeter: Send them flowers.

Mr. Foster: Sending flowers might help some local authorities, but probably not those that are Liberal-Democrat controlled.

I would pursue the argument about the importance of the revisions to PPG3 with the hon. Member for Cotswold (Mr. Clifton-Brown). I am well aware that his party and mine accepted that the Government's revisions to that policy were very welcome. We have argued that, where possible, local authorities should adopt those recommendations. The sad truth is that the Government are not doing enough to encourage local councils to adopt them. For example, we know from research that about 37 per cent. of councils have not bothered to update their figures for available brownfield sites. We also know that, sadly, many local authorities have not done enough, or what is recommended in PPG3, to link their planning policies more carefully with their housing policies. Much more work needs to be done to encourage local authorities—not to force them—to accept the recommendations.

Mr. Adrian Flook (Taunton): Will the hon. Gentleman give way?

Mr. Foster: No, I want to make some progress.

There would be widespread agreement that more work needs to be done. I also suspect that there would be agreement as to the need for the privately rented sector to play a greater role in meeting the need for affordable housing. I note that the Conservatives' amendment refers to that point, although they might not agree with some of the measures that we think should be introduced to assist in increasing that role—for example, the use of tax credits to encourage landlords to provide accommodation at sub-market rents.

However, the hon. Member for Cotswold and I might agree that we can see no way at all in which the latest announcements about revisions to housing benefit can help. As my hon. Friend the Member for Northavon (Mr. Webb) has pointed out, the Government seem to believe that there is a world in which those on housing benefit are happy tenants, surveying a wide range of quality affordable accommodation with the opportunity to sit down with landlords to discuss the rent over a mug of coffee. That is certainly not the world in which I and many of my constituents live.

Much help could also be given to enable the private sector to work with others. There are many useful self-help and part self-build schemes throughout the country that need more encouragement. I draw the Minister's attention to the excellent habitat for humanity team, which is doing good work in Southwark with the private sector, the local authority and would-be tenants to develop and build affordable housing in the area.

There will not be agreement, however, about the right to buy. I return to the question put by the hon. Member for Castle Point (Bob Spink). More than 1.5 million houses have been sold under the right-to-buy scheme since it was introduced in 1980, but the receipts have been wholly insufficient to replace the stock of affordable homes that were lost. In the current year, although 52,000 properties were sold, fewer than 20,000 new affordable homes were built. The Government are right to consider changes, not least to end some of the unacceptable exploitation that currently exists.

Dr. Julian Lewis *rose—*

Mr. Gray *rose—*

Mr. Foster: I promise that I will give way in a moment.

The hon. Member for Cotswold referred to one practice as a scam. He said:

"When a local authority has decided that a compulsory purchase order should be implemented, it is totally wrong for developers to be able to come along and make an instant profit."—[*Official Report, Westminster Hall*, 16 May 2002; Vol. 385, c. 355WH.]

I entirely agree with him. He is right.

Sadly, however, that is not the only scam. In this month's edition of *London Housing* magazine, Julian Blake describes another—a legal exploitation of the rules—which he claims involves about 20 companies in London alone. Those companies cash in on the discount of up to £38,000 offered to tenants exercising their right to buy and sidestep the laws on resale. A company offers cash incentives to tenants to buy under the right to buy, subject to the tenants signing an agreement immediately to vacate the property so that the company can rent it out. The tenants formally sell the house to the company only after the three-year period during which they would normally have to repay the discount. As a result of that scam, valuable homes are being snapped up for private gain at sub-market prices, with the permanent loss of valuable, affordable housing stock. That scam should end. It cannot go on. Rather than row back on the right-to-buy scheme, however, the Conservatives want to extend it.

Mr. Gray: There is no doubt that the type of scam described by the hon. Gentleman must be stamped out. However, does he agree that if he does away with the 60 or 70 per cent. discount under the right-to-buy scheme and replaces it with the 25 per cent. scheme proposed by the Liberal Democrats, it would make homes much less affordable? Secondly, does he recall the Liberal Democrat document entitled "A Home of Your Own", which stated that

"we recognise the benefits that owning a home can bring. We would extend the right to buy rules that apply to housing associations to all . . . housing providers"?

When did the Liberal Democrats change their view?

Mr. Foster: We changed our view in the run up to the last general election and we changed it for the reasons that I have given—that increasingly we began to be concerned that in some sensitive areas of the country there were growing problems associated with the shortage of affordable housing. We changed it because we recognised that, under the rules introduced by the Conservative party, there was no possibility that the money released from the right-to-buy scheme would be sufficient to provide a one-for-one matching with a new affordable home. We also recognised that, in any further moves in that direction, such as those which the Conservatives are now proposing, there was no possibility whatever of a matching one-for-one proposal. I therefore believe—

Mr. Paul Tyler (North Cornwall): Will my hon. Friend give way?

Mr. Foster: I hope that the hon. Member for North Wiltshire (Mr. Gray) will acknowledge—

Bob Spink: Will the hon. Gentleman give way?

Mr. Foster: No. I shall just finish answering the question.

I hope that the hon. Member for North Wiltshire will acknowledge that anyone who is sensible, having reviewed how a policy has worked and its implications and effects, would be prepared to change their mind. [HON. MEMBERS: "Wrong."] Sadly, that is what the Conservative party is not prepared to do. It is very interesting—*[Interruption.]* I hope that the hon. Member for North Wiltshire will listen, because both the leader of the Conservative party and the right hon. Member for Haltemprice and Howden (David Davis), at their recent party conference, announced their so-called "new" right-to-buy policy. The right hon. Gentleman said:

"We will give more than a million Housing Association tenants the same rights as council tenants to their own homes".

"New", for the Tories, is a very flexible word. Most of us would certainly not consider "new" a policy first announced in 1979, as it was in the Conservative manifesto at that time.

Bob Spink: Will the hon. Gentleman give way?

Mr. Foster: No. I will not.

But 1 million is also, for the Tories, a rather flexible number. They claim that 1 million people will benefit from their policy and yet—I hope that the hon. Member for North Wiltshire will correct me if I have got this wrong, but the figures are very clear—already 300,000 housing association tenants have the right to buy under the 1980 legislation, and 200,000 have the slightly different right to acquire under the 1996 legislation. So for the Tories, for new read old and for 1 million read 500,000.

Mr. Tyler: Is my hon. Friend aware that under the Conservative rules, a further scam has taken place in areas of considerable housing shortage, whereby some properties have ended up, under the right to buy, as second homes? Is he also aware that that has exacerbated the situation in areas such as the south-west—Cornwall and Devon? Is he further aware that if the Conservative party's proposals were pursued, it would be central Government dictation to local authorities to do something that they know is completely mad in local circumstances?

Mr. Foster: I entirely agree with my hon. Friend. That is why, first, we have made the proposal—shortly, we hope, to be accepted by the Government—in relation to council tax subsidy, and secondly why we will continue to urge the Government to introduce the planning requirements at a local authority level for a change of use to a second home.

Mr. Clifton-Brown: Will the hon. Gentleman give way?

Mr. Foster: No, I want to conclude. There is no doubt whatever—

Jeremy Corbyn (Islington, North): Will the hon. Gentleman give way?

Mr. Foster: No, I have said that I want to finish now.

[Mr. Foster]

There is no doubt whatever that the Conservative party proposals to extend the right to buy are totally uncosted. It is clear that they will never, under their proposals, be able to help to solve the affordable housing crisis. We have a very significant crisis in affordable homes, and it is not just the homeless, the overcrowded, the poorly housed or the poorly paid who are losing out. We all lose out, because if key workers cannot find housing, the crucial public services on which we all depend will collapse.

Everyone deserves a decent home; it is a scandal that not everyone has one. Despite many fine words—*[Interruption.]*—although not from the hon. Member for Epsom and Ewell (Chris Grayling), not enough has been done. Now we must act.

5.19 pm

The Minister for Social Exclusion and Deputy Minister for Women (Mrs. Barbara Roche): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

"welcomes the additional funding for housing announced in the Spending Review 2002 and recent measures to tackle homelessness; and supports the action being taken better to link local and regional planning and housing policies, to bring back into use empty properties, to increase the density of housing developments, to encourage local authorities to implement fully PPG3 and to reform the right to buy to prevent abuses of the system while resisting the Conservative Opposition's proposals for its extension."

Let me start on a note of consensus by saying that it is absolutely right that we are debating this important subject today. It is agreed in all parts of the House that this is one of the most vital issues confronting us, and it is good that the hon. Member for Bath (Mr. Foster) has raised it.

On 18 July, my right hon. Friend the Deputy Prime Minister made a statement in which he set out his aim of achieving a step change in the provision of

"decent, affordable homes for people wherever they live".—[*Official Report*, 18 July 2002; Vol. 181, c. 438.]

Our priority is to create sustainable communities and to provide decent homes for all. As the House knows very well, the problems differ in different parts of the country, and it will be very interesting to hear hon. Members' views, which will vary according to the parts of the country that they represent.

Mr. Desmond Swayne (New Forest, West): Does the Minister agree that one of the problems facing the New Forest is that Whitehall-imposed rules prevent the district council from using its housing budget to build new homes? Instead, it has to renovate its existing housing stock. It cannot deploy its budget to secure more affordable homes. That might be appropriate for northern metropolitan councils that have long neglected their stock, but it is quite inappropriate for a beacon council in the south-east.

Mrs. Roche: It is interesting to hear the hon. Gentleman say that—he would not have taken that line during the Conservative years. Let me make some progress, and I shall deal with some of those issues.

As we know, the solutions to the problem must involve policies, such as those for planning, transport, education, health and regeneration, but this is not just a question of bricks and mortar; we are talking about sustainable communities, yet there is no reference to them in the Liberal Democrat motion. The hon. Member for Bath congratulated us on some things, but he claimed that we had failed to take early action on affordable housing. If he examines our record, he will see that the truth is otherwise. For example, we have already made excellent progress towards delivering our commitment to ensure that every home in the social housing sector achieves decency standards by 2010, and I shall deal with that in a little more detail.

Bob Spink: The hon. Lady will recall the joy in the country when the Government announced earlier this year that they would do away with families in bed-and-breakfast accommodation within 18 months. *[Interruption.]* I am genuinely trying to be helpful. Is she aware that about 36 families with children are in bed-and-breakfast accommodation in Castle Point? Will she explain the caveats that the Government have now entered into that policy? Will she urge her ministerial colleagues to ensure that they deliver on that much-needed policy?

Mrs. Roche: The hon. Gentleman makes a serious point. We are all worried about the problem of homeless families with children living in bed-and-breakfast accommodation. That is why we have set the target. I assure him that I will deal with the problem in a little more detail, because it is so important. I certainly share his view of its importance as my constituency is in London, where the problem is particularly acute, but it also exists in other parts of the country.

Ms Oona King (Bethnal Green and Bow): My hon. Friend has just touched on making affordable housing decent, but does she recall that the Under-Secretary of State for International Development, my hon. Friend the Member for Northampton, North (Ms Keeble), who previously had responsibility for this issue, told the House that she would review the regulations governing overcrowding, many of which date back to 1935? Will the Minister assure us that that undertaking will be honoured, that the review will be conducted and that legislation will be introduced to bring the current rules into the 21st century?

Mrs. Roche: I know of my hon. Friend's concerns, and I will look into the issue and write to her about it.

Mr. Clifton-Brown: The problem of bed-and-breakfast accommodation, the scale of which has trebled over the past four years, is a real concern to everyone. There is also the problem of rough sleepers. Either now or when the Minister responds to the debate, will she clarify an answer that she gave to a written question from my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) about how many rough sleepers were living on the streets in London. She replied:

"As far as we are aware, our information which includes street counts and client lists, suggests that there are no under 16s sleeping rough."

That does not sound correct. Will the hon. Lady consider that answer and, if necessary, give us a revised answer?

Mrs. Roche: I remember the answer well. As the hon. Gentleman would expect, Ministers take their replies to questions extremely seriously. I took the answer to which he refers especially seriously. As far as we are aware, the information is accurate for that age group. It is based on the figures, especially street counts. When young people are found to be sleeping rough, the police and social services are alerted straight away. I know from my contact with the rough sleepers unit how seriously its members take these issues.

When I refer to the rough sleepers unit, I am talking about admirable men and women who most nights of the year are on the streets of London speaking to people and trying to get them into proper accommodation. I have the greatest respect and admiration for them. I have seen the work that they do. The written answer sets out the best information that we have. If it alters in any way, I shall let the House know.

Mr. Mike Hancock (Portsmouth, South): Will the Minister give way?

Jeremy Corbyn: Will my hon. Friend give way to someone on the Labour Benches?

Mrs. Roche: How could I resist Islington? First, however, I shall give way to the hon. Member for Portsmouth, South (Mr. Hancock). When I have given way to my hon. Friend, I shall make some progress.

Mr. Hancock: I am grateful to the Minister for showing her normal courtesy.

So that we can follow the debate more closely and understand the Government's latest position on this important issue, will she give us their current definition of affordable housing and tell us who will be able to afford it?

Mrs. Roche: I was going on to deal with that. I am sure that the hon. Gentleman will agree that what is affordable in Bath will be very different from what is affordable in Burnley, for example, or other places. The problem is different in London and the south-east. There are other areas of high demand where other issues arise. In the north, particularly, there are issues of abandonment. As my right hon. Friend the Deputy Prime Minister said, it is extremely important that the House comes together to consider these issues seriously.

Jeremy Corbyn: I am glad that my hon. Friend finds Islington irresistible.

As my hon. Friend knows, I represent an area of enormous housing stress. There is a massive boom in prices and a terrible shortage of affordable accommodation. Is she prepared to have regard to local authorities such as Islington that are deliberately selling vacant street properties, land and existing council buildings to private developers? Islington is doing so partly to subsidise lower council taxes, but also to encourage estate transfer for refurbishment. Does my hon. Friend recognise that such a loss of accommodation removes the dream of a family in a high-rise block with children of living in a house with a garden, which is something that we would all want?

Mrs. Roche: My hon. Friend is a neighbouring constituency Member, so I am aware of his experience in these matters. It is worrying if homes that could be made available are being lost. It is clear that all local authorities in London and elsewhere have a tremendous responsibility.

I was talking about what we have been doing so far, including the action that we have taken on decency standards. By 2005–06, we shall be spending £5.9 billion on housing compared with the planned spend of £1.5 billion in 1997–98. We will—

Lynne Jones (Birmingham, Selly Oak): Will my hon. Friend give way on that point?

Mrs. Roche: Perhaps my hon. Friend will allow me to make a little progress.

We shall be setting out a comprehensive long-term programme of action that will meet the different needs of north and south. It will include a major boost for social housing and link policies on housing, planning, transport, education, health and regeneration. I know that we are enjoying a degree of consensus, but I have to say that such a programme is necessary because the Conservative Government did not do enough to meet the housing needs of the current generation, let alone future generations.

Half a million homes were repossessed between 1990 and 1997. In 1992 alone, more than 1 million households suffered negative equity. Between 1979 and 1997, mortgage rates averaged 11 per cent. Mortgage rates are now less than half the average under the Conservatives. There is still a great deal to do, but it is worth reminding ourselves of the background.

Chris Grayling: The Minister reminds us of the record, but does she accept that, since 1997, compared with what happened under the Conservative Government, a dramatic reduction has occurred in the construction of affordable housing?

Mrs. Roche: I am amazed that the hon. Gentleman can say that, given the amount of money that we have put into housing. We also inherited a £19 billion social housing repair backlog and a cut in investment in new affordable housing. In 1996 more than 2 million homes in the social housing sector were substandard.

I will now take an intervention from my hon. Friend the Member for Birmingham, Selly Oak (Lynne Jones), but then I must try to make progress.

Lynne Jones: My hon. Friend is right to point out that the Labour Government have trebled investment in housing since 1997, but that was from an all-time low. A better comparison might be made with earlier years, in particular with spending under previous Labour Governments. She says that we are well on target to meet our aims on decent homes, but will that target be met at the current rate of progress? That has been called into question by researchers such as Christine Whitehead and Alan Holmans of Cambridge university.

Mrs. Roche: As I said, we are on target in terms of decency standards in the social housing sector. I shall go into detail later.

[Mrs. Roche]

It is because of all the years of neglect that the hon. Member for Bath can claim that 80,000 new affordable dwellings are needed every year, although it is right that we can talk about different numbers—

Mr. Clifton-Brown: Will the Minister give way?

Mrs. Roche: Yes, but for the last time and only because the hon. Gentleman is a Front Bencher.

Mr. Clifton-Brown: I am grateful to the Minister—her generosity is great. She talks about all the years of regret—I mean neglect—but in 1980 we built 108,000 affordable social housing units, whereas last year a miserly 22,000 such units were built. Last year, the Government spent £637 million on affordable social housing, whereas in equivalent terms we spent £2.3 billion in 1992. How can she talk about "all the years of neglect"?

Mrs. Roche: I thought that the hon. Gentleman got it right the first time—when he said "regret". It would be nice to hear a note of regret from the Conservatives. Let me remind them that, between 1992 and 1997, there was a year-on-year decrease in housing investment throughout the country. At the same time, local authorities were prevented from releasing capital receipts to repair council homes, and council rents more than doubled in real terms—*[Interruption.]* It is no good the hon. Gentleman chuntering on. That is the truth, even though he would like to ignore it.

Let me see whether I can return to some form of consensus—the House knows what a deeply caring, sharing and consensual person I am. The real questions facing us are how to get the right housing in the right places, and how to sustain communities that offer an attractive quality of life. Different regions and places have different priorities and need different solutions. That is why we believe that regional planning bodies are best placed to assess the need for open market and social housing in their regions. We need to strike the right balance, providing homes and protecting the countryside, and at the same time ensuring that communities thrive.

The perspective of sustainable communities is extremely important. It is not simply a matter of how much housing, but how that housing contributes to mixed use and diverse communities. We cannot afford to waste land, as we used to do. I was pleased to hear the warm welcome that the hon. Member for Bath gave to the new PPG3.

Siobhain McDonagh (Mitcham and Morden): Will my hon. Friend give way?

Mrs. Roche: May I make a little progress?

The new guidelines have introduced a curb on low-density housing in favour of high densities delivered through good design. We have met the target of 60 per cent. of development being built on brownfield land. I am pleased to see—*[Interruption.]* I am sure that the discussion is terribly interesting, but I assume that hon. Members have come to take part in the debate. I am pleased to see that the new guidelines are starting to deliver, but the hon. Member for Bath was right to say that local authorities—and let us not forget developers—should do all they can to ensure that PPG3 is implemented.

Siobhain McDonagh: I thank my hon. Friend for giving way. Does she agree that there is no point beseeching local authorities to use much of the land that they have, particularly brownfield sites, when they simply intend not to use such land and to keep it empty for years, as my local authority does in Merton? It is not just a question of money in London, especially south London. It is also a question of access to land. Large ex-industrial sites that will never be used for employment again are kept empty for years, by authorities such as mine, because they are unwilling to reconsider their planning policies. What could the Government do to encourage or force them to do so?

Mrs. Roche: I will certainly take my hon. Friend's remarks into consideration. I know how serious the issue is. I was near her part of the world over the weekend, and I know that it is an important issue locally.

People with reasonable expectations of participating in the open housing market simply cannot afford to do so, because house prices are rocketing. We know that young families on modest incomes cannot set up home because they cannot afford to rent. Homeless people are housed in unsatisfactory temporary accommodation. During the debate, I am sure that many hon. Members will raise the topic of the right to buy and its impact on the availability of affordable housing in London and the south-east.

Let me make it clear that we have no plans to end or to extend the right-to-buy scheme. However, we are looking at what can be done to tackle abuses, and the effects of the scheme in housing crisis areas. The previous Government acted to help people who needed affordable homes in rural areas by restricting resales of right-to-buy homes. We will act to help people in urban areas who also need affordable homes, but we believe that proposals to extend the right to buy to all housing association tenants would lead to a greater shortage of affordable homes. We, unlike the Conservatives, want to increase supply, not reduce it.

Andrew George (St. Ives): Will the Minister give way?

Mrs. Roche: No, I must make progress.

Our agenda for more housing that people can afford extends to helping our essential public servants, such as nurses and teachers, who in many parts of the country cannot afford a home on the open market. The starter home initiative aims to help 10,000 key workers, particularly teachers, police, nurses and other essential health workers, to buy their first homes within a reasonable travelling distance from their workplace in areas where the high cost of housing is undermining recruitment and retention. We are considering what further resources will be made available for key workers beyond March 2004, when the current starter home initiative finishes. We seek to extend and expand the provision of affordable housing and seek the closer

involvement of employers. We are also looking to work closely with registered social landlords in the high-pressure areas of London and the south who are capable of quick and efficient delivery of new stock.

That is why we recently announced the establishment of a new challenge fund through the approved development programme. We are top-slicing up to £200 million of the ADP in 2003–04 to deliver more housing where it is most needed more quickly and more efficiently while maintaining good value for money.

Mr. Streeter: Does the Minister accept that there is a crisis in access to affordable housing to buy in the seven counties of the south-west? Does she accept that the problem is not merely a London or south-east phenomenon? If so, why on earth is the challenge fund not also available to innovative schemes in the west country?

Mrs. Roche: The fund is available in some areas where there is high demand, so some assistance has been made available. When all the results have come in, I will ensure that the hon. Gentleman has the available information. The challenge fund is a radical new approach that will encourage housing associations and developers to produce better affordable housing more quickly.

At the beginning of my speech, I dealt with the problem of decency, to which my hon. Friend the Member for Birmingham, Selly Oak referred. It is worth reminding ourselves of the figures. Some 1.6 million social rented homes were not of a decent standard in April 2001. We are on track to reduce that number by 500,000 by 1 April 2004. Of course, we should not forget that the problems with housing conditions also extend to the private sector. More than 4 million owner-occupied homes and more than 1 million homes in the private rental sector do not meet decency standards. That is why, following the spending review, we have a new objective to increase the number of vulnerable households living in private sector homes that have been brought up to decent standards.

The hon. Member for Bath mentioned empty homes. I agree that the issue is of great concern and that we certainly have far too many such homes—currently, some 750,000. Although that represents 3.5 per cent. of the housing stock, the figure is still far too high. That is why we are working with local authorities and other partners, such as the Empty Homes Agency, to develop policies and strategies to bring more of the homes back into beneficial use. Last year, we introduced a tax allowance to encourage the bringing back into rental use of empty residential accommodation situated above commercial premises. We also reduced the rate of VAT applicable to the renovation of long-term empty homes.

Dr. Julian Lewis: Will the Minister give way?

Mrs. Roche: I must make progress.

I recognise that we need to do more. That is why we are giving very careful consideration to the proposal made earlier this year by the Select Committee on Housing, Planning, Local Government and the Regions in its report on empty homes that local authorities be given powers to take over the management of homes that have been empty for a long time and bring them back into housing use.

The hon. Member for Portsmouth, South raised the important issue of homelessness, and it would be remiss of me not to deal with it in a debate of such importance. We certainly believe that improving the supply of affordable housing in the next few years will be critical to tackling homelessness in areas of higher demand. We must do more to provide settled housing solutions for homeless families if we are to avoid the long-term damage that life in unsatisfactory temporary accommodation can cause to parents and their children. Hon. Members in all parts of the House will have knowledge about that subject from our experience as local Members of Parliament.

We must acknowledge that creating more accommodation in isolation will not tackle homelessness. To deal with homelessness more effectively, we must provide more than housing. We must also tackle the reasons for people's homelessness, such as debt, drug misuse, unemployment and domestic violence. That is central to the Government's approach to homelessness.

Our approach is underpinned by the Homelessness Act 2002, and I was grateful for the welcome that it received. It requires all local authorities to set out the way in which they intend to tackle homelessness in their districts and to outline the resources that they expect to be available to deliver their policies. The deep-rooted problems of homelessness cannot be tackled overnight, but we are making an early start by dealing with one of its worst manifestations: families with children who are forced to live in bed and breakfast hotels. We are committed to working with local authorities. The hon. Member for—is it High Point?

Bob Spink: Castle Point.

Mrs. Roche: I must get my Essex constituencies right. The hon. Gentleman raised that matter. We are committed to working with local authorities to end the scandal by March 2004.

We have strengthened the protection for vulnerable, homeless people through the Homelessness Act and the priority need order. Many charities and non-governmental organisations that work with homeless people have welcomed those measures.

It is right to discuss other challenges. So far, we have considered those in the stronger housing markets, but we must not forget the weakest. In parts of some towns and cities in the north and the midlands, the bottom has fallen out of the housing market. In those places, we need to promote demand for housing as part of our wider regeneration measures.

On 10 April, we announced that nine areas had been invited to work with the Government to establish pathfinder projects to tackle low demand where the problem was worst. The projects' aim is lasting solutions to turn around the worst-affected areas. Let me make it clear that tackling low demand and abandonment in parts of the north and the midlands does not simply mean knocking down homes. Although some properties need to be demolished because they are of a type that people simply do not want any more or in areas from

[Mrs. Roche]

which people have moved away, that is not the end of the story. Other physical works will be completed, such as repairing decaying homes and improving the nearby environment. That will be done as part of a unified agenda to improve the area through better job prospects, schools and health care.

As the Minister responsible for regeneration, I stress that one cannot deal with poor housing in isolation. The key to lasting change in the poorest neighbourhoods is, for example, reducing crime, improving access to good health care, attacking joblessness and improving educational achievements as well as dealing with poor housing. All those aspects must go together.

The Government have a big agenda. If I may say so, that also applies to the House. We recognise the scale of the challenge. We have a long-term strategy, which acknowledges that the neglect of the past can be overcome only by investing in the future. We are working to fulfil housing need where demand is highest and to promote demand where housing markets are weakest.

Our solutions will be tailored to fulfil the differing needs of our regions. However, overall, we must have a clear objective: more homes where people want to live, near where they want to work and at a price that they can afford. Housing is at the top of our agenda and we want a step change in our policies for building successful, thriving communities. In short, our aim is providing decent, affordable homes for people wherever they live.

5.49 pm

Mr. Geoffrey Clifton-Brown (Cotswold): I am pleased to catch your eye, Mr. Deputy Speaker, in such an important debate. I am grateful to Liberal Democrat Members for enabling the House to discuss the subject. The lack of affordable housing constitutes a major crisis that affects all parts of the country. The situation is urgent and serious, and is blighting the lives of millions of people.

While we welcome the Government's decision finally to do something to help to resolve the crisis, it is the Conservatives' contention that the Government are doing too little to solve the problem and that some of their proposals may well turn out to be counter-productive. *[Interruption.]* The hon. Member for Hampstead and Highgate (Glenda Jackson) may laugh, but I have some figures. She talks about the neglect of the Conservative years, but I have the figures. She knows perfectly well that 108,000 affordable housing units were built in 1980, compared with a miserly 22,000 last year. That causes many of her constituents misery because they cannot get a house.

Glenda Jackson (Hampstead and Highgate): Were not the large number of houses that the Conservative party now tries to claim as its own actually part of the previous Labour Government's long-term plan for the development of affordable housing? We simply have to look at what happened in London during the 18 years of Conservative misrule. When the Conservatives came to office in 1979, there were, on average, 17,000 properties being built by local authorities in London. When we came into office in 1997, there was precisely one such property built in the whole of London.

Mr. Clifton-Brown: The hon. Lady may live in the past of 30 years ago, but I prefer to live in the present, and to consider what the present Government intend to do. Those waiting for houses will be listening to this debate carefully to see what the Government intend to do to improve their situation.

The lack of affordable housing hits the most vulnerable members of our society, and the number of priority homeless today stands at 102,650—up a staggering 11 per cent. in the last four years under the Labour Government. Crisis—it used to be called Crisis at Christmas—estimates that the number of hidden homeless could be as high as 400,000. The hon. Lady may not like that figure, but she had better listen to it carefully. If that is the correct figure, it is a scandal. It is the highest number of homeless people that this country has ever seen, and it is a disgrace that we should be in such a situation under a Labour Government.

Mr. Adrian Sanders (Torbay): The hon. Gentleman referred to the organisation that used to be known as Crisis at Christmas. Did it not change its name during the Conservative years from Crisis at Christmas to Crisis all the year round?

Mr. Clifton-Brown: I honestly do not think that that point is worth replying to.

Nearly 81,000 statutory homeless households live in temporary accommodation. We also have the scandal of the number of people living in bed-and-breakfast accommodation having trebled over the last four years. Even worse, the number of homeless children has increased by 11 per cent. in that time. If anyone does not have sympathy with children who are homeless, they ought to think again.

The problem involves not only those who have lost their homes; the housing situation can also be very difficult for those who have a home. According to Shelter, 518,000 households are officially overcrowded, and more than 300,000 families with children live in overcrowded conditions. More than 3 million households live in poor housing. The Government must take serious steps to address the situation.

As well as having a devastating effect on people's lives, the lack of affordable housing can also have a crippling effect on the local economy. If the labour force cannot find suitable affordable housing, it is likely to have to commute long distances. The Housing Foundation suggests that, in West Sussex, for example, there are more than 100 job vacancies at county hall. The foundation states:

"The eventual consequences of such a situation are not pleasant to consider."

The hon. Member for Hampstead and Highgate mentioned the situation in London. There, people in their late 20s on average earnings need a mortgage of eight and a half times their income to buy a home. That is why it is becoming very difficult for young people to buy a home in London, where the average house price is now estimated to be £205,000. London is undoubtedly suffering from a major shortage of new housing.

The number of households in the capital increased by more than 6 per cent. over the past four years to 184,000. For the first time, the number of new houses has dipped below the number of households being formed, and the number of houses being built in London in the last year for which figures are available was just 58,000.

Chris Grayling: Will my hon. Friend give way?

Mr. Clifton-Brown: I want to deal with rural housing, and then I will give way to my hon. Friend.

It would be folly to suggest that the lack of affordable housing is an issue only in urban areas. If anything, the crisis is greater in rural areas. According to the Countryside Alliance, rural property prices are 15 per cent. above the national average. That means that local people on low wages cannot afford them. This is a real problem for young people who want to remain in our rural villages. Labour Members may well laugh. The hon. Member for Edmonton (Mr. Love) is laughing, but how would he like to be one of those young people who cannot afford to buy a house?

Andrew George: Will the hon. Gentleman give way?

Mr. Clifton-Brown: No, I shall give way to my hon. Friend the Member for Epsom and Ewell (Chris Grayling) first, as I said I would.

Chris Grayling: Is my hon. Friend aware that the Government are presiding over a system that actually makes it more difficult to construct new affordable housing in the south-east? The Housing Corporation formulae no longer recognise the possibility that land values could be at the level that they are. My local housing association in Epsom, Rosebery, therefore cannot purchase land on which to build affordable housing because the Housing Corporation will not let it pay the market value for the land. The formulae do not allow it. Is not that an example of the Government presiding over a system that works against, rather than with, some of the most vulnerable people in our society?

Mr. Clifton-Brown: I entirely agree with my hon. Friend. I shall come to our proposals for the right to buy in a moment, and we shall need to look at the ratios in those proposals.

Dr. Iddon: I am pleased that the hon. Gentleman has mentioned the right to buy in connection with rural villages. Will he state whether the Conservative party would give access to all housing association properties in rural villages through the right to buy, just as it did with council housing? If so, I do not have much sympathy with his comments about the lack of affordable housing in rural constituencies.

Mr. Clifton-Brown: I am grateful for that intervention, because it allows me to put on record that we are consulting on that matter, and I am certain that we will wish to retain the current exemption that exists for the right to acquire, namely that rural settlements of under 3,000 people are likely to be exempt. We will consult on the number, but there will certainly be an exemption or a right to re-acquire in very small rural areas. I want to put that clearly on record.

Andrew George: The hon. Gentleman raises the issue of affordable housing in rural areas. Does he regret the previous Conservative Administration's policy of providing a 50 per cent. council tax rebate to second homes in rural areas? That policy added to the inflationary impact of the purchase of second homes in such areas. This year, £200 million of taxpayers' money will be spent subsidising the second homes of the wealthy in areas where many thousands of rural folk cannot even afford their first home. Does he regret that, and would he support legislation to remove that council tax discount and make the money available to provide affordable housing in rural areas?

Mr. Clifton-Brown: I am grateful to the hon. Gentleman for that lengthy intervention. I was one of the first Members to ask for local authorities to be given the discretion to charge full council tax for second and part-time homes. I fully support that policy today; it is in line with Conservative party policy to give local authorities in general more discretion to make decisions at local level.

Ms Oona King: Will the hon. Gentleman give way?

Mr. Clifton-Brown: I will give way to the hon. Lady because she is sensible.

Ms King: I understand why the Conservative party has supported and introduced restrictions on the right to buy in rural areas. Please will he tell us why that is not applicable, so far as his party is concerned, to urban areas, where there is a desperate shortage of affordable housing as a result of the right to buy?

Mr. Clifton-Brown: The hon. Lady tempts me. I will come to the right to buy later, and I will explain why we wish to pursue the policy that we have adopted.

The crisis of homelessness in rural areas continues to escalate. Since 1997, the number has risen by 13 per cent. and increased at three times the rate of homelessness in urban areas. More than 17,000 rural households are unintentionally homeless and in priority need.

Peter Bradley (The Wrekin): Will the hon. Gentleman give way?

Mr. Clifton-Brown: No, I want to make some progress, otherwise I will not allow my hon. Friends to contribute. If the hon. Gentleman wants to speak, he can try to catch your eye, Mr. Deputy Speaker.

There is a drastic shortage of new houses. We are building the lowest number of houses since records began: 160,000 is the lowest number since 1927, excluding the war years. That has given rise to the current housing problems and high market values.

What would the Conservatives do to address the problem of homelessness and build more affordable housing? First, we would ensure there was enough pump-priming to return brownfield land to use for building. That is critical, because it would stop

[Mr. Clifton-Brown]

increasing amounts of our green belt from being swallowed up by concrete. For there is no doubt about it: if the proposals of the Government and the Deputy Prime Minister to build an extra 100,000 houses in the green belt are enacted, more and more of our green belt and green fields will be swallowed up, and once rural land is under concrete it is very difficult to get it back.

The Government have done two things that have adversely affected the cleaning up of brownfield land. They abolished the derelict land reclamation grant, and they made a muddle of European gap funding. We think some pump-priming is essential to return brownfield land to a state in which developers will want to develop it. The director of the Environmental Industries Commission, Mervin Hyman, recently argued:

"Cleaning up contaminated land is a key part of releasing brownfield sites for regeneration and relieving pressure on greenbelt and rural sites ... Yet this vital work is being undermined by bad regulation."

Peter Bradley: Will the hon. Gentleman give way?

Mr. Clifton-Brown: No, I want to make some progress.

As the hon. Member for Bath (Mr. Foster) suggested, we shall give careful consideration to the 753,000 houses that are empty. The Minister mentioned a tax allowance to return empty homes above shops to use. Perhaps she will tell us how effective it has been, and how many empty flats have been returned to use. It seems to us that, given the ratio of eight empty houses to one homeless person, there should be some scope to encourage, in particular, institutional landowners with a blanket policy of not letting flats above shops to consider doing so.

In fact, we want to encourage more private sector investment in affordable homes, full stop. That may require us to examine the current tax arrangements, and to seek changes in housing law. At present, very little private sector investment goes into the residential sector in general, let alone the affordable sector.

Mr. Hancock: I do not want the hon. Gentleman to stray too far from his point about pump-priming. He did not explain how the Conservatives would prime the pump. It is important for us to understand how they would overcome the present difficulties in returning brownfield sites to use.

Mr. Clifton-Brown: The Conservative party has been the most successful at urban regeneration. Members need only recall our schemes in the centre of Leeds, Glasgow and docklands. They need only recall how we managed to accumulate enough land to make developers want to redevelop it, and how we created the infrastructure to enable them to do so.

Mr. Love: Will the hon. Gentleman give way?

Mr. Clifton-Brown: I want to make progress.

Let us examine the way in which the Liberal Democrats want to reform the housing sectors. It is interesting to look at some of their proposals, such as the equalisation of tax on greenfield sites and renovation of houses. Do they really propose an additional 5 per cent. of value-added tax on houses in the green fields and green belts? In fact, they propose a 5 per cent. and a 7 per cent. rate. Even the lower rate, if imposed on a house with the average price of £153,000, would have a considerable effect. Are the Liberal Democrats really telling their constituents that they will add between £7,500 and £10,000 to the price of each new house? Have they costed their proposal, and established whether it will be tax-neutral? Have they taken into account the VAT sixth directive, which will not allow a zero rate on the renovation of houses and provides for a minimum of 5 per cent.?

Mr. Don Foster: Will the hon. Gentleman give way?

Mr. Clifton-Brown: Having attacked the hon. Gentleman, I will allow him to explain what he is going to do.

Mr. Foster: The answer to the hon. Gentleman's question is yes: we are well aware of the directive, and I hope he heard me when I said that we proposed an equalisation of the VAT.

The hon. Gentleman can attack the details of our policy as much as he likes, but I wish we could hear some detail from him. He has said that he will pump-prime the return of derelict land to use, but has not told us how he will do it. He has said that he will return empty houses to use, but has not told us how he will do that either. Let us at least hear some decent policy proposals, so that we can attack them if we do not agree with them. We cannot do that if we do not know what they are.

Mr. Clifton-Brown: I shall deal with our right-to-buy proposals in due course. I am sure that the hon. Gentleman will be interested to hear about them.

Let me now turn to the hon. Member for Torbay (Mr. Sanders). Not only would he impose VAT on all new houses, thus adding between £7,500 and £10,000 to the price—his constituents will be very interested in that proposal—but on 24 July he said:

"I am talking about not a development land tax, but land value taxation. It was attempted in the 1920s but sadly, it was blocked for one simple reason: we did not then have a comprehensive land register".

The hon. Gentleman continued, even more extraordinarily,

"Such a tax would raise significant sums and could replace the uniform business rate altogether."—[*Official Report, Westminster Hall*, 24 July 2002; Vol. 389, c. 277WH.]

The hon. Gentleman proposes to tax developers at a rate of about £50 billion. How does he expect any new houses to be built? He wants to put the price up, and tax the developers by a huge amount. He knows perfectly well that the uniform business rate affects all businesses, not just developers. Imposing such a huge tax just on developers is likely to wipe out the development business altogether.

Mr. Foster: Will the hon. Gentleman give way?

Mr. Clifton-Brown: Once more, for the last time.

Mr. Foster: The hon. Gentleman has answered the question in his own words. As he himself pointed out,

we propose that site value rating, or land value taxation, replace the uniform business rate. That would have huge benefits. It would solve a problem that he has still not said how he would solve, and return to use, for example, properties above shops.

Mr. Clifton-Brown: I shall now move on to the Liberal Democrats' policy on the right to buy. Here we have an interesting conundrum. In a speech to a housing conference on 5 March 1996, the Liberal Democrats promised that they approved of the right to buy. In "A Home of Your Own", a policy paper produced in September 1996, they said:

"we would extend the right to buy rules that apply to housing associations to all social housing providers".

They then seem to have had amnesia, changing their minds entirely. A press release issued on 8 October 2002, quoting the hon. Member for Torbay, stated:

"Liberal Democrats have recently opposed any extension of the Right to Buy".

As usual, the Liberal Democrats performed a 180-degree about-turn.

We think it inequitable that, while council-house tenants have a right to buy, the increasing number of housing association tenants, who have ceased to be secure tenants and become assured tenants, have no such right. We have therefore made a policy announcement that we will extend the right to buy from council to housing association tenants. We estimate, taking into account the 3.5 per cent. who applied during the first year of the right to buy council houses, that as many as 40,000 people might be able, and might wish, to buy their homes.

Those who buy their homes are given a stake in them, and an interest in what is going on. They gain an interest in keeping their homes in good repair, and, above all, an interest in their communities.

Several hon. Members *rose—*

Mr. Clifton-Brown: I have got them all rising like sheep now. I think that the hon. Member for The Wrekin (Peter Bradley) was first.

Peter Bradley: The hon. Gentleman may be able to make a case for its not being equitable for housing association tenants to have no right to buy. It may well be that many would apply, and would enjoy the benefits of home ownership; but how would that contribute to increasing the amount of affordable housing available to people in housing need?

Mr. Clifton-Brown: The hon. Gentleman should have been more patient, as I was just coming to that. However, I welcome his admission that people enjoy buying their own houses as it gives them a stake in their home and their community.

Up to 40,000 people may wish to buy their houses, empowering themselves and their families. We estimate that for every two houses that are sold we will be able to build one more house. That means that we will be able to build 20,000 extra affordable units. As the Government are currently building 22,000 affordable units, we would almost double the number of affordable units being built, so it would be a win-win situation. At a time when the Deputy Prime Minister wants to restrict the right to buy, we want to extend it.

Bob Spink: As my hon. Friend is doing so well, does he agree that if the 40,000 people who chose to buy their houses—thereby releasing 20,000 new houses on to the market for people who want social housing—were not allowed to buy their houses, they would never move on and release their houses; they would block them for ever and 20,000 people who wanted houses would be betrayed by the Liberal and Labour party policies?

Mr. Clifton-Brown: My hon. Friend has made an important and potent point. Last year, only 3.6 per cent. of the affordable housing stock in London became available for re-letting. The average tenancy in affordable houses is getting longer. That is bound to happen. When house prices and rents increase, of course people want to stay longer in subsidised housing. We estimate that the average tenancy in the affordable housing sector is 20 years, so unless we encourage some release from those 1.5 million houses in the registered housing sector, there will never be any movement. My hon. Friend the Member for Castle Point (Bob Spink) is absolutely right. People on the waiting list at the bottom of the housing ladder will welcome a policy that involves building an extra 20,000 affordable units.

Mr. David Drew (Stroud): I thank the hon. Gentleman, who is my near neighbour, for giving way. I wonder how his proposals would affect parish and town councils. As we share a common boundary, he will realise that under the current planning regime, which is long overdue for change, it is difficult to get communities to allocate new land for social and affordable housing. If we also propose extending the right to buy, can the hon. Gentleman honestly, hand on heart, say that such a proposal would be attractive to those parish and town councils? I do not believe that it will be.

Mr. Clifton-Brown: The hon. Gentleman is trying to trap me. I have already said that we propose some rural exemption or rural buy-back policies. We have to do that; he is right about that. He is my near neighbour and represents similar villages. If a village had only half a dozen affordable houses, one had been bought under the right to buy and the average tenancy is 20 years, that would mean that there would be no existing affordable units in a small village. Of course we have to treat those matters sensitively and we shall do so.

Several hon. Members *rose—*

Mr. Clifton-Brown: I will not give way again as I must conclude.

The essence of the debate is simple. We have a crisis on our hands. The number of homeless people is rising at a huge rate. If the figures from Crisis are to be believed, there is a hidden figure of 400,000 homeless people—a record number. It is a scandal that there are so many homeless people. It is a scandal that so many people live in bed-and-breakfast accommodation. It is a scandal that we are not building more houses and it is a scandal that the Government are not building more

[Mr. Clifton-Brown]

affordable housing. The Government are presiding over one of the worst declines in the housing situation and the Liberals are going no better. All they want to do is tax everybody and everything that moves.

The message is simple. The Liberals will tax the people; the Labour party will control the people; the Conservative party will set the people free.

6.14 pm

Margaret Moran (Luton, South): At one point this afternoon, most Labour Members could have left the Chamber, as the debate had descended into a fight as to who the official Opposition on this issue are. I was also rendered almost speechless by the outrageous comments made by the hon. Member for Cotswold (Mr. Clifton-Brown). I cannot believe that he can stand at the Dispatch Box, given the Tory legacy of two decades of asset-stripping of our national housing stock, a £19 billion backlog of disrepair, leaving homes empty and council tenants in appalling housing conditions, and the desperate slashing of the housing association development programme. During their two decades in office, funding for council housing was halved, the number of rough sleepers doubled and there were record numbers of homeless people and repossessions. My constituency of Luton was dubbed the capital of repossessions. Only now are families recovering from having their homes repossessed as a result of two desperate Tory decades.

Week in, week out, in my constituency surgeries I see families who live eight to two bedrooms. They have no prospect of moving elsewhere because homes are being sold. Those sold under the right to buy have not been replaced and capital receipts cannot be used to replace them. I would have thought that Conservative Members would have the decency to apologise to my constituents, to the homeless and prospective homeless, and to families living in overcrowded accommodation up and down the country.

Ms Oona King: Does my hon. Friend agree that it is not just the damage that right to buy has done in the past by allowing affordable homes to be sold off, but the damage that it is doing now? Although the hon. Member for Cotswold (Mr. Clifton-Brown) recognised the need to ensure that right to buy does not continue to damage rural areas, the same must apply to urban areas. For example, in the Ocean estate in Tower Hamlets a £21.5 million project to increase social housing has been swamped by £28.5 million of buy-back costs. It is the economics of the madhouse.

Margaret Moran: I absolutely agree with my hon. Friend. I was about to make precisely the same point.

Mr. Clifton-Brown: I am grateful to the hon. Lady for giving way. Houses that are purchased under the right to buy do not disappear. Under our policy they would enable new houses to be built. We should tell that to the people at the bottom of the housing ladder. They would like more affordable houses to be built and that is exactly what our policy would do in the hon. Lady's constituency.

Margaret Moran: I believe that people who are homeless, living in overcrowded housing or in housing need will judge the Opposition on their record and recognise that their legacy has caused misery to thousands. As I will explain, their proposals make no economic sense. In government, they presided over record levels of spending on homelessness and bed and breakfast. Because of their dogma of doing away with affordable social housing, they preferred to put record numbers of families—including children—into bed-and-breakfast accommodation rather than allow social housing to be built or renovated.

Those of us who have been involved in housing for longer than we care to remember, those of us who started out in the days before "Cathy Come Home", recall what homelessness meant then. This Government restored the rights of homeless people, after the Tories removed the safety net of social housing in the face of wholehearted opposition in the dying days of the Tory Government and turned the clock back to the days of "Cathy Come Home". The Opposition should remember that legacy and some of the images that will stick in my mind for a long time. There were reports of Tory housing Ministers on their way to the opera stepping over homeless people and a Housing Minister who preferred to drink champagne with Tory sponsors rather than talk to people like us in local government who were trying to deal with the issues on the front line.

Those are the realities of the Tory decades. We recognise, and we are reversing, the economic madness that was Tory housing policy—a policy that involved escalating personal cost, costs in bed-and-breakfast accommodation, costs to the council tax payer, and the cost to society in general of doing away with social housing. We are reaping that whirlwind, and Opposition Members would do well to remember that. We recognise that thriving communities and decent housing underpin all our other social policies, such as tackling poor health and child poverty, regenerating our urban and other areas, and making sure that we have a proper, sustainable fabric for our families and communities.

The Liberal Democrats should not get away with things entirely. Their everlasting 1p on income tax is intended to fund health, education, transport and housing, so it is inexplicable how, under that arrangement, they intend to match our threefold increase in spending on affordable housing, our extra investment over the next three years to provide 30,000 affordable houses to rent per annum—including 10,000 homes for key workers—the £5 billion capital receipts released to improve 1.7 million council homes, and the spending on 143,000 private homes in poor condition. I await their answer. Those are just some of the things that this Government have already achieved, and it is worth reminding Opposition Members of them. For my constituents, the fact that mortgage rates are now less than half the level that they reached under the Conservatives is a very important factor. Those rates would not have been sustainable under the fairytale economics of the Liberal Democrats.

What are the Opposition parties' policies? We have heard something of the Liberal Democrats', but all that we have heard from the Conservatives is that they will extend the right to buy. Of course, that is not a new policy—it is a re-tread, a discredited policy. As a former

chief executive of a housing association, I remember that, in the early 1980s—*[Interruption.]* Yes, I do have to remind the Opposition of their history. Back then, we not so gently pointed out to the Conservatives that there were fundamental problems with such a policy, not least of which was the fact that many associations—including my own—had homes that were fully or partly funded through charitable funds. Their policy constitutes a legal nightmare that would require primary legislation. Untangling which homes, or which parts of which homes, could be sold would create an amazing number of administrative problems.

Dr. John Pugh (Southport): As I understand it, under the Labour party policy of voluntary transfer, those people who transfer from local authorities to housing associations do retain the right to buy. Is that not correct?

Margaret Moran: That is correct in terms of transfer associations, but I am talking about housing associations that are not stock transfer associations.

I should point out another small error on the Opposition's part. It is estimated that such a policy would cost more than £1 billion in public subsidy. They have made great play of saying that the funds from such sales would be ploughed back into new social housing, but it is much more likely that they would substitute new investment in social housing and delay building affordable new homes. I see no reason why we should trust the Opposition. They did not plough capital receipts from council house sales back into the building of new, affordable homes, so why we should believe that they would do so now for housing associations is beyond me.

Peter Bradley: Drawing on her experience as a chief executive of a housing association, can my hon. Friend clarify the Opposition's mathematics? If a housing association disposes of a property at up to 70 per cent. discount, and, having relinquished the asset value against which it can borrow, is forced to buy back that same property at full market price, how can it then afford to fund the 50 per cent. of "like for like" to which reference was made?

Margaret Moran: That is a telling point which the hon. Member for Cotswold will doubtless be keen to answer. Again, that is the economics of the madhouse.

Mr. Clifton-Brown: Will the hon. Lady give way?

Margaret Moran: No, other Members are waiting to speak. The hon. Gentleman will doubtless have an opportunity later.

To add to the excellent point made by my hon. Friend the Member for The Wrekin (Peter Bradley), I should point out that the Opposition's proposal could seriously undermine the future provision of social housing, as lenders worried about declining assets and equity value. As a result, the cost to housing associations of borrowing on the private market would increase. I am told that some smaller associations might simply be unable to sustain any future borrowings; indeed, their existing loans could be put at risk, perhaps at the expense of those associations altogether. Indeed, as lenders sought to cover the increased risk, there would be an increase in tenants' rents to cover those costs, and a likely increase in housing benefit bills. Who would pay the price? Not just homeless families, who would lose the prospect of a home, but housing association tenants, whose rents could well spiral, and all council tax payers, who would pay for increased homelessness and increased housing benefit bills in their areas. That is the economics of the madhouse.

Mr. Clifton-Brown: The hon. Lady is raising lots of hares that are not actually going to run under our policy. She might like to know that we are issuing a consultation document on this subject that will be on our central office website. She is extremely welcome to comment on that document, thus helping to make Conservative party policy work in this area.

Margaret Moran: I notice that the hon. Gentleman has no answers to the specific questions that my hon. Friends and I have raised. He simply does not understand the way in which registered social landlords and housing associations are funded.

I want to comment on the right to buy and the related issues that we need to address. As we have all pointed out, the need for affordable social housing is great and is increasing, which means that we need to sustain the increased investment resulting from the spending review over a longer period. I ask the Minister to look at the record of the former Secretary of State, my right hon. Friend the Member for Tyneside, North (Mr. Byers), who brought forward more than £100 million of housing corporation-approved development programme funding from 2003–04, so that new houses can be built now, rather than backloading the programme. In view of the current crisis, such action will have a greater impact now, and I ask that the Minister consider that option in his winding-up speech.

I want to comment on a few of the shorter-term issues that need to be addressed. We need to roll out choice-based lettings swiftly. The pilots seem to be working, and in areas of housing crisis such as my own, we have to make some difficult choices. We need to give tenants some opportunities, so that they can make the distinction between the length of time spent on a waiting list, and the chance to move to other areas, difficult though that is. In the short term, families in areas such as mine who need five-bedroom housing, but who are living in two-bedroom accommodation, are unable to be moved at all because of the way the rules work. It would be far better to prevent those families from breaking up—thereby preventing the attendant social consequences—by being a bit more flexible and allowing them to move to properties that are not necessarily ideal. Those families need to understand the options available to them. That is grown up and difficult, but those are the sort of decisions that we face.

There are simple, small measures that we could adopt. When we, as owner-occupiers, do not want to move, we build extensions to our houses. Why are local authorities not incentivised to do the same? The

[Margaret Moran]

opportunity exists to do so. We certainly need to address the issue of empty private sector properties. For every homeless family in Luton, there are seven empty private sector properties. We also need to consider the balance in VAT charges on renovation and new build.

Mr. John Hayes (South Holland and The Deepings): On a point of order, Mr. Deputy Speaker. The hon. Lady has been on her feet now for 16 minutes. This is an Opposition day—albeit a Liberal Democrat one, so I regard it with a certain distaste—so is it not a little unfair of her to hog the Floor? I know that she is just getting to the main thrust of her speech, but would not it be better if she restricted her remarks so that more people can speak?

Mr. Deputy Speaker (Sir Michael Lord): I am sure that the hon. Gentleman will appreciate that that is not a point of order for the Chair. Points of order simply take more time out of the debate.

Margaret Moran: I was concluding my remarks. We need to consider the right to buy as a serious issue in areas of housing need. We need to consider more positive alternatives to enable tenants across the spectrum of housing tenures to obtain some form of portable equity that they can transfer, instead of housing stock being lost. That applies to local authority and RSL property, and we might consider including other tenures. It is certainly a proposal that colleagues in the Labour Housing Group—which includes many of my hon. Friends—have worked on for many years.

We also need to consider how we can amend the right to buy, which need not be through primary legislation, to tackle some of the issues that my hon. Friend the Member for Bethnal Green and Bow (Ms King) mentioned and which are connected with regeneration schemes and the way in which some companies are using the right-to-buy legislation. Perhaps we could fund buy-backs of right-to-buy dwellings demolished in regeneration schemes.

We also need to target recycling of housing capital receipts in high-demand areas. A number of options that would not require primary legislation could make a significant difference, especially in areas of housing need. I hope that the Minister will have the opportunity to commend some of those measures to the House when he winds up.

Mr. Deputy Speaker: Order. There is not much time left in this debate and many hon. Members are seeking to catch my eye. Unless all contributions are considerably briefer, many of them will be disappointed.

6.32

Mr. Mike Hancock (Portsmouth, South): I wish to offer the hon. Member for Cotswold (Mr. Clifton-Brown) the opportunity to answer the question about the one-for-two policy that he did not have time to give the House.

Mr. Clifton-Brown: It depends entirely on the discount that is given. The hon. Gentleman, too, is welcome to comment on our consultation paper. We look forward to receiving his comments so that the Liberal Democrats can help Conservative policy in this area.

Mr. Hancock: It is obvious that the Tories will need all the help that they can get to explain their policy. They will manifestly not be able to introduce a policy that people will take seriously.

I intervened in the Minister's speech on the definition of affordable housing and what that means today. My hon. Friend the Member for Bath (Mr. Foster) said that he did not want to spend too much time on that point, but in Portsmouth we have a continual debate about the terminology of affordable housing. There is a distortion between the words and the delivery, and in most instances we have little chance of providing truly affordable housing.

A recent speculative planning application was made for 450 homes, of which 100 would be designated as key worker housing of a type to be defined by the developer. The other 350 houses would be very high priced, and as many as 50 per cent. would probably be bought by people from outside the greater Portsmouth area as second homes, because they would be located on one of the most desirable developable sites outside London. Those 350 houses would do little for the 4,000-plus people on our waiting list, the thousands of people living in multiple-occupation properties or the more than 4,000 people on the transfer list. However, that did not stop one council officer claiming that those 450 houses would represent one year's building for Portsmouth under the quota system. It would be unrealistic to assume that any of the houses would satisfy one single instance of true housing need in the city.

The development of housing is subject to a series of contradictions.

Mr. Flook: If the Liberal Democrats are so concerned about affordable housing, can the hon. Gentleman explain why Liberal Democrat-controlled Taunton Deane has reduced from 40 per cent. to 30 per cent. the element of affordable housing required of developers of new schemes in Taunton? Housing need in Taunton is as great as it no doubt is in Portsmouth.

Mr. Hancock: The hon. Gentleman is better placed than I am to ask the Liberal Democrats in Taunton that question. I suggest that he set up a meeting as soon as possible to confront them on that very issue. I am sure that the House would be interested to hear their response. Whatever that response might be, I am sure that it is one that they could justify to the people they represent as the majority on that council.

Much has been said about the benefits of housing associations. As someone who was brought up in a council house in Portsmouth and who will be for ever grateful for the opportunity to live in a decent house after moving out of a bomb-damaged property just after the war, I will never listen to an argument that suggests that councils should not build and manage houses. Of course, some councils have got it wrong and it has been necessary to improve the way in which housing has been managed by local authorities, but it was a big mistake to suggest that housing associations were the only option.

There is now a wide divergence between what is provided by local authorities and by housing associations. The Conservatives stopped funding for the Housing Corporation and suggested that housing associations should borrow their money in the future, but that has pushed up their rents. For example, the average weekly rent last year on a three-bedroom house on an estate managed by Portsmouth city council was £62. The nearest comparison for a housing association property was £78, and that figure is a year older than the council figure. In most cases, people need to be unemployed and on maximum benefit to rent such properties from housing associations.

Mr. Drew: I hope that we will not consider only local authorities and housing associations. Co-operative housing, co-housing and community land trusts all have a role to play, but they have not featured significantly in the debate. All those options should be central to the solution, not pushed to the margins.

Mr. Hancock: I agree entirely, and I am delighted that the hon. Gentleman took the opportunity to put that on the record. I hope that the Minister will confirm that the Government are considering all the available options. The transfer of equity, which was mentioned by the hon. Member for Luton, South (Margaret Moran), also needs to be considered. If we are ever to tackle the problem properly, we must be fearless and willing to change things that have so far been set in stone. For example, if the Tories are really so keen on the right to buy, would they consider—if they ever, God forbid, got back into power—the right to buy for tenants of private accommodation? I think not. That is a challenge for the hon. Member for Cotswold. Will they grasp that opportunity? Perhaps it will be in the manifesto. Perhaps the hon. Member for Luton, South and I will offer that suggestion when we respond to the Tories' consultation paper. It is a policy that would be very attractive to people who have paid over the odds for private accommodation for many years and would love—*[Interruption.]*

Mr. Deputy Speaker: Order. I remind the House that the Chair takes a dim view of mobile phones in the Chamber.

Mr. Hancock: For the record, let me clarify that the mobile telephone in question was not mine. However, to save his embarrassment, I shall refrain from mentioning the hon. Gentleman involved.

Mr. Clifton-Brown: Will the hon. Gentleman give way?

Mr. Hancock: The hon. Gentleman was extremely courteous during his speech, and I would normally give way to him gladly, but I am conscious that other hon. Members want to contribute and that there are barely 20 minutes before the wind-up speeches begin.

I hope that the Minister will accept that the debate will be welcomed by hon. Members of all parties. Labour Members have contributed significantly, but much more remains to be done. The Government must clearly acknowledge that they do not have all the solutions. They need to look at some of the other options that have been set out.

Brownfield sites will not be brought back into use simply because someone says, without explaining how, that the process will be pump primed. Developers will not look keenly at affordable housing without a real incentive to do so. Local authorities will not be able to do more about empty houses unless the Government give them the power to do so.

We can talk endlessly about the obscenity that empty houses represent. I live in a city where the Tories' last-but-one privatisation gave a lot of Ministry of Defence properties to a company called Annington Homes. It is obscene that that company should be deliberately keeping blocks of former Ministry of Defence housing in desirable areas close to the sea front empty, with the aim of selling them off. The company does not want to rent the properties to Ministry personnel but, just a few hundred yards up the road, the Ministry of Defence is building new housing. What is that if not unjoined-up government? Is not it an obscenity for all those people desperately in need of homes?

This debate was urgently needed. My regret is that the Government did not allow a full day's debate in their own time on the issue, on a substantive motion.

6.42 pm

Peter Bradley (The Wrekin): I should like to commend Liberal Democrat Members on having given up at least half of their Opposition day to this debate. Precious few have attended, however: if the party attached so much interest to the matter, I would have expected more of them to be here.

There are certain rights and freedoms that distinguish a civilised society. They include the freedoms from fear, hunger and destitution, and the right to a home. I need no lessons from Conservative Members about the human consequences of inadequate housing. I saw them at first hand when I was a councillor in this very city during the 1980s and 1990s. The Conservatives took the right to buy one or two steps further, and I might add that they were unlawful steps. They sold off council flats as if they were going out of fashion—as indeed they were under the previous Conservative Government—and they cynically spurned opportunities to replenish the stock through the planning system.

The result was that the growing number of homeless people in the centre of London had no hope of finding housing. There were no transfers for growing families needing larger accommodation. Children's lives were blighted because they were never able to sit quietly and do their homework, or play, or simply grow up.

There were no transfers for sick and disabled people. I was a councillor for Millbank ward, just a stone's throw from the Palace of Westminster. I knew of people who needed oxygen tanks to allow them to breathe who were trapped on the sixth floor of their block of flats and did not leave their homes for six months. They could not move to empty flats on the ground floor because they were boarded up and for sale.

No one need tell me about the consequences of the Tories' policy or their record on affordable homes. The lives of individuals and families were blighted. Communities were broken up and dispersed. What made it worse was that that is what they set out to do in Westminster, the Tories' flagship authority. I have yet to hear a word of apology, regret or even acknowledgement from Tory Members.

[Peter Bradley]

There is much to welcome in what the Government have done already. Last Saturday I attended an exhibition of the proposals for the East Ketley millennium village in my constituency to mark the opening of a public consultation by English Partnerships. Six months ago, I complained in Westminster Hall about the role of English Partnerships, whose aim seemed to be not to promote affordable housing but to deprive the local authority of the means of achieving it. That has changed, which is a credit to the Government. The role of English Partnerships has been transformed, and the East Ketley millennium village is an exemplary scheme.

The scheme is based on public consultation, which first assesses and then addresses what people say they need. That involves providing schools, facilities for community, leisure and recreation and shops. Of the 800 homes that are to be built, 200 will be affordable homes. That compares with the 92 affordable homes that English Partnerships offered in the two years between 1998 and 2000. That is a credit to the Government.

My constituency is semi-urban and so, by definition, semi-rural. I want to focus this evening on the rural dimension. Opposition Members speak of the decline of the rural as distinct from the urban way of life. Whatever the rural way of life is, its decline has little to do with foxes and much to do with the lack of affordable housing.

Why have shops and post offices in villages closed? Under the Conservative Government, 450 rural schools closed in 15 years. Why are rural pubs closing? The answer is that the people who used to use those facilities do not live in the villages any more. Twenty years of Tory housing policies sucked the lifeblood out of many rural communities.

In the countryside, 86 per cent. of people are homeowners, and just 14 per cent. pay rent. That compares with the respective averages in urban Britain of 77 per cent. and 23 per cent. In the early 1990s, the Rural Development Commission estimated that 25 per cent. of people in the countryside lived on the margins of poverty, and that 40 per cent. of them could not afford to own homes. Where are those people now? Some are living, neglected and isolated, in abject rural poverty, next door to the comfortable Conservatives in their country houses. The rest live in towns—the only places where they can find decent housing.

In the five years to 1990, 91,000 rural homes were sold off under the right to buy and were not replaced. The Opposition Front-Bench spokesman, the hon. Member for Cotswold (Mr. Clifton-Brown), spoke of a crisis of affordable housing in the countryside, but that crisis was created over 20 years by the Tory Government. Tory Members cannot defend their own record, much less feel pride in it.

In 1990, it was estimated that 80,000 affordable homes were needed in the subsequent six years, and 17,700 were built. Homes that communities needed to renew and sustain themselves were sold to commuters, retirees and people looking for second homes. That forced land and house prices up and the younger generation to move to the towns. It brought homelessness to rural communities.

The Opposition's response is to oppose any attempt to develop affordable housing on green fields. The hon. Member for Cotswold said a great deal about providing housing where it was needed, but we have yet to hear whether that includes providing houses in villages where people already live and where they want their younger generation to remain.

The Opposition now want to make that hugely difficult problem infinitely worse with their second initiative, which is the proposal to extend the right to buy to housing associations. I do not know whether the question is unparliamentary, but what sort of idiot could produce that idea? The answer is that it is none other than the shadow Deputy Prime Minister, the right hon. Member for Haltemprice and Howden (David Davis), who is also a challenger for the Opposition leadership.

The right hon. Member for Haltemprice and Howden wrote a letter to *The Times* last week, in which he said:

"Under our plans, proceeds from right to buy sales would be reinvested to acquire or build new property."

The right hon. Gentleman said that he wanted to

"allow housing associations the first right of refusal to purchase former housing association properties that come on to the market."

I repeat my earlier point that, if a housing association sells property at a discount of up to 70 per cent. and then buys it back at market price, how will it be able to afford to build anything other than the garden path up which the Opposition want to lead us?

Mr. Clifton-Brown: I am grateful to the hon. Gentleman for giving way. He is one of the few Labour Members who represent a semi-rural if not a rural constituency. Under almost any measure, the closure of shops, pubs, garages and post offices has accelerated hugely under this Labour Government. If there are not enough affordable houses in the hon. Gentleman's constituency, why does he not ask his council to consider a large-scale voluntary transfer? My council has used such a transfer and managed to build as many affordable units as it has sold. If there are too few affordable units in the hon. Gentleman's area, he should ask his council why it has not done anything about it.

Peter Bradley: I shall not address all the fallacies in that short intervention, except to say that Telford and Wrekin council has transferred its stock to a housing trust, which is not, incidentally, building new properties. Moreover, there are 180 Labour Members in rural and semi-rural seats, which is rather more than the Conservative party can muster in its entirety.

Matthew Green (Ludlow): Will the hon. Gentleman give way?

Peter Bradley: No, I would like to make progress, because other hon. Members wish to speak.

On the loss of social infrastructure, I referred earlier to the 450 village schools that were lost under the Conservative Government. The hon. Member for Cotswold may like to know that we have slowed that rate of loss from 30 a year to three. Even the

hon. Gentleman's mathematics must lead him to accept that we are making real progress in our attempt to sustain rural communities.

Jim Knight (South Dorset): Will my hon. Friend give way?

Peter Bradley: I should like to make further progress. I want to draw attention to the recent Conservative policy initiative—perhaps rather more attention than the Opposition Front Bench would like. The hon. Member for Cotswold may talk about consulting now, but it is a little late. He should have spoken to the Rural Housing Trust, for example, before he published this ill begotten initiative. Its press release of 11 October begins and ends with an indictment of Conservative policy past and present. It says:

"much of the current shortage of affordable housing in villages has its roots in the sale of council houses in the 1980s and 1990s. Special safeguards mean that housing association homes built in villages are exempt from the right to buy. It is imperative that Mr. Davis"—

for it is he—

"should announce immediately that this exemption will continue.

In rural areas, where land use is becoming a fiercely debated topic, the Trust has been successful in persuading land owners to provide agricultural land for small developments of affordable housing on condition that they will be retained for local people in perpetuity. If land owners believe that houses would change hands at high prices and be sold to outsiders, forcing out people from the village, they will be extremely reluctant to support such projects."

The press release continues:

"Similarly, village communities whose support is vital to a housing development proceeding, would have no confidence in the projects if they do not have the reassurance that the houses will be retained in perpetuity to meet local needs."

That is the point that my hon. Friend the Member for Stroud (Mr. Drew) made.

The highly respected chief executive of the Rural Housing Trust, Moira Constable, says in the press release:

"We will not miss a single opportunity to point out the folly of introducing this right in the future. We see at first hand the hardships faced by local people priced out of their communities and the benefits that are reaped when they are given the chance to stay. The statement has already caused alarm among landowners from whom we are in the process of acquiring land."

There is already a blight on the provision of land for affordable housing in the country. Someone should tell landowners in rural England not to panic; there is a very slender chance that a Conservative Government will return, and the eventuality is made even more unlikely by this policy initiative.

I believe that the Government are on the right track, and so do most organisations that represent rural communities.

Matthew Green: The hon. Gentleman believes that the Government are on the right track. The Deputy Prime Minister's consultation paper would force Bridgnorth district council, which the hon. Gentleman and I share in our constituencies, into carrying out large-scale voluntary transfers, which their members have not, until now, supported.

Mr. Streeter: They have already transferred them.

Matthew Green: No, that is the Wrekin. The hon. Gentleman's constituency covers two councils.

Does the hon. Gentleman support the Deputy Prime Minister's move to force Bridgnorth to make large-scale voluntary transfers?

Peter Bradley: The simple answer is that nobody can be forced to undertake a voluntary transfer: it is voluntary and depends ultimately on the vote of the tenants.

Let me put down some pointers for my Front Bench. We want more affordable housing in rural communities and the jobs that go with it, because that is the only way to prevent migration to towns. People who live and work in the same community send their children to the village school, do their shopping in the local store, transact their business in the local post office and relax in the local pub. We want more of the same from the Government. We want more Housing Corporation funding. We desperately need more flexibility in the planning system; we want a creative planning system, not one that simply focuses on development control. We want more of the same encouragement to parish councils to build the visions and consensus that will deliver the change we need in the countryside.

My plea to Ministers is to be bold and to listen to rural organisations and communities, unlike the Conservatives. Such organisations welcome development in the countryside as long as it meets identified need and is of the highest quality. I ask Ministers not to make affordable housing for rural communities dependent solely on planning gain. That will simply introduce yet more executive private housing that nobody wants in a rural community. We do not want crumbs from the table; we want equity for people in rural communities.

I ask the Government to consider how much the need for all kinds of housing could be met by requiring landlords to open up empty properties. I ask them at last to allow local planning authorities to distinguish between housing tenures and to recognise that housing, particularly in rural communities, must be where it is needed and not just on brownfield sites. I support the Government's impetus in recycling brownfield sites and ensuring that as much development takes place on them as possible. However, I do not want young people from village communities migrating to those brownfield sites because the only way to sustain those rural communities is to build in their villages. Finally, above all, funding for affordable housing needs to be increased.

I believe that the Government are doing many of the right things, but we need to accelerate the process in town and country alike if we are to ensure that no one in our society is denied the basic right to a home of their own.

6.56 pm

Mr. Anthony Steen (Totnes): I want first to apologise to my hon. Friends the Members for South-West Devon (Mr. Streeter) and for Witney (Mr. Cameron). They have waited, just as I have, throughout the debate, and because some of the speeches have been inexcusably long, they will not be called. I think the whole House would have liked to hear what they had to say.

Although I am delighted that you have called me, Mr. Deputy Speaker, I find it puzzling that of all the Front-Bench and Back-Bench Members who have spoken, no one has mentioned the very simple problem

[Mr. Anthony Steen]

surrounding affordable housing, which is that we need a lot more houses. That is the basic problem. We need more homes for sale on the social and the open market. My right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) said in the 1990s that we needed 4.25 million new homes by 2011. The Deputy Prime Minister said that that figure was a bit high and rounded it down to 3.8 million. However, in the past five years, 687,500 new homes have come on to the housing market. I do not understand all these complicated formulae. It is a simple problem: we need many more homes. The Liberal Democrats do not say so because they know that the houses would have to be built on greenfield sites, and they do not want to lose votes. If the Liberal Democrats get in it is because they are populist; they do not want to talk about the reality.

If housing provision continues at its present level until 2011, the Government will fall short of their housing target by 50 per cent. The Deputy Prime Minister may say that we need 3.8 million houses, but we will get 1.9 million. That is where the problem lies.

It is pointless building new houses in areas where people do not want to live. In the past, Labour moved industry up to the north-west, to Halewood, and then built massive council housing estates. It did not work. As soon as there is a recession, private enterprise companies first pull out of is the places they have been put by the Government with the help of regional aid.

Jim Knight: Will the hon. Gentleman give way?

Mr. Steen: No, time is too short, and I have a lot to say.

Most of the pressure for new housing is in London and the south-east. That is why we are tearing down council housing estates in the north-west, in Liverpool, and all over the place. We have to build houses in places where people want to live.

Jim Knight: Will the hon. Gentleman give way? It is on this point.

Mr. Steen: I know that it is on that point, but the hon. Gentleman will have to wait.

The demographic profile is a big issue. Britain has the highest divorce rate in Europe, which means that we need two homes for every married couple when they split up. More people are living longer, and although we are delighted about that, they are occupying houses. More young people are moving out of the family home early and need accommodation.

So, we have a demographic and a regional problem. People do not want to live in urban areas; they want to live in the countryside. Therefore, we have a problem with locating land—greenfield sites—where people want to live.

While I welcome the new Conservative policy—who would not—to give tenants in housing association properties the right to buy, it can only be a long-term strategy.

Mr. Love: Will the hon. Gentleman give way?

Mr. Steen: No, I will not.

That policy would simply reduce the amount of social housing available to local authorities and registered social landlords. It will work only if it is combined with a massive house-building programme. The state has now based its ability to provide affordable housing on the viability of private developers. It is amazing that the Liberal Democrats have not mentioned the key to the problem—they have mentioned everything else but that. I hope that the hon. Member for Torbay (Mr. Sanders) will refer to it in his reply.

Section 106 agreements under the Planning and Compensation Act 1991 are the key to affordable housing. I hope that the hon. Gentleman is familiar with those. That section allows planning authorities to grant development permission subject to a set of conditions. Increasingly, section 106 has become the main way for local authorities to force developers to provide affordable homes. I do not know whether hon. Members are familiar with how it works. The local authority planners tell developers that they can develop a site, but that x per cent. of the houses built must be affordable. That is where the problem lies. In London, the suggested figure is 50 per cent. In my constituency of South Hams, the Conservative-controlled council says that it should be 66 per cent.

The problem is that developers will develop only if they can make a profit. They cannot do so if 50 per cent. or 66 per cent. of the houses must be affordable. That is why when the Minister replies he will probably say that the Government's yardstick is 25 per cent.

Mr. Streeter: I am enjoying my hon. Friend's speech. Does he agree that it is not only a question of affordable homes? In many parts of the west country, there is particular demand for affordable homes to buy. We know that 93 per cent. of the population aspire to own their own homes, which is a wonderful thing to do. Does my hon. Friend agree that, while the Government are introducing a number of interesting schemes to meet the required number of affordable homes, their mindset is still stuck on social housing to rent? They need to make a paradigm shift and understand that in many parts of the country the pressure is for affordable homes to buy.

Mr. Steen: I hope that the Minister and the Liberal Democrat Front-Bench spokesman will have heard my hon. Friend's excellent intervention. I am sorry that he did not get the opportunity to speak, as he would have concentrated on that important point.

Jim Knight: Will the hon. Gentleman give way?

Mr. Steen: No, I cannot give way again. I have done so once already.

New Labour wants new mixed communities—the special mix in the community. I am not against mixed communities, but one must have affordable housing—both houses to let and private housing. The problem is with the percentage. Private developers are not building enough houses and that is why I started by giving the figures. The Government targets are falling short by 50 per cent. because the developer has no financial incentive to build houses as the local authorities are asking for too high a percentage to be low-cost, affordable housing and the developer cannot build those houses and make a profit. They also have to put in all the infrastructure.

Section 106 is the key to affordable housing. The building of such housing has slowed down because the developer has no incentive to build. It seems clear that the large affordable housing quotas imposed on developers by the section 106 agreements make many developments uneconomical. Developers still have to pay the market rate for the land, as well as for the materials and labour. They are also duty bound to help to provide the local infrastructure, to resource the new developments and to provide financial assistance for flood prevention, which is a new Government requirement.

Local authorities have forgotten that the provision of housing operates in a market where the usual rules of economics still apply. The result will be twofold. First, developers will not develop—at least, not in the areas where affordable housing quotas are high and housing is badly needed: Secondly, they will simply wait for a policy change, probably at a local level—a reduction in the affordable housing quota. Either way, that will damage our ability to provide any form of housing. It will further deepen the affordability crisis in many areas.

For section 106 agreements to work, there needs to be a thriving market for developers, where capital is available and the baseline margins are enough to satisfy investors. Squeezing margins by demanding high affordable housing quotas will damage the private developer's ability to operate and will cause an ever-growing problem of scarcity, put up the price of housing and lead to demands for higher wages, ultimately creating an inflationary spiral.

Those are the issues, and neither the Liberal Democrat nor the Labour Front-Bench spokesmen have dealt with them. The Conservative Front-Bench spokesman had an insight into the problems—not enough houses being built, section 106 agreements and developers not building. Those are the issues.

7.5 pm

Mr. Adrian Sanders (Torbay): This has been an interesting and sometimes passionate debate, and it is long overdue. My hon. Friend the Member for Bath (Mr. Foster) opened the debate and laid out the case for action. He highlighted the effect of rising house prices on low-income groups. He argued against centralised housing targets and in favour of more powers for local authorities. He committed me to answering the question of the hon. Member for Cotswold (Mr. Clifton-Brown) about land value taxation, which I shall gladly do.

The hon. Member for Totnes (Mr. Steen) is absolutely right. The question is one of supply and the lack of supply of affordable housing. The second problem is that money is relatively cheap to borrow and that cheap money is chasing that lack of supply. It is increasing house prices and raising the entry point to home ownership for lots of moderate and lower income families.

The sale of stock during the 1980s without properly replacing it has exacerbated the existing housing crisis. It is not due to a shortage of land, as some people say, although every hon. Member present will point to a shortage within their constituency. We need a mechanism that will release land—a mechanism that will end speculative windfalls from land that has been kept from the market while the price has risen, that will encourage the most efficient use of space, and that will help to bring empty homes back into use. That mechanism is land value taxation, which is sometimes called site value rating. It is our alternative policy to the uniform business rate. It is not an extra tax but a replacement tax.

The Minister recognised that housing markets vary dramatically across the country. That is important when considering this issue. There is not a single solution that will solve the crisis in every housing market. She mentioned the circumstances that the Government had inherited, but she did not explain why we had to endure three further years of neglect. Only now are additional sums of money are being found for housing.The Minister rightly said that housing should not be seen in isolation. It is certainly our view that it has to be considered alongside all other regeneration, transport, health, social services and planning policies—the whole gambit of Government policy needs to be brought in when considering housing.

The lack of supply is causing immense difficulties for many families. Inadequate or inappropriate housing leads to additional social costs. The lack of social housing is of itself a social cost. There is a link between low educational attainment and poor accommodation. It is more likely that a family in poor, overcrowded accommodation will have a greater demand on social or health services. There is a link between crime and poor housing—so the social cost of not having enough social affordable housing is great.

The hon. Member for Cotswold gave us all the statistics and some of the reasons for the problem. I am surprised that the hon. Member for Totnes was not present for his speech. Perhaps he was watching it on a monitor outside, but I do not remember seeing him here until the very end. [HON. MEMBERS: "He was here!"] He was not here at the beginning of the debate. [HON. MEMBERS: "Withdraw!"] I will withdraw that accusation if the hon. Gentleman was here for the speech of the hon. Member for Cotswold. He was certainly not here for that of my hon. Friend the Member for Bath, which is probably why he made that attack on the Liberal Democrats, in absentia.

The hon. Member for Cotswold rightly set out all the statistics and explained why we need to do something to increase the supply of affordable housing. He then tried to explain Conservative policies. He talked about the pump priming of brownfield land, but he did not explain how he would do that, or what would be cut from public expenditure or which taxes would be raised to support the policy. The hon. Gentleman wants more homes above shops, but, again, he did not say how that is to happen. He wants to encourage more private sector investment—again, answer came there none as to how that would be achieved.

We then heard about the extension of the right to buy. The Liberal Democrat view is simple: we believe in property ownership and we support the aspirations of tenants who want to become owner-occupiers, but we do not support the rundown in social housing stock that

[Mr. Adrian Sanders]

has led to so many of the consequences raised by the Minister, by the hon. Member for Cotswold and by my hon. Friend the Member for Bath.

Mr. David Cameron (Witney): So that we can be clear about Liberal Democrat policy on the right to buy, will the hon. Gentleman explain whether they want to extend it, reduce it or keep it just the same?

Mr. Colin Breed (South-East Cornwall): Yes.

Mr. Sanders: My hon. Friend gives a beautiful precis of my answer.

The hon. Member for Luton, South (Margaret Moran) spoke well and with passion—[HON. MEMBERS: "Answer the question."] The answer is yes, but it depends entirely on the housing market. We do not want to extend the right to buy council housing by increasing discounts. We want to respect the position of people who already have the right to buy, but where there are acute housing shortages we may need to restrict the discount and even to change the qualifying period—but we do not want to take away the right to buy.

Dr. Pugh: Will my hon. Friend give way?

Mr. Sanders: I will in a moment.

The hon. Member for Luton, South spoke well and with passion on behalf of those who have paid, and continue to pay, the price for the social housing stock that has never been replaced. My hon. Friend the Member for Portsmouth, South (Mr. Hancock) argued for a level playing field for councils and other housing providers. That point was at the heart of the message of my hon. Friend the Member for Bath—we need a level playing field.

In response to the hon. Member for Stroud (Mr. Drew), my hon. Friend the Member for Portsmouth, South agreed that we should not rule out any form of housing provision; there is a role for co-ops, for self-build and for community land trusts. The Government must tell us how they plan to encourage alternative forms of housing provision.

The hon. Member for The Wrekin (Peter Bradley) talked about rural communities and the devastation caused in them by the non-replacement of social housing. That lies at the heart of the problem, which was summed up beautifully by the hon. Member for Totnes, namely, that there is a lack of affordable housing both for purchase and for rent. Unless we tackle that problem, house price rises will continue, the number of people in poor and inadequate accommodation will increase and the number of people in wholly inadequate bed-and-breakfast accommodation will also rise. Let us tackle affordable housing.

7.13 pm

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Mr. Tony McNulty): I welcome this debate. I have had to follow many hard acts during my short time as a Member, but the contribution of the hon. Member for Torbay (Mr. Sanders) was not one of them. There were many useful contributions to the debate. The most interesting speech from the official Opposition—not for the first time—was made by the hon. Member for Totnes (Mr. Steen). His comments were well informed and well couched. I am grateful for them and shall read them with great interest. I may get back to him on a few points. The hon. Gentleman's speech was very different from the Cotswold hysteria or hurricane from the Opposition Front Bench, which did not say much at all.

The most substantive comments came from the Government Benches—not unusually. My hon. Friend the Member for The Wrekin (Peter Bradley) made some telling points about rural housing. He effectively highlighted the sham of the official Opposition's crocodile tears and their new-found love and affection for the countryside—not least housing in the countryside. He also made some pointed remarks about the urban version of Conservatism: what they did in Westminster, to their shame and disgrace, under the lamentable Shirley Porter.

My hon. Friend the Member for Bethnal Green and Bow (Ms King) made some interesting comments. I can tell her that we intend to introduce a new housing, health and safety regime when parliamentary time permits. The overcrowding standards to which she referred will indeed be considered in that context.

My hon. Friends the Members for Mitcham and Morden (Siobhain McDonagh) and for Islington, North (Jeremy Corbyn) made some excellent points about land use. In London in particular, but also elsewhere, land is a factor in the provision of affordable housing. Yes, as the hon. Member for Totnes pointed out, section 106 is important, but land is a precious resource—certainly in our urban areas—and to see some local councils fritter sites away or sell them unnecessarily without getting full social use from them is regrettable. Furthermore, as I have discussed with my hon. Friend the Member for Mitcham and Morden, it is not appropriate for councils to land-bank sites and claim that, for the 20th year, this year might be the right year for industrial use even though the previous 19 years were not. That is why, as and when we get the chance to introduce planning legislation, there will be a sharp focus on local development frameworks.

My hon. Friend the Member for Luton, South (Margaret Moran) made some excellent points on homelessness and the right to buy. She tried to tempt me down the resources road and to talk about the divvying up of the resources in the comprehensive spending review. I shall not do that. My right hon. Friend the Deputy Prime Minister will deal with that in due course.

My hon. Friend the Member for Stroud (Mr. Drew) made some useful points, not least about the role of the co-operative and mutual sector in housing.

I shall refer to the speech of the hon. Member for Bath (Mr. Foster) later. Most of the other comments seemed almost to have been made in a vacuum. Apart from the contribution of the hon. Member for Totnes, nothing of substance was offered or suggested from the official Opposition. Nothing was offered or suggested to show that currently we are doing anything wrong or that there is anything wrong with the policies that are unfolding. As my hon. Friend the Member for Luton, South pointed out, there was certainly no apology for the 500,000 homes repossessed between 1990 and 1997.

There was no apology for a regime in which interest rates shot up to 50 per cent. and inflation was more than 22 per cent. at various stages. Imagine if the current difficulties in affordable housing had occurred during the economic disaster of the Conservative Government. As my hon. Friend pointed out, we inherited £19 billion—

Mr. Mark Francois (Rayleigh): Will the hon. Gentleman give way?

Mr. McNulty: I shall because Rayleigh, as opposed to most of these other characters, has been here all the time.

Mr. Francois: I thank the Minister for giving way. On a factual point, will he tell us in which year under the Tory Government inflation stood at 22 per cent?

Mr. McNulty: You are a historian, you work it out—

Mr. Deputy Speaker: Order. The hon. Gentleman must use correct parliamentary language.

Mr. McNulty: The hon. Member for Rayleigh (Mr. Francois) is a Conservative historian and he can work it out, rather than you, Mr. Deputy Speaker—I was not offering that to you at all.

The only sensible thing that the hon. Member for Torbay said was that the hon. Member for Cotswold (Mr. Clifton-Brown) had said nothing. I waited with bated breath. We heard the usual rendition—the little family internecine dispute between the two Opposition parties. We heard the critique of the Liberals and waited with bated breath for the hon. Gentleman to explore Conservative policies, but we got nothing. Solutions were offered. I wrote them all down. We heard about pump priming of brownfield land. As the hon. Member for Torbay said, nothing was offered apart from a reworking and repetition of the words "pump", "priming", "brown", "field" and "land". There was no substance of any description and a complete absence of knowledge of what has happened post the derelict land grant, gap funding and the European regime. The hon. Member for Cotswold should have known about that because he was there when Winchester put up the PPG3 debate last July. That regime has been replaced. Empty homes—I think that he mentioned that problem three times—

Mr. Deputy Speaker: Order. If the hon. Gentleman is going to refer to Members of this House, he should do so correctly.

Mr. McNulty: I thought that I had, Mr. Deputy Speaker; I apologise if I did not.

The hon. Member for Cotswold mentioned empty homes three or four times and offered no suggestions, save for, "Encourage more private sector money." He continued lamely, "It may well mean legislative changes and we might look at that but we might publish something; we might consult a bit later." That was it—the sole substance of the Opposition's—

Mr. Clifton-Brown: Will the hon. Gentleman give way?

Mr. McNulty: Of course.

Mr. Clifton-Brown: Instead of going into his ungracious usual rant, will the hon. Gentleman now tell us what the Government will do to rectify the current situation? We have the largest number of homeless people in this country ever. When will we get back to building 33,000 affordable social housing units a year, as the Conservatives did in their last year in government, instead of the miserable 22,000 that are currently being built?

Mr. McNulty: All that the hon. Gentleman offered was an exposition of some sorts on the right to buy, which showed, rather like—*[Interruption.]* I think that I have another 10 minutes yet; you will have to wait and see. [HON. MEMBERS: "You."]

All that the hon. Gentleman offered us was another extended right to buy. That merely offered us a stark misunderstanding of the regime under which housing associations currently operate. He asked how on earth two could become one. It is possible to sell off two houses and rebuild one under the current criteria. He shows a profound lack of understanding of the current regime and charity law. How on earth will the banks and private financiers say, "That is okay; you are selling off the assets against which the money that we are lending you, and have loaned you, is secured"? They certainly would not say that.

We are told by the shadow Deputy Prime Minister—I almost said shadow Leader of the Opposition—that more than 1 million people would be eligible for the new right-to-buy extension. The numbers simply do not stack up, to the extent that we cannot find 1 million people who would be eligible for such an extension; they simply do not exist. I repeat: housing associations raise private money. The level of their borrowing is based on their assets and rental incomes. If we disposed of their assets—sold their houses—they would no longer have that asset stream. If they were forced to sell at large discounts, it could put their existing loans and future borrowings in jeopardy. I should be very interested indeed to see, if the Opposition stick with this scheme, where in their next shadow Budget—should there ever be one—we shall see the £1 billion housing subsidy that even 20,000 homes will require. The scheme is, in short, stark raving bonkers and purely and utterly a device for the next Conservative party leadership contest. That is a matter of profound regret in the context of what should be an extremely serious public policy debate on housing—a problem about which every hon. Member on both sides of the House agrees something must be done. We are unfolding those proposals now.

Mr. Clifton-Brown *rose—*

Mr. McNulty: If the hon. Gentleman wants to get in very quickly, please do.

Mr. Clifton-Brown: Perhaps we might have some answers to the previous intervention. When shall we get back to the number of affordable social housing units that were built in the last year of the Conservative Government—33,000 instead of the current miserly 22,000? The Minister is misrepresenting our policy. The assets, of course, will still be there, even once those houses are sold, because new houses will be built.

Mr. McNulty: New houses will not be built under the existing financial regime, so the hon. Gentleman or his

[Mr. McNulty]

friends, or the putative next leader of his party, needs to tell us where the public subsidy is coming from and how these new houses will be built under the current Housing Corporation regime. In the context of what he says about social housing, I can tell hon. Members how it will not be built. That number of houses will not be built by extending the right to buy in the way that he suggests. If the Leader of the Opposition is a quiet man, the Conservatives' policies on housing offer only deafening silence. It is shameful that they offer such a gimmick. Our policies are clearly laid out—[*Interruption.*] I am responding to pitiful debate from the Opposition.

We then come to the Liberal Democrat motion, which is very interesting in the sense that it does not say a lot. Actually, if stripped bare, it really says: "We give you half a pat on the back. If we include the word 'regrets', it means that we are opposing you; if we include the words 'urgent action', that means that we are in opposition to the Government." Beyond that, the rest of the motion says, "We support every single thing that the Government do". That is obtuse, to say the least. If the Liberal Democrats want, as they say, to be entirely honest, now that the motion has been somewhat tidied up by the Government they should drop their motion, accept the amendment in full and then get very serious about it.

I question in part the Liberal Democrats' seriousness, not least because I decided to have a little look at exactly what previous expositions they had made in terms of housing policy. They have taken great care and pride, at Budget time, to produce their own little books full of facts and figures. Some little person always stands up and says, "It has all been costed, so these are real policies, which, if we were ever to be the Government, would actually be implemented." I have "Invest to Innovate", the last Liberal Democrat alternative Budget. Where does it mention housing? Where does it mention anything comparable to the comprehensive spending review figures, or the figures that the present Government have spent over the last couple of years? It does not mention anything at all. There is no section on housing. As a number of Opposition Members said, it mentions in passing VAT on development land, and that is it. Naturally, one starts to wonder how serious the Liberal Democrats are.

The speech two weeks ago by the leader of the Liberal Democrats, whose constituency I cannot remember at the moment, was the defining moment that made the leader of the third party the leader of the effective Opposition, as opposed to the actual Opposition. Did it contain nuggets about housing—how serious a problem housing need was and how serious the provision of affordable housing was as a matter of public policy? There was nothing there, not even a passing mention.

I assure the House that we are in the business of real solutions—solutions which, by and large, the Liberal Democrats support, so they should be supporting us tonight. If hon. Members want to know what they are, read the speech that the Deputy Prime Minister made on 18 July: not vacuity, not empty-headed gimmicks, but real action and policies.

We are the Government who attack homelessness. The figures for homelessness have gone up purely and simply because, for the first time in 20 or 30 years, the Government have recognised that what we need to capture is the real amount of homelessness. We have entirely redefined vulnerability. We have redefined the definition to capture as many people as possible—read the priority needs order. Under previous Governments, the statutory framework never took account of women fleeing domestic violence. Under previous priority needs orders, they did not exist in terms of homelessness. Now they do; we recognise them and we recognise that they have a full right to housing when they are fleeing domestic violence. That never existed before under Labour or Conservative Governments.

We are tackling bed and breakfasts in a way not done at all by other people.

Mr. Hancock: Will the hon. Gentleman give way?

Mr. McNulty: I will not, if the hon. Gentleman will forgive me; I have just two minutes.

The Government share the frustration that teachers cannot afford a home of their own, not least in London. The people who teach, treat and police our communities need a home. Public services are vital to every urban area. That is why up to 8,000 more homes for key workers are in the pipeline next year. That is why, however much people knock it, the starter homes initiative and many other things that we are doing are important.

I was astonished that not many Opposition Members mentioned the positive, productive and imaginative role that the private sector is increasingly playing in securing key worker and affordable housing, and without any public subsidy. That is to its credit. The Government also want people to feel the pride that comes from a home renewed. We are well on the way to achieving a decency home target and are considering moving into other areas beyond the social sector for that.

We stand, as a Government, for more homes for more people in need, at a price that they can afford, within communities that thrive. There should be real cross-party consensus on that, because we all represent these communities. It annoys me that the people who suddenly want more affordable housing one day are those who want the Government to slash the house building outputs in regional planning guidance and local plans the next day. It annoys me that those who have put their name to the motion—the Liberal Democrats—are the very people who lead the Nimby charge against development when they are in the countryside one day, but want as much affordable housing as possible when they are in urban areas the next day.

This is a national crisis that needs national responses; it does not need feigned differences between party policies. There is much to unite all three main parties. The Government know that power involves the responsibility to take tough decisions. We have set the agenda very clearly—far more clearly than any Government during the past 20 or 30 years. We are helping the homeless to help themselves. We are providing better housing and shaping stronger communities.

With the help of all those hon. Members who are serious about solving housing difficulties, overcoming the problems of affordable housing and meeting the

needs of key workers, we can achieve a step change for the first time in a generation, so all our cities and urban communities thrive and are sustainable in ways that they have never been before. We have one chance, so I urge all parties to work with us, not against us.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 50, Noes 447.

Division No. 325] **[7.31 pm**

AYES

Allan, Richard
Baker, Norman
Barrett, John
Breed, Colin
Bruce, Malcolm
Burnett, John
Burstow, Paul
Cable, Dr. Vincent
Calton, Mrs Patsy
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Chidgey, David
Cotter, Brian
Davey, Edward *(Kingston)*
Doughty, Sue
Ewing, Annabelle
Foster, Don *(Bath)*
George, Andrew *(St. Ives)*
Gidley, Sandra
Green, Matthew *(Ludlow)*
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Heath, David
Hughes, Simon *(Southwark N)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kirkwood, Archy
Lamb, Norman
Laws, David *(Yeovil)*
Llwyd, Elfyn
Marsden, Paul *(Shrewsbury & Atcham)*
Moore, Michael
Öpik, Lembit
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Angus *(Moray)*
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Taylor, Matthew *(Truro & St. Austell)*
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tyler, Paul
Webb, Steve
Weir, Michael
Williams, Roger *(Brecon & Radnor)*
Wishart, Pete
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Andrew Stunell and
Dr. John Pugh

NOES

Ainger, Nick
Ainsworth, Peter *(E Surrey)*
Allen, Graham
Amess, David
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Atherton, Ms Candy
Atkinson, Peter *(Hexham)*
Austin, John
Bacon, Richard
Baird, Vera
Baldry, Tony
Banks, Tony
Barker, Gregory
Barnes, Harry
Baron, John *(Billericay)*
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Beggs, Roy *(E Antrim)*
Bellingham, Henry
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Bercow, John
Beresford, Sir Paul
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blunkett, rh David
Blunt, Crispin
Borrow, David
Boswell, Tim
Bottomley, rh Virginia *(SW Surrey)*
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brazier, Julian
Brennan, Kevin
Brown, rh Gordon *(Dunfermline E)*
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Browning, Mrs Angela
Bryant, Chris
Buck, Ms Karen
Burgon, Colin
Burnham, Andy
Burns, Simon
Burnside, David
Butterfill, John
Byers, rh Stephen
Cairns, David
Cameron, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Cash, William
Caton, Martin
Cawsey, Ian
Challen, Colin
Chapman, Ben *(Wirral S)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chaytor, David
Chope, Christopher
Clapham, Michael
Clappison, James
Clark, Mrs Helen *(Peterborough)*
Clark, hon. Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Kenneth *(Rushcliffe)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clifton-Brown, Geoffrey
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Collins, Tim
Colman, Tony
Connarty, Michael
Conway, Derek
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corbyn, Jeremy
Cormack, Sir Patrick
Corston, Jean
Cousins, Jim
Cranston, hon. Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curry, rh David
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davis, rh David *(Haltemprice & Howden)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Djanogly, Jonathan
Dobbin, Jim
Donohoe, Brian H.
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Duncan, Alan *(Rutland & Melton)*
Duncan, Peter *(Galloway & U Nithsdale)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Field, Mark *(Cities of London & Westminster)*
Fisher, Mark
Flight, Howard
Flint, Caroline
Flook, Adrian
Flynn, Paul
Follett, Barbara
Forth, rh Eric
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francois, Mark
Gale, Roger
Gapes, Mike
Gardiner, Barry
Garnier, hon. Edward
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Goodman, Paul
Grayling, Chris
Green, Damian *(Ashford)*
Grieve, Dominic
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hammond, Philip
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai
Hayes, John
Heald, Oliver
Healey, John
Heathcoat-Amory, rh David
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hendry, Charles
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Heyes, David
Hill, Keith
Hinchliffe, David
Hoban, Mark
Hodge, Margaret
Hoey, Kate
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Horam, John
Howard, rh Michael
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, rh John
Iddon, Dr. Brian

Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jack, rh Michael
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jackson, Robert *(Wantage)*
Jamieson, David
Jenkin, Bernard
Jenkins, Brian
Johnson, Boris *(Henley)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ruth
Kemp, Fraser
Key, Robert
Khabra, Piara S.
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green & Bow)*
Kirkbride, Miss Julie
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Dr. Julian *(New F E)*
Liddell-Grainger, Ian
Lidington, David
Linton, Martin
Lloyd, Tony
Loughton, Tim
Love, Andrew
Lucas, Ian
Luke, Iain
Lyons, John
McAvoy, Thomas
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIntosh, Miss Anne
McIsaac, Shona
MacKay, rh Andrew
McKechin, Ann
Mackinlay, Andrew
Maclean, rh David
McLoughlin, Patrick
McNamara, Kevin
McNulty, Tony
MacShane, Denis
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Malins, Humfrey
Mallaber, Judy
Mandelson, rh Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa
Meacher, rh Michael
Merron, Gillian
Michael, rh Alun
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morgan, Julie
Morley, Elliot
Moss, Malcolm
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Jim *(Eastwood)*
Murrison, Dr. Andrew
Naysmith, Dr. Doug
Norman, Archie
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Stephen *(Eddisbury)*
O'Hara, Edward
Organ, Diana
Osborne, George *(Tatton)*
Osborne, Sandra *(Ayr)*
Ottaway, Richard
Owen, Albert
Page, Richard
Palmer, Dr. Nick
Paterson, Owen
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Primarolo, rh Dawn
Prisk, Mark
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, rh Nick
Redwood, rh John
Reed, Andy
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, John *(Glasgow Anniesland)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Geoffrey *(Coventry NW)*
Robinson, Mrs Iris *(Strangford)*
Roche, Mrs Barbara
Roe, Mrs Marion
Rooney, Terry
Rosindell, Andrew
Ruane, Chris
Ruffley, David
Russell, Ms Christine *(Chester)*
Ryan, Joan
Salter, Martin
Sarwar, Mohammad
Sawford, Phil
Sayeed, Jonathan
Sedgemore, Brian
Selous, Andrew
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simmonds, Mark
Simpson, Alan *(Nottingham S)*
Simpson, Keith *(M-Norfolk)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev. Martin
Soames, Nicholas
Soley, Clive
Southworth, Helen
Spellar, rh John
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Squire, Rachel
Stanley, rh Sir John
Starkey, Dr. Phyllis
Steen, Anthony
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Streeter, Gary
Stringer, Graham
Sutcliffe, Gerry
Swayne, Desmond
Swire, Hugo
Syms, Robert
Tami, Mark
Tapsell, Sir Peter
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, John *(Solihull)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy *(Rochford & Southend E)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Todd, Mark
Trend, Michael
Trickett, Jon
Truswell, Paul
Turner, Andrew *(Isle of Wight)*
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill
Tyrie, Andrew
Vaz, Keith
Viggers, Peter
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Waterson, Nigel
Watkinson, Angela
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Wiggin, Bill
Williams, rh Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Wilshire, David
Wilson, Brian
Winnick, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Yeo, Tim
Young, rh Sir George

Tellers for the Noes:
Jim Fitzpatrick and Charlotte Atkins

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments), and agreed to.*

MR. DEPUTY SPEAKER forthwith declared the main Question, as amended, to be agreed to.

Resolved,

That this House welcomes the additional funding for housing announced in the Spending Review 2002 and recent measures to tackle homelessness; and supports the action being taken better to link local and regional planning and housing policies, to bring back into use empty properties, to increase the density of housing developments, to encourage local authorities to implement fully PPG3 and to reform the right to buy to prevent abuses of the system while resisting the Conservative Opposition's proposals for its extension.

Nuclear Power

Mr. Deputy Speaker (Sir Michael Lord): I must inform the House that Mr. Speaker has selected the amendment in the name of the Prime Minister.

7.47 pm

Dr. Vincent Cable (Twickenham): I beg to move,

That this House notes with concern the decision of the Government to put at risk over £600 million of public funds in order to prevent the bankruptcy of the privatised nuclear power company British Energy; further notes that several competitor companies in the deregulated market also face financial collapse and that some are petitioning for Government assistance; believes that nuclear power has been shown in a competitive market to be uneconomic as well as to generate long-term environmental costs in respect of waste disposal and decommissioning; further believes that it would be wrong for the Government to continue to bail out British Energy shareholders with a massive unplanned injection of public money or encourage new nuclear power projects; and calls on Her Majesty's Government urgently to bring forward its response to the PIU energy review, with measures to initiate a sustained long-term improvement in energy efficiency and conservation, and to facilitate the more rapid introduction of a variety of new renewable energy technologies as the favoured electricity generating source in the long-term, taking into account the Government's Kyoto targets and the Prime Minister's support for sustainable energy use at Johannesburg.

I shall concentrate on the wide-ranging implications of the Government's intervention in the energy market in the closing days of the summer recess. I shall pose several issues. The first is to register alarm that the Government have now put at risk about £650 million of public money in the form of what appears to be—no doubt we will receive clarification—an unsecured loan to a privatised company that is running serious losses.

The second issue is that slightly over a year after introducing a competitive energy market—NETA—the Government have decided to panic at the first sign that the energy market is doing what it was supposed to achieve: identifying the companies that could no longer compete in an environment of excess capacity.

My third concern is that in intervening to bail out one company but not others—a variety of projects that have failed, some in the renewable energy/combined heat and power sector—the Government have acted in a discriminatory way that may be illegal, although that remains to be tested. They have prejudged fundamentally important issues about long-term energy strategy.

I am partly making debating points, but mainly I am posing questions. It is extremely unfortunate that the Government did not make a statement on the issue. Regardless of how people regard nuclear or other forms of energy, they want to find out what is going on.

Bob Spink (Castle Point): The hon. Gentleman talks about the Government panicking. Far be it from me to defend the Government, but the Minister for Energy and Construction is an excellent Minister, and the Government do not appear to me to be panicking at all—in fact, quite the contrary. They realise that if we are to save the planet, we must reduce the amount of CO_2, and that we must therefore replace nuclear with nuclear. If we are not brave enough to take that decision to control global warming for the sake of the planet, the Liberals will have a heavy burden to bear. Will the hon. Gentleman address that point?

Dr. Cable: I certainly shall. As the hon. Gentleman well knows, there are different ways of reducing carbon emissions, not least by placing far greater emphasis on energy efficiency, energy conservation and new renewables than the Government have placed on them so far.

I recognise that we must pose questions as well as make assertions. I acknowledge that the Government face difficult choices—for example, thousands of people working in one generator or another being at risk of losing their livelihood is clearly a serious matter. I recognise, too, that the Government have inherited some serious problems in energy policy, not least the privatised company British Energy.

It is important to delve into the past to some extent. The circumstances in which British Energy was privatised were scandalous: it was sold at a price that barely covered the construction costs of one of the eight reactors that were sold off. We saw such rip-offs in Russia in the early days of the post-communist era, but it happened here in this country with British Energy. The people who have subsequently run the company have displayed a mixture of stupidity and greed comparable to that seen in some of the other utilities. In 1999, when severe losses were already accumulating, the company decided to pay out £430 million in an extra dividend to its shareholders. Earlier this year, when the company had already recorded very large losses of more than £500 million, the chief executive was awarded a performance bonus. Those who ran British Energy went around the world making acquisitions—for example, in north America—but did not concentrate on the increasing competitive problems within their own industry. That is the company whose shareholders the Government now want to rescue.

There are other factors to be taken into account—for example, many of the reactors are old. The nuclear power industry has a long and complex history: it started in the 1950s, often inspired by genuine and admirable idealism—people wanted to convert the dangers of nuclear warfare into creating a form of cheap energy that would last indefinitely. Policy was taken forward in the 1960s by Harold Wilson, Tony Benn and others who believed that big science and state planning could drive the nuclear energy sector. Mrs. Thatcher was a great fan—perhaps inspired in part by the fact that it was a form of energy that did not pass through the hands of either Arabs or coal miners. Nuclear power had strong patronage from both sides for a long time, but then came an abundance of reports from the Organisation for Economic Co-Operation and Development and others, including the Brundtland report in the mid-1980s, which shows that not only did the nuclear power sector pose serious environmental problems—waste disposal and so on—but it was not economically competitive. It beggars belief that in introducing an energy market the Government did not anticipate the development that has taken place in the past few months.

Mr. Tom Watson (West Bromwich, East): Is the hon. Gentleman suggesting that the Government should

[Mr. Tom Watson]

allow British Energy to enter bankruptcy? If he is, will he suggest how the 15 per cent. reduction in base load could be replaced overnight?

Dr. Cable: The logic of my argument is clearly that British Energy should, if necessary, go into administration—the process that deals with companies that can no longer trade commercially. I shall explain how I think some of the problems surrounding that could be resolved.

Mr. Kevin Hughes (Doncaster, North): No one could ever accuse me of being a supporter of nuclear power—I have never been—but I recognise that the Government have to have their eye on security of energy supply in this country, and that to maintain that properly they must secure diversity of production, which has to include some element of nuclear power production. Does the hon. Gentleman accept that?

Dr. Cable: I certainly accept that security of supply is an important consideration, but I do not think that that is an issue at the moment—there is vast spare capacity in the industry. Nuclear power may or may not be part of the story—we neither advocate nor oppose it as a matter of principle.

Mr. Andrew Lansley (South Cambridgeshire): The hon. Gentleman refers to the uneconomic character of the introduction of nuclear power generation, but whether it was economically viable at the outset is not so much the issue today as whether the continuing operation of that nuclear plant is economically viable in relation to the current market for electricity. Does he agree that that is the case, and what is his view on economic viability in terms of the marginal costs of operating British Energy's plant?

Dr. Cable: The current market position is as follows. As the hon. Gentleman knows, there has been a fall of 40 per cent. in the wholesale price of electricity in the past three years. British industry has benefited considerably from that reduction to the extent to which it has been passed on. As a result of competition, monopoly profits in the privatised energy generators have been stripped out to a large extent. That has left the nuclear power industry, especially British Energy, selling at a price 20 per cent. below the price at which it could make a profit. That is how fundamentally uncompetitive the industry has become.

The question is, in those circumstances and with a lot of excess capacity in the energy industry—estimates vary, but National Grid says that there is 30 per cent. excess capacity, and that figure could well rise if there is a downturn in the economy—why should the Government intervene to assist one company? A series of answers to that question have been given, and I shall work through them.

The first and probably the most important answer cites nuclear safety. Last Thursday, I asked the Leader of the House about this matter. He is clearly a highly intelligent Minister and he is familiar with the arguments, so he did not simply spurt out his answer, which was that the Government had intervened because they were concerned about the safety issues that might arise if British Energy were to cease production. The right hon. Gentleman is right to put the fundamental issue of safety at the top of the list—we share that starting point. However, it is an odd argument, because there is no reason why the closure of a nuclear plant should present a risk to public safety. One of the reactors—Torness—has already been closed, for technical reasons. Perhaps the Minister can give one, but there is no obvious reason why a company that has been received into administration should present a health and safety risk. The Government have a health and safety system that is designed to protect the public in such circumstances.

What I think is happening—if it is, it is an alarming development—is that the company is, in effect, blackmailing the Government. The company is saying to the Government, "You sign the cheques to pay to bail us out; otherwise, we will lock the doors, walk away from our installations and leave you to take the risk of any accidents that occur."

Mr. Parmjit Dhanda (Gloucester): The hon. Gentleman might be aware that in the local elections earlier this year the Liberal Democrats gained Barnwood ward in Gloucester, which happens to be the home of British Energy. Does he have a message for that Liberal Democrat ward and the 1,000 or more employees of British Energy it contains?

Dr. Cable: The message that I would send to those employees is the same message as I would send to thousands of people across the country, in wards where there are plants with power generation through gas, coal and nuclear, all of which are faced with the loss of their livelihoods. The issue is why the Government have intervened to help one type of plant but not others.

The first ground given for intervention was safety. As I suggested, and I use the word reservedly, I think the Government are being blackmailed into supporting the company. That is a dangerous game. The company could well come back to the Government and say, "You have given us £650 million. That is not enough. We need more. We need £1 billion. We need £2 billion, and unless you provide it, public safety is at risk." That is a very dangerous argument, if the Government have embraced it.

The second argument that has been advanced relates to the security of supply, which the hon. Member for Doncaster, North (Mr. Hughes) raised a few moments ago. It is right that the Government should be concerned that the lights are not switched off—that we do not have a California-style situation. If that is what the Government are concerned about, it is a reasonable preoccupation. However, nothing could be further from the present position. We have, as I said, roughly 30 per cent. spare capacity, despite conditions of peak demand in winter, in an industry where British Energy is generating about 17 per cent. We have a great deal of capacity in the industry. The equivalent of eight nuclear power stations have already received planning consent. As the Government's energy review demonstrated, with reasonable policies the Government could save about 30 per cent. of nuclear output through energy

conservation, so the idea that we face a California-style switch-off is ludicrously far removed from the present circumstances.

Mr. George Osborne (Tatton): The hon. Member for Doncaster, North (Mr. Hughes) said that nuclear power may or may not form part of the future energy supply, according to the Liberal Democrats. Is the hon. Member for Twickenham (Dr. Cable) telling us that he has initiated a debate on nuclear power but that his party has not decided whether nuclear power should form part of the future of energy in this country?

Dr. Cable: I shall deal shortly with the so-called issue of keeping the nuclear option open. I have one point to make before I come to that.

The third issue is the Government's concern that if the company goes bust, they will have dumped on them about £5 billion of decommissioning liabilities that at present, technically and legally, are the responsibility of the shareholders. I understand why the Treasury would be concerned about that, but we are grateful to Greenpeace, among others, which has done some delving into the exact accounting position in respect of decommissioning liabilities. Greenpeace made the point, which many people overlooked at the first run, that those massive sums are not discounted to present value. They represent commitments stretching decades into the future. If the Government were concerned about provision for decommissioning, that could be met by an annual payment of £40 million.

Mr. Kevin Hughes *rose—*

Paddy Tipping (Sherwood) *rose—*

Dr. Cable: I will give way, but I was hoping to deal with the question from the hon. Member for Tatton (Mr. Osborne) about where we see nuclear power in the picture.

The fourth argument that is advanced, which comes to the heart of the debate, is that we must at the very least keep the nuclear option open. The problem is that there are different ways of doing that. It is quite possible that, in years to come, nuclear power technology will have advanced to a point at which it has dealt with the environmental problems that concern us and it is cost-competitive. That is why my colleagues and I believe that it would be prudent and right for the Government to invest in research in nuclear power. That would be a profitable, useful role for the Department of Trade and Industry. That is quite a different matter from a large-scale bail-out of one particular company that cannot compete at this stage.

Paddy Tipping: The hon. Gentleman is right to say that there is over-capacity in the industry, but he is wrong when he says that it is 30 per cent. at the peak in winter. The figure is probably 17 per cent. His party relies on renewables to make up any gap, but of course renewables are not effective in the winter. There needs to be a reserve power. Is he saying that his party does not support nuclear today, but will support nuclear in the future? That seemed to be the way that he was arguing.

Dr. Cable: I said that we should invest in nuclear research, and we would do so with an open mind. *[Interruption.]* Let me deal with the hon. Gentleman's question. He made a perfectly good intervention, and I shall take it seriously and deal with it. He disparages renewable energy, but the Minister of State, Foreign Office used a wonderful phrase last week in a speech on energy security. He spoke about the need for a portfolio of renewable energies—a variety, not one or a particular one, but a mixture of biomass, wind, wave and so on. All sorts of artificial obstructions, such as planning consents, are being put in the way of wind development. Biomass has developed, but has shut down in this competitive market. The Government are not proposing to bail that out. They are proposing to bail out nuclear power.

Mr. Watson: The National Grid believes that overcapacity of 20 per cent. is sufficient to ensure security of supply in times of peak demand. Should British Energy go under, the estimate is that the capacity would be only 8 per cent. over average. Will the hon. Gentleman answer my original question about where the additional capacity would be generated from?

Dr. Cable: There is clearly a debate about the right numbers. The figure that the National Grid supplied to the Government was 30 per cent. It may not be right, and the Minister may come up with different numbers. Of that total, about 6 per cent. has been mothballed, although it can be re-opened at any time.

Mr. Crispin Blunt (Reigate): It is important that we try to establish what Liberal party policy is. I am indebted to federal policy consultation paper No. 61, which states:

"Current party policy calls for nuclear power to be phased out as the current stations come to the end of their lives".

The hon. Gentleman has just told the House that he and his hon. Friends have a quite different policy. Perhaps he can help us.

Dr. Cable: The hon. Gentleman is either not concentrating or not terribly bright. Any sensible, open-minded energy policy must research its options. The document stated that we supported the phasing out of nuclear power at the end of its life, and I entirely endorse that. I should be interested to hear what public expenditure commitments the Conservatives are prepared to make. The present crisis in the industry has foreshortened the period over which the phase-out will occur.

Several hon. Members *rose—*

Dr. Cable: Let me press on. I have taken a fair number of interventions. I shall take one more from the Government Benches, but then I shall move on.

Mr. David Drew (Stroud): I thank the hon. Gentleman for giving way. Does he envisage that the phasing out of nuclear energy would include the interconnector? One of the problems for the German Government and the politicians of some parties in the

[Mr. David Drew]

UK seems to be the willingness to use foreign nuclear sources, while getting rid of national nuclear. Is that not hypocritical as an energy policy?

Dr. Cable: I was not proposing to get rid of the interconnector. If French taxpayers are so foolish as to subsidise British consumers, I am not sure that we should look a gift horse in the mouth.

Several hon. Members *rose—*

Dr. Cable: Let me move on to the future.

Several hon. Members *rose—*

Madam Deputy Speaker (Sylvia Heal): Order. The hon. Gentleman is clearly not giving way.

Dr. Cable: I have tried to deal with the arguments that I think are being advanced for the Government intervention. I shall move on to the future and consider the Government's intentions.

The first question that we need to ask is how the Government will get their £650 million back. That is an important question, because we know that the budget is not as comfortable as it was six months or a year ago. How is the money to be retrieved? As far as I understand it, the loan is not secured. It was made to a company that was losing money in the previous financial year at a rate of £500 million a year. The energy market is not improving, so how will the money be generated? Another £1 billion-worth of creditors have secured their loans. Where will the money go? I have a very strong suspicion that it will simply be lost.

The Government have aired in public a series of options for retrieving the situation. The approach will involve one of two things. Either they will scrap the energy market that they have created, do a complete volte face in respect of the whole principle of competition in energy supply and go back to the days of direction and quotas, or the companies will find money through a different route—in other words, a hidden subsidy rather than an overt one.

I believe that two mechanisms are being seriously negotiated in Government. The first is exemption of the nuclear power industry from the climate change levy. At first sight, that seems perfectly sensible. After all, the nuclear power industry does not produce any carbon dioxide, so why should it pay a climate change levy? If the Government had listened to our advice and established a proper carbon tax that was charged upstream on gas, coal and oil, the problem would never have arisen. However, what they call a climate change levy is not such a levy at all; it is an energy tax that is arbitrarily applied to a set of industries. If they now exempt the nuclear power industry while applying the measure to other suppliers despite the fact that nuclear energy generates its own environmental problems, they will create severe problems in ensuring a level playing field in the market that they have created. The possibility of such an approach also raises the question of where the money to pay for the exemption should come from. The Chancellor said clearly that the funds need to be offset against employers' national insurance, so any rebating will have to be found through that mechanism, which will impose a charge on the rest of British industry.

Mr. Michael Weir (Angus): Does the hon. Gentleman not accept that the climate change levy argument is a bit of a red herring? Should British Energy finally go under, the inherent cost of dealing with nuclear waste would offset any savings made by the non-emission of carbon.

Dr. Cable: That is absolutely right and it is one very good reason why any attempt to introduce such exemption from the levy would not be plausible. Of course, the sums involved are also much smaller than the losses that are being incurred, so the problem would not be solved.

The second mechanism—the one that I think the Government are taking seriously—relates to a technically complicated area. We must closely watch what the Government are doing. They are discussing offloading British Energy's obligation to reprocess waste through Sellafield and BNFL. There is a perfectly good environmental reason for questioning that process. I do not know whether any hon. Members representing the Sellafield region are present, but there are all sorts of worries about Sellafield and sea pollution. I can understand the environmental factors that are involved, but using such issues as a financial mechanism will simply shift the losses upfront from British Energy shareholders and on to the taxpayer through a publicly owned entity. It is a subsidy by the back door.

Mr. Geoffrey Robinson (Coventry, North-West): I think that the hon. Gentleman is trying to make the point that the switch from the pool system to the new trading arrangements has imposed a heavy burden on nuclear energy. I am sure that I can carry him in that assessment. However, the point is surely that vertically integrated operators, such as EDF—Electricité de France—have been able to buy downstream retail operations and transfer the burden in that way.

Dr. Cable *rose—*

Mr. Robinson: If the hon. Gentleman will wait one second, I shall finish the point. Of course, BNFL and others have not been able to do the same thing. All that he is doing is trying to transfer a solution from one area to another, but the simple fact is that we need a balanced—

Madam Deputy Speaker: Order. The hon. Gentleman's contribution is rather long for an intervention. Perhaps he could draw his remarks to a close.

Mr. Robinson: We need a balanced arrangement for the pricing of energy throughout the country.

Dr. Cable: The fact is that the people who run British Energy had the option of buying into the downstream. They considered it and walked away. They made a very bad commercial misjudgment and the Government are now expecting taxpayers to pay the bill for the error.

Mr. David Chaytor (Bury, North): Does the hon. Gentleman accept that even if British Energy had

acquired an electricity retail business, that would not have disguised the essential point, which is that the generation of nuclear power is intrinsically uneconomic and will always remain so?

Dr. Cable: The hon. Gentleman makes the point with considerable eloquence and I thank him for doing so.

In conclusion, the Government are risking very large amounts of public money to support a failed enterprise in the nuclear power industry for very questionable long-term reasons. If they have large amounts of public money available for that purpose—I did not think that they had—there are other ways in which it could almost certainly be used more cost-effectively. For example, they could support energy conservation. There are probably Labour Members present who, like me, were members of the Committee that scrutinised the Home Energy Conservation Bill before it was sunk because the Treasury was not willing to give the relatively small support that was required. If the money is available, the Government could provide pump priming support for renewables.

I hope that I have posed a series of questions to Ministers. I think that they are legitimate questions about where their intervention is leading. I hope that the Minister can answer them, but I fear that the Government are creating a subsidy on a scale that will eventually make the millennium dome look like a very small leakage indeed.

8.16 pm

The Minister for Industry and Energy (Mr. Brian Wilson): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

"welcomes the publication earlier this year of the Performance and Innovation Unit's review of the strategic issues surrounding energy policy for Great Britain up to 2050; welcomes the Government's commitment to publish an Energy White Paper in the New Year setting out a long-term framework for energy policy following its recent extensive and innovative public consultation on energy issues; understands that British Energy's problems, and those of certain other players, are about companies rather than a way of generating electricity and welcomes the speed with which the market can respond to protect the interests of consumers; recognizes that the future of nuclear power in the UK is a question that has to be addressed on its own merits, not in the light of a particular set of circumstances surrounding a particular private sector company; further recognizes that it is not the responsibility of Government to bail out electricity suppliers unless it threatens safety or security of electricity supplies; and welcomes the work Government has done to promote sustainable energy use in terms of energy use reductions and to promote the development of renewable energy."

What we heard from the hon. Member for Twickenham (Dr. Cable) was mainly a restatement of anti-nuclear arguments dressed up in a slightly different context. The thrust of his argument is that the Government have acted wrongly in relation to British Energy by giving the loan. After he had said that, I sensed some confusion in his argument. I believe that the Government have acted absolutely properly in relation to British Energy because we are motivated by two overriding imperatives: the absolutely safe operation of nuclear power stations and the maintenance of security of supply. According to those criteria, what the Government have done is both proper and absolutely necessary.

Gregory Barker (Bexhill and Battle): Will the Minister give way?

Mr. Wilson: I shall do so shortly.

I understand that the Liberal Democrats have a big problem on energy policy. They are against lots of things, including nuclear power, and if all those things were withdrawn from our energy mix, the lights would go out and carbon emissions would rise. Therefore, they must also purport to be in favour of things, however hypothetically, to resolve their dilemma. What could be cleaner and cuddlier for them to support than renewables? As we have again heard, they want to outbid the rest of us on renewable targets.

The problem is that the Liberal Democrats did not reach their current mighty heights by being in favour of things. They got there largely by jumping on every opportunistic local bandwagon that happened to be passing. Notoriously, from my point of view, local bandwagons tend to be against renewable energy schemes rather than in favour of them. That is why, in the real world, two thirds of proposed renewable energy developments never happen and why one leading figure in the wind power industry recently said that three issues were obstructing the growth of renewables—planning, planning and planning.

Malcolm Bruce (Gordon): Will the Minister give way?

Mr. Wilson: No; I shall first give the hon. Gentleman something more to feed on.

So what are the Liberal Democrats doing, as opposed to saying? Let us remember that they are saying that we must abandon existing sources of energy, drive nuclear companies into bankruptcy and replace them with renewables targets far more ambitious than the wimpish ones that we are striving to achieve.

Let us go on a little tour of Liberal Democrat Britain, beginning with the Solway Firth, one of the best areas in the country for developing offshore wind. Only a couple of weeks ago, the rainbow coalition of Dumfries and Galloway turned down the Robin Rigg project, with the Liberal Democrat chairman of the environment committee—yes, folks, the environment committee—leading the opposition. A few years ago in Langholm, it took a public inquiry to overcome Liberal Democrat opposition to a five-turbine wind farm.

Let us travel north to Skye, where the leader of the Liberal Democrats is also the local Member of Parliament. One might have thought that that provided an opportunity to show leadership in the movement to triple or quadruple our renewables targets. However, wind farm proposals in Skye have inevitably met with noisy, albeit minority, resistance. The website of the group that opposes wind farms on Skye includes a letter from the leader of the Liberal Democrats. He does not support the opposition, but comes as close as possible to requesting that the application be called in. He writes, "Any proposal will require at the very least the approval of the Highland council and will be closely scrutinised at every stage. I would imagine a proposal of this scale may

[Mr. Wilson]

require the approval of the Scottish Executive. I will certainly be monitoring developments closely." With such leadership, how can the renewables revolution fail?

Malcolm Bruce: Will the Minister explain whether he is in favour of the new electricity trading arrangements that the Government set up? If so, and if that drives electricity down to the extent of making nuclear power stations uneconomic, do the Government believe that they should ignore the market and intervene? If that is the case, what sort of broad energy strategy do they have? Would not it be helpful to tell us when and why they will next intervene in the market?

Mr. Wilson: A detached observer might believe that the hon. Gentleman was trying to change the subject from Liberal Democrats' actions as opposed to their theory.

Let us go to Hereford. At Prime Minister's questions last week, the hon. Member for Hereford (Mr. Keetch) famously called for a public inquiry into a wind farm that has not even been proposed. That is spectacular.

I often take hon. Members north to Lewis in the Western Isles, but tonight I want to take them down south to Lewes in Sussex, home to a one-man Liberal Democrat wind machine, and a Liberal Democrat-controlled council. Again, we look for leadership and, in that instance, we find it, albeit in unexpected form. The Liberal Democrats have banned solar power because it does not look nice. That is extraordinary but true. They have ordered Lady Wedgwood, a public-spirited individual as far as I can tell, to remove her solar panels because they do not suit the ambience of the area. Moreover, they have introduced a blanket ban on other solar panels in that part of Lewes because it is a conservation area. We now face a new Liberal Democrat pressure group: not NIMBYs but NIMCAs—not in my conservation area.

Sir Robert Smith (West Aberdeenshire and Kincardine): Will the Minister give way?

Mr. Wilson: No. If the hon. Member for Lewes (Norman Baker) were here, I would give way to him. I believe that Lady Wedgwood speaks for the nation when she writes, "I am very concerned about saving the environment. It is something everyone should be interested in, especially considering what has happened in Lewes with the flooding. I think the whole thing is ridiculous." So do I.

Mr. Mark Francois (Rayleigh): I have very much enjoyed the Minister's tour de force, but I ask him not to omit Wales. The Liberal Democrats often make great play of renewable energy except in the Welsh Assembly, where they consistently oppose applications for wind farms.

Mr. Wilson: I am grateful to the hon. Gentleman. Doubtless the tour could be extended ad infinitum. I welcome further contributions. However, I am making a serious point. There is no point in standing up in the Chamber and saying that we should get rid of nuclear power, oil, coal and so on without being prepared to will the means for an alternative. Time and again, local pressure groups, often with support from the precise people who declare most loudly that they favour renewables in principle, vote against them and block projects so that two thirds are never realised. Then they have the cheek to come here and say that our targets are not sufficiently ambitious.

Mr. Simon Thomas (Ceredigion): The Minister is making a good cut-out-and-keep speech, which will certainly be in my back pocket the next time the Liberals come round in Ceredigion. He knows that the Liberals opposed the Cefn Croes application, which was for the largest wind farm in both England and Wales. He approved it, though not in the democratic way that I would have liked. Nevertheless, the application was approved with my support and against the opposition of Liberal Democrats in Ceredigion.

Will the Minister move on to deal with the serious point at the heart of the debate? He must explain the justification for the £650 million British Energy subsidy, how the money will be returned to the Government and whether further demands from British Energy—

Madam Deputy Speaker: Order. The hon. Gentleman's intervention is too long.

Mr. Wilson: I am unlikely to forget Cefn Croes because the Bishop of Hereford, no less—I do not know whether he is a Liberal Democrat—

Mr. Robert Key (Salisbury): Yes, he is.

Mr. Wilson: He compared me with the Taliban destroying the statues.

Mr. Roger Williams (Brecon and Radnorshire): The Minister appears to be saying that there should be a fundamental review of the planning system. *[Interruption.]* We should have a system whereby we can identify suitable places for renewable energy— *[Interruption.]*

Madam Deputy Speaker: Order.

Mr. Williams: We should have such a system rather than speculative applications that are based simply on profit and do not pay due attention to the application's environmental aspects.

Mr. Wilson: I agree with the hon. Gentleman. We must work together to find ways in which to overcome Liberal Democrat opportunism.

I dispute the view of the hon. Member for Ceredigion (Mr. Thomas) that I am not making a serious point. It is immensely serious. I am drawing attention to the contrast between words and actions. Liberal Democrats' words on other subjects such as nuclear power are meaningless if they are not matched by actions that give them at least a hypothetical basis of rationality.

Gregory Barker: I want to lead the Minister to the serious point, namely the £650 million bail-out of

British Energy. I presume that the money met the Government's famous best value criteria. At what colossal subsidy will it become uneconomic to bail it out—£800 million, £1 billion, £2 billion? What price will he not pay to keep British Energy afloat?

Mr. Wilson: What we put in place lasts until 29 November. Before then, we must decide how to take matters forward after all the discussions that are taking place with the company. However, to characterise our actions as bailing out British Energy is inaccurate. First, the money is a loan [*Laughter.*] That is an important point. The bond gives us priority over bondholders or shareholders if the company becomes insolvent. However, we are motivated not by bailing out British Energy as a company, but by the safe operation of nuclear power stations and by maintaining security of supply. In spite of the rubbish that we heard earlier, we need nuclear power. Whether we should do so or not is an historic argument, but the idea that any political party in the House could blithely say "Let British Energy go to the wall" is preposterous.

Several hon. Members *rose—*

Mr. Wilson: I give way to my hon. Friend the Member for Linlithgow (Mr. Dalyell).

Mr. Tam Dalyell (Linlithgow): Does my hon. Friend agree with the British Energy brief, which states:

"Closing stations early would bring forward decommissioning costs and transfer £5bn of liabilities to the taxpayer."?

Is British Energy right to say that?

Mr. Wilson: I am sorry. I lost the earlier part of my hon. Friend's intervention in the hubbub.

Mr. Dalyell: The British Energy brief makes the important statement that:

"Closing stations early would bring forward decommissioning costs and transfer £5bn of liabilities to the taxpayer."

I am asking the Minister—I do not know the answer to this question—whether British Energy is right in making that important statement.

Mr. Wilson: I am not going to give my hon. Friend a definitive answer to that. What I will say, however, will put into perspective some of the points that have been made. I have no doubt that it would cost more to close nuclear power stations than it costs to keep them going, and, in keeping them going, we also have that 25 per cent. of the nation's electricity that we need to keep the lights on.

Mr. Chaytor: If we are now moving from the knockabout section of the debate to the serious section, may I ask the Minister about his reference to the 30 per cent. of renewables applications that are turned down? Is it not the case that that figure applies only to onshore wind farm applications, which form only a small part of the whole gamut of renewable energy technologies?

Mr. Wilson: It was not one third, but two thirds of the projects approved under the non-fossil fuel obligation that never came to fruition. By definition, most of them were for onshore wind farms. Now that offshore wind farms are coming forward, we are, of course, beginning to hear objections to them. I quoted the example of the Solway Firth site. The only reason that people were in favour of them before was that no one was suggesting them. As soon as sites were suggested, all sorts of interest groups came out of the woodwork—some of them perfectly legitimate, such as civil aviation, Ministry of Defence interests and other maritime users. It is not true that the conditions exist along most of the coastline for offshore wind farms. Furthermore, it is not true that the applications will automatically have an easy ride.

I believe that wind farms have a huge contribution to make, but they are still at the developmental stage, and their technology is not yet fully commercial. As my hon. Friend the Member for Bury, North (Mr. Chaytor) probably noticed, we have approved two grants of £10 million each over the past two weeks, for the North Hoyle development and for Scroby Sands. I hope that those two examples are the first of many. Okay, most of these are wind projects at present, but that is not because of any preference. It is because, although the other kinds of project have been around for a long time, it is very hard to get them up to a level at which they can be commercially viable.

Mr. Alex Salmond (Banff and Buchan): Is it not the case that one of the biggest objectors to wind farms—even bigger than the Liberal Democrats—is the Ministry of Defence? Might not a partial solution be for the Minister to have a word with some of his MOD ministerial colleagues and ask them to stop objecting?

Mr. Wilson: I have done, but not in that spirit, because I recognise legitimate interests. Often, when the MOD is blamed for making objections, they turn out not to be from the MOD at all, but from aviation interests in general and civil aviation interests in particular. There is a concern about the impact of wind farms on radar, for example. There are, therefore, perfectly reasonable grounds for concern. I am trying to get a much more stated position from the MOD, so that people know when they are likely to run into objections, but the Ministry is actually co-operating with a large number of developers to give them the advice and guidance that they need. It is worth pointing out that, of the first tranche of 18 offshore wind farm sites to be cleared by the Crown Estate, the MOD objected to or raised concerns about only two. It is not, therefore, true to say that the MOD is making blanket objections.

Mr. Lansley *rose—*

Mr. Drew *rose—*

Mr. Wilson: I shall give way to my hon. Friend the Member for Stroud (Mr. Drew).

Mr. Drew: I thank my hon. Friend; he has been generous with his time. I believe that he will get total support from the whole House—particularly from Labour M[illegible]—for the drive towards more renewables, but we must also look beyond renewables to the hydrogen economy. One of the problems involved in trying to shut down the nuclear industry is that, if we

[Mr. Drew]

lose the knowledge and expertise that it contains, where will the hydrogen economy come from, if not from that source? Perhaps my hon. Friend could tell us that.

Mr. Wilson: My hon. Friend makes an excellent point. I keep saying that we have now moved into an era in which the world should not be divided into pro and anti-nuclear fan clubs. We are not fighting the arguments of the 1960s or the 1970s, when the decisions were taken that led to the existence of the nuclear industry. The point is that we have a nuclear industry, and it supplies us with 25 per cent. of our electricity. In Scotland, it supplies us with much more.

The rational, intelligent argument in which we must engage is whether it makes any kind of sense to run down an industry that is the major low-carbon contributor to the energy mix, just when we face an enormous challenge to reduce the carbon content of our energy supply in general. That is the nub of the debate, and it is perfectly possible to talk about it sensibly.

Mr. Patrick Hall (Bedford): Surely we do not need to talk about running down the nuclear industry. We must look at the next 20 years, during which the existing nuclear power stations will reach the end of their safe lives. Has not the performance and innovation unit suggested in a recent report that that period could present an opportunity for renewables and other sustainable means of electricity production to bridge the gap, meeting the need for a secure supply while reducing some of the public costs and liability involved in the decommissioning of nuclear power?

Mr. Wilson: That is roughly what the PIU report said, and I think that there is a strong element of truth in it. In five years, we will know much more about what renewables will actually, rather than potentially, deliver. We will know much more about the potential of offshore wind, biomass, wave power and all the technologies that are being developed. It is a difficult balance, however. If the formula that we should keep the door open to nuclear power is simply repeated as a mantra rather than being backed up by action, at some point it will become a formula for closing the door. As was said by my hon. Friend the Member for Stroud (Mr. Drew), the skills base will be lost, and a long planning run-in is needed for the building of new stations.

Mr. George Osborne: Will the hon. Gentleman give way?

Mr. Wilson: I will give way once more. I am trying to be helpful.

Mr. Osborne: One of those skill bases is in my constituency, where NNC, which built virtually every nuclear power station in Britain, employs 1,000 people. The Minister says that to keep the door open we need to start planning new nuclear power stations. Is that what the Government are saying in this debate?

Mr. Wilson: I think that I have said what I had to say on that. [*Laughter.*] I am not sure of the reason for the hilarity. Perhaps I have missed something.

Mr. Osborne: I merely wanted to know whether keeping the door open to nuclear power meant starting to plan to build new nuclear power stations. Are the Government in favour of that?

Mr. Wilson: I am even more puzzled about what the laughter was about. I have just recognised that what the hon. Gentleman has raised is an issue. Lines must be drawn; a form of words about keeping the door open means nothing. Those are weasel words unless something is done at some point to give them substance. Because of the long run-in, the decision must be made sooner rather than later.

Mr. Lansley: Will the Minister give way?

Mr. Wilson: I want to wind up my speech, because I know that others on both sides of the House want to speak, but I will give way once more.

Mr. Lansley: I do not wish to interrupt the Minister too much, but there seems to be a confusion that I think he could help to clear up. The hon. Member for Twickenham (Dr. Cable) pushed the idea that running the current British Energy nuclear plant was uneconomic. Will the Minister confirm that essentially, as British Energy told the Trade and Industry Committee earlier this year, it aims to get its costs down to 1.6p per kWh? That is below the current price curve under the new electricity trading arrangements. It is clearly economically viable to continue to run the plant; the question in relation to British Energy is how to deal in the longer term with the decommissioning costs.

Mr. Wilson: That is a fair point. The problems of British Energy are complex—[*Laughter.*] This is weird.

The central point about NETA and the price of electricity is that no form of generator can indefinitely produce electricity at a price higher than what the market is paying. In fact, it does not matter what the commodity is; the principle still applies.

In the context of this debate, what I find puzzling is why the Liberal Democrats or anyone else should say that that argument is the death knell for nuclear power. By the same token, it would be the death knell for renewables. We recognise that, and the whole House agrees. The renewables obligation is a mechanism enabling renewables to be freed, for excellent reasons, from precisely that trap.

In conclusion, all the issues have to be brought together in the White Paper. Essentially, there are three imperatives of energy policy. First, we must deliver the security of supply that our people are entitled to expect; secondly, we must meet our post-Kyoto environmental targets and obligations; and thirdly, we must deliver affordable energy to households and to industry. This debate and others clearly demonstrate that reconciling those three objectives may be difficult, but it is a central challenge of policy making in the UK.

In many ways, competitive markets are working. In 1998, we passed legislation to create a competitive and liberalised electricity industry that has improved the

way in which the electricity and gas industries operate and are regulated in the UK and the early creation of a truly competitive single European energy market remains our priority. It is worth noting that in the competitive market some 900,000 accounts a month are being switched. That is a remarkable degree of churn.

Mr. Chris Mole (Ipswich): Does my hon. Friend welcome the acquisition of TXU(UK) and its associated businesses by Eon-Powergen because, subject to further competition considerations, that will provide some reassurance of supply for consumers and, in the short term at least, of employment for 1,900 TXU employees, many of whom live in my constituency?

Mr. Wilson: My hon. Friend will understand my difficulty in simply welcoming the takeover, but I note it with interest and I well understand his point. On my previous point about switching accounts, one of the questions that I raised with Eon-Powergen yesterday was specifically about the "Stay Warm" scheme, which applies to pensioners. I would not like to think that there was any concern about the impact of a takeover of TXU on that scheme. I was given the assurance that certainly the existing contracts will be honoured. That is an important message.

The competitive market is working well in many ways. It is true that competition has brought benefits, but it is also true that reductions in the retail cost of electricity, particularly to domestic consumers, in no way reflect the 40 per cent. drop in the wholesale price of electricity over the past 18 months. I believe that if the liberalised market is to have credibility, it must be clear that consumers are benefiting.

I welcome the debate. There is much to be discussed before the White Paper and I genuinely look forward to contributions from hon. Members from all parties as there is a lot of valuable input to be made.

8.42 pm

Mr. Tim Yeo (South Suffolk): I am delighted that we have this chance to debate nuclear policy and related issues, and I congratulate the Liberal Democrats on choosing it for the second half of their Supply day, although after hearing the Minister's entertaining tour of Liberal Democrat seats and councils where proposals for renewable energy schemes have been turned down, I wonder whether the Liberals may now slightly regret their choice of subject, in view of the fascinating insights into the way in which their policy on energy, particularly renewables, is working out in practice.

I welcome the Minister to the Dispatch Box and I congratulate him on an entertaining speech. It was not as informative as some of us had hoped, but I shall come back to that in a moment. I regret the fact that the Government did not consider that a statement on this subject was necessary last week, given the fact that during the recess £650 million of taxpayer's money was committed to supporting British Energy. It is a matter of widespread concern not only that no such statement was made, but that the Secretary of State chose not to attend tonight's debate on an important and urgent subject. I hope that the Minister will pass on that concern.

Conservative Members take these issues seriously. That is why I have chosen to speak at the first available opportunity that the House has had to debate the subject since I took on the DTI portfolio at the end of July. The fact that the Secretary of State is not here and the delay in deciding what to do about British Energy suggests uncertainty at least, or perhaps some confusion, about the crisis and how to resolve it perhaps about energy policy generally, but certainly about nuclear policy in particular. It may be that it is more than confusion. Perhaps the reason for the delay is a conflict between Ministers. The hon. Member for Cunninghame, North (Mr. Wilson) is known as someone who supports the nuclear industry, but his view does not seem to be universally shared by his ministerial colleagues. It is hard to avoid the conclusion that either the Government do not really know what to do, or that they do know, but are afraid to do it. Whichever of those explanations is true, the outcome is bad for the industry, bad for consumers and bad for taxpayers.

This industry, almost more than any other, needs clarity and stability if it is to have the confidence required to make long-term investment decisions. Those decisions are very long term, and some of them have to be taken quite soon. Indeed, Britain's ability to meet our climate change commitments could be compromised without an early resolution of the conflicts that appear to exist inside the Government. The current crisis—

Mr. Weir: For the sake of the clarity that the hon. Gentleman mentions, can he say whether he would have put £610 million into British Energy?

Mr. Yeo: If the hon. Gentleman is patient, I shall come to exactly that point. The current crisis is played out against the background of an industry that is undergoing fundamental change. After more than a quarter of a century of largely benign conditions in the energy markets in Britain, we face two very big challenges, the first of which is the move from self-sufficiency—we are one of only two G8 countries to enjoy the status of a net exporter—to heavy dependence on imports. Most of that will be gas, and much of it will come from countries that may be subject to some degree of political risk. Secondly, there is the growing international recognition of climate change as an urgent issue. Our obligations to meet our CO_2 emissions reduction targets are already quite challenging, and they may well become much more so if future international negotiations set even more demanding targets. I want Britain to play its full part in responding to the problem of climate change, but I do not want us to get ahead of what other countries are doing. However, I certainly do not want us to lag behind them, either.

The Liberal Democrat motion reflects their underlying hostility to nuclear power, but despite 29 minutes from the hon. Member for Twickenham (Dr. Cable), I am little the wiser about the actual substance of Liberal Democrat policy. He began by attacking the privatisation of British Energy not, the House will have noticed, on ground of principle, but apparently because the price that was charged at the time was too low. The Liberal Democrat position on privatisation appears to be, "It's all right—if investors lose enough money."

The hon. Gentleman ducked a question about whether the Liberal Democrats support nuclear power, but their "Federal Policy Consultation Paper No. 61" is

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quite clear. Should he hold different views, I am glad to tell him that the consultation period ends on 25 October, so he has just enough time to make his own submission—if he can work out what his views actually are. The document states:

"Current party policy calls for nuclear power to be phased out".

He also agreed with an intervention from the hon. Member for Bury, North (Mr. Chaytor), who said that nuclear power is intrinsically uneconomic. Despite not contradicting such views, the hon. Member for Twickenham did say that he wanted to commit more taxpayers' money to research on nuclear power. At the end of his speech, however, it was still not clear whether he would put in the £650 million of loans. *[Interruption.]* He would not—at least that is now clear.

The Liberal Democrat claim to support renewables gave the Minister the opportunity to entertain the House exceptionally well, I thought. As was suggested, I shall keep the relevant extract from *Hansard* with me when I visit the target seats that the Conservative party will regain at the next election. It is worth asking whether the Liberal Democrats have any commitment on the ground to the introduction of renewables. Are there any constituencies in which they would support the siting of wind farms?

Richard Ottaway (Croydon, South): Twickenham.

Mr. Yeo: Indeed. Siting a wind farm in Twickenham is an excellent idea—although not, I hope, on the rugby ground.

Have the Liberal Democrats calculated the cost of turning down every application for an onshore wind farm, on the achievement of the renewables target to which they are committed? How far would the Liberal Democrats regard it as acceptable to raise the price of electricity to consumers in pursuit of their determination to allow Liberal Democrat Members to oppose planning applications up and down the country?

The Minister left several questions unanswered. I was not clear about his present view of the new electricity trading arrangements. Does he feel, for example, that the cuts in the prices paid to generators have been adequately passed on to consumers? Does he believe that the problems at TXU—which were touched on by the hon. Member for Ipswich (Mr. Mole) and which, happily for consumers, appear to have been resolved satisfactorily—will have a domino effect elsewhere in the industry?

Mr. Wilson: I want to be clear about this point. I do not think that the cuts have been adequately passed on to consumers—I thought that I had made that clear.

Mr. Yeo: I thank the Minister for that clarification. The Minister was also unclear in his answer to the question posed by my hon. Friend the Member for Tatton (Mr. Osborne). Indeed, the Government's amendment is ambiguous on the subject of nuclear power generally. At least the Liberal Democrats are clear—if wrong on the issue—that they rule out new nuclear power stations. They appear to rule new stations out even if they would deliver cheaper electricity to consumers and might be the best way for Britain to meet its climate change obligations, however important those obligations become in the future. We still do not know the Government's position on the issue; perhaps that is because they do not yet know it.

Every day the Government delay making their position clear—and the decision is left in the in-tray—adds to the costs that taxpayers and, eventually, consumers may have to pay. The Minister made some reference to 29 November, when the issue will have to be resolved, but it is not clear what Ministers will know then that they do not know now. Why do we need to wait another five and a half weeks for the Government's position to be unveiled?

The costs of keeping British Energy afloat mounted rapidly, from £410 million on 9 September to £650 million on 26 September. To put the latter figure in context, it should be compared with the annual budgets of £22 million for the Energy Saving Trust, £26 million for the Carbon Trust and £17 million for the energy efficiency best practice programme. It should also be compared with the £55 million spent on research into renewables.

Mr. Simon Thomas: Surely the more frightening figure is the £2.6 billion that went from the non-fossil fuel obligation to the Magnox nuclear site, purportedly to help to pay decommissioning costs. Not a penny appears to have been spent on decommissioning costs. Would the hon. Gentleman have paid the £650 million?

Mr. Yeo: I am coming to that point. [*Laughter.*] Hon. Members must be patient, because we need to develop the argument logically.

When did the Government realise the extent of British Energy's difficulties? The fact that British Energy was trading at a loss must have been clear to the Minister's advisers well before 9 September. When did British Energy first discuss its anxieties with officials in the Minister's Department? Did not those discussions start months before the crisis package was announced on 9 September? Was not the first advice that his Department sensibly gave to British Energy to go away and discuss with BNFL a renegotiation of the high reprocessing costs that British Energy pays? Can the Minister confirm that those discussions between British Energy and BNFL took place and that an agreement was reached, but that the deal was unfortunately blocked, not by him or his officials but by the Treasury?

Apart from the reprocessing costs, the other big burden that has been imposed on British Energy is the climate change levy. On this point, I agree with the hon. Member for Twickenham. The climate change levy is not a climate change levy, but simply a clumsy and arbitrary energy tax that has nothing to do with climate change. If it did have anything to do with climate change, it would not be applied to British Energy. It is time the Government stopped insulting the intelligence of the energy industry and calling the levy a climate change levy.

It is also time to recognise that there are better ways to encourage reductions in carbon dioxide emissions. Those reductions would ensure that the resources were applied where they would be most effective. That could be achieved by means of a carbon tax, and an emissions trading system that was fully compatible with what will be introduced in Europe.

Does the Minister agree that the cost of supporting British Energy would be much lower if the Government were to allow the company to negotiate freely a new deal with BNFL, and if the Government replaced the climate change levy with a mechanism that directly targeted the carbon dioxide problem?

In that context, I make it clear that the cost of propping up British Energy in the short term could be much lower if the Government were to adopt the measures that I have set out. However, even at £650 million, that cost is lower than would be the decommissioning cost that would fall on the public sector if British Energy were closed down immediately. That cost could not be met by a company whose financial difficulties are as obvious as British Energy's, and it would dwarf the £650 million that has been put in.

That in no way, however, reduces my concern about the delay that is taking place. The matter should be resolved urgently, and I have made two practical suggestions about how the burden could be reduced. To be fair to British Energy, if it must bear the decommissioning and waste disposal costs, it is entitled to have its contribution to helping Britain achieve its climate change commitments recognised. Unfortunately, not everyone is willing to give it that recognition.

The Minister has not yet made clear the Government's solution to the problem. When he winds up, I hope that he will explain to the House what Project Blue is, and whether the Government are examining the possibility of taking British Energy back into public ownership. If he does confirm that, will he explain how that will help reduce the costs that British Energy faces? The problem is that market prices are lower than the costs of production, and that does not have to do with who owns the shares.

Mr. Andrew Stunell (Hazel Grove): Does the hon. Gentleman's last point mean that he believes that it would be right for the Government to take British Energy back into public ownership?

Mr. Yeo: No, I do not believe that that would be right. I do not see that it would help the current problems in any way. Whether the company is owned privately or publicly would not alter the fact that the costs of production are higher than the prices that it can receive. There is no advantage to be found in taking the business back into public ownership.

Will the Minister also clear up doubts that have surfaced recently about the Government's intentions with regard to the creation of the Liabilities Management Authority? Recent press reports have suggested that the Bill to create that authority may not appear in next month's Queen's Speech, and it would be helpful if those doubts could be set aside. If that Bill does not appear, it will raise further questions about the Government's attitude to the industry.

Looking ahead, the Opposition support the Government's target that 10 per cent. of electricity should be generated from renewable sources by 2010, although we realise that achieving that target now looks a challenging task. We support the mechanism—the renewables obligation—that the Government have chosen to achieve the target, and we are sympathetic to the suggestion in the PIU report that a further, higher target could be set in the longer term, perhaps for 2020. However, Britain will struggle to meet its climate change obligations if the portion of electricity currently generated by nuclear power is generated in future exclusively by fossil fuels. In my view, it would be folly to rule out nuclear power today. A responsible Government would want to keep that option open.

Future generating capacity will have to meet economic and environmental objectives. The environmental costs and benefits of nuclear power would have to be reflected properly in future electricity markets, and the value placed on the instruments will change as our understanding of the scale of the threat from climate change develops and our appreciation of the true cost of the nuclear legacy is refined.

We have the opportunity—but it is only brief—to take advantage of a lull in the development of new non-renewable generating capacity to improve our knowledge and to develop policy instruments that will reflect those costs and benefits fairly in a free market. A future Conservative Government would not take a decision to replace nuclear with nuclear; nor would they rule out new nuclear-generated electricity if, with the legacy costs provided for and the associated risk accounted for, it proved to be the most economic way of continuing to meet the global requirement of addressing climate change.

Gregory Barker: Does my hon. Friend think it telling that in the greatest free market in the world, the United States, there is no nuclear generator under construction, nor is there ever likely to be, because of the fundamental economics that are recognised there? To do so would require private finance.

Mr. Yeo: I think that the circumstances in the United States market are not always the same as those in ours. However, I am clear that we should allow the market to be the primary determinant of where we generate our electricity from. If there are ways of generating it more cheaply from other sources, we should use them. I believe that we will face more onerous obligations because of the greater recognition of the climate change threat. So the need to be able to generate power from sources that do not make the climate change problem worse is likely to grow. Any future Government will have to bear that factor in mind.

Mr. Chaytor: Will the hon. Gentleman give way?

Mr. Yeo: No, I am about to finish, because I want other right hon. and hon. Members to be able to take part.

There are many other issues on which I hope we can touch on other occasions, including the need to work harder to promote energy efficiency and to avoid unnecessary delays in making grants available for the construction of offshore wind farms.

In conclusion, I hope that the Government's White Paper will not be subject to further delays. I hope that its explanation of Government energy policy will be clear enough to remove the uncertainties that plague the industry. Some matters, however, need not wait until the White Paper comes out next year. The problems facing

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British Energy, which have led to taxpayers' money being lent to the company, could be significantly reduced by an announcement this evening or in the very near future of a recognition by the Government that their policies have contributed to the company's difficulties. I regret that the Minister has not yet made such an announcement, and I think that the effect of his failure to do so and the continuing delay in deciding how to resolve the problem will be felt by energy consumers—that is, every man, woman and child in the country. The price of the Government's delay will be paid by the people of Britain, and for that reason the Opposition support neither the motion before the House nor the Government's amendment.

9.2 pm

Mr. Geoffrey Robinson (Coventry, North-West): Although I welcome the fact that Liberal Democrat Members have taken the opportunity to initiate this debate, Government and Conservative Members alike can only deplore the lack of seriousness with which they have addressed it. We are dealing not with a single crisis in the nuclear industry but with the entire energy policy for the United Kingdom, not just now but for the next 50 years. Energy policy supremely transcends the time scale in terms of which each of us is naturally inclined to think—the time scale that takes us up to the next election. I thought that the hon. Member for Twickenham (Dr. Cable) had a great opportunity, living in the nether world of non-office, to say that the Liberal Democrats would take a stand, make their policy clear and overcome their natural tendency to try to exploit the Government's immediate crisis.

I wanted to speak in the debate this evening—I am grateful for being chosen, Madam Deputy Speaker—because I suppose that I bear some responsibility for the change from the pool arrangements for pricing energy to the present new electricity trading arrangements or NETA. Under the old pool arrangements, nuclear energy, including French nuclear—we did not even know whether it was French nuclear; it could have been any energy from France—was guaranteed baseload under any circumstances. All the gas that came in was on baseload as well. All such energy was guaranteed, not at the competitive market price, as was often erroneously thought, but at the intervention price—the price at which the marginal producer, coal, quoted for the production that the others on baseload could not meet. The effect was a very high price, which was rightly paid not to the marginal producer during the short period when marginal total production was required but to everyone—to all those guaranteed baseload. The system was not only anti-competitive but clearly anti-coal. On that basis, in the Treasury, it unfortunately—or perhaps in some ways fortunately, as I welcomed the challenge—fell to me to say that that was no argument for closing down coal-fired energy production or for closing down our pits. It was simply a rigged market that worked in one direction.

I was not there when the new arrangements were entered into. Clearly, since then there has been a switch in the whole bias away from the anti-competitive anti-coal situation to an anti-competitive anti-nuclear situation. The entire drop that was required in the cost of energy has been borne by the generators and not by the retail operators, as yet. Those generators—in particular, nuclear—that have not been able to control their retail outlet and offset the 40 per cent. reduction in the price paid for the generation of electricity have come badly unstuck—none more so than British Energy.

British Energy has behaved very responsibly—unlike Railtrack, if I may say so. It explained its problems to the Government and said that it wanted to be responsible, but that there was no way that it could meet off its own bat a 40 per cent. reduction in a matter of a year or two in the price paid to it for a production cost that it had until then been guaranteed under the old pool arrangements. It took the problem to the Government, saying that it was at least in part of their making. This Government and I personally must accept that element of responsibility for it, even though we were not responsible for setting up the arrangements that preceded that.

That is why my hon. Friend the Minister for Industry and Energy has done a very good job tonight in a brilliant response to a good Opposition-day debate that was marred by the vacuity that the Liberal Democrat party brought to it. My hon. Friend has not tried to evade responsibility for the £600 million plus—it may well turn out to be more—that that policy is going to cost us. Nor, as yet, has he pre-empted the options that are open to him to deal with it.

We can always attribute blame, but rather than looking back we must look forward to find out how we can deal with this problem. I shall devote a few remarks to that subject. First, hon. Members on both sides of the House—even the Liberals with their fantastical imaginations—must accept that the three dominant criteria that must be met in British energy policy are security of supply, diversity and an environmentally acceptable means of delivery. The idea that is implicit—I hate to say this, but at one point one can almost see the drafting hand of the Treasury in it—in the performance and innovation unit report is that those three criteria can be reconciled in a market-oriented policy, but that is just not realistic.

Energy affects the whole country and is vital to our existence—as we have said, the development of a supply can easily extend over 50 years—and it cannot be left to the vagaries of an oil price that might double or treble from one year to the next, or a gas price that could do the same. What company could possibly price its products against that background? What private sector company is going to invest against the background of those criteria, not knowing from one day or one year to the next whether it may face a 100 per cent. change in its gross and net margins? It is for those reasons that, like it or not, the Government have to be involved in energy policy.

The Government will always be involved; they can try to avoid the problem and say, "These are hideous things and we want to leave them to the market". They could try to do what the Tories did, which was to dismember the sector and liberalise it; but at the end of the day, as we have all seen, all those problems come back to the Government. I certainly saw that when I was faced, in 1997–98, with the imminent collapse of the coal industry, just as the present Minister faces the imminent collapse of our private sector nuclear industry. We must face the problems.

Instead of facing the problems, the Liberal party gave us a trivial contribution, although I hate to say it, from the normally distinguished hon. Member for Twickenham. If we are to face the problems, we have to reconcile those three key criteria. If we are to have diversity, we must accept that gas will become more predominant; it is the cheapest and, to some extent, the cleanest fuel. We need nuclear energy. Where else will the 20 per cent. come from? There must be a continuing role for coal for as long as the supply lasts, for as long as there are reserves and mines are sunk and miners are willing to work them. There must be an increasing role for renewables. I am sure that the whole House will agree about that.

Mr. Kevin Hughes: Coal has a future; it has a key role in our energy supply. It can produce fewer emissions with the use of the new-generation clean-coal technology that could come on stream with some support and help from the Government. My hon. Friend rightly points out that we need to maintain diversity. Any sensible Government must do that.

Mr. Robinson: I entirely agree with my hon. Friend, and I am grateful for his intervention. Coal is seen as old technology that has to be subsidised; nuclear technology is new, yet subsidy is implicit in its use. What price do we want to pay?

What of security? If the House decided that the free market should reign and that we should again let loose the dash for gas that we halted in 1998, we would be 90 per cent. dependent on gas within 20 years. I do not believe that we can obtain much more than 10 per cent. from renewables. However, even if we get 15 per cent. of our energy from renewables by 2020, we will still be 85 per cent. dependent on gas. Where will it come from? What security will there be? I mean no disrespect to the gas-producing countries, but there are thousands of miles of pipeline. Countries that do not have—

Gregory Barker *rose—*

Mr. Robinson: I am aware of the hon. Gentleman's views and although we are under time restriction—[HON. MEMBERS: "No".] Very good. I shall give way in a moment—

Dr. Alan Whitehead (Southampton, Test): Will my hon. Friend give way?

Mr. Robinson: I shall give way to my hon. Friend, too.

The argument was made at the Treasury in the past: how can we let this country become 90 per cent. dependent on gas that travels thousands of miles from countries that are subject to political turbulence, to put it no more strongly than that? That scenario is not acceptable. Rather than letting the free market—although it would not be entirely free even in that context—hold sway, this country would do much better to plan. I hate to use the word "plan" because I know that it is anathema to both sides. However, we need an arrangement or a scheme to provide a balanced source and diversity of energy supply.

Gregory Barker: The hon. Gentleman looks to the future by as much as 20 years, yet the solutions to our energy problems have been distinctly 20th century. He has made no mention of fuel-cell technology or combined heat and power. Surely, we should be investing in new technologies such as those, and breaking the grip of large-scale generators, rather than trying to project 20th-century solutions on to 21st century challenges.

Mr. Robinson: On the contrary, I think that I have something of a reputation for being a pioneer in new technologies—new industry. I believe, though, that one cannot be totally dependent on their coming off. That is one thing on which we cannot depend. One can plan on the basis of one's coal reserves, knowing what they are and being reasonably sure of extraction and production rates. We do not know so much about the new technologies, in which, as I am sure my hon. Friend the Member for Eccles (Ian Stewart) would agree, we must invest more. We must move towards fusion and so on. What we cannot do is count on technologies being available in future and close down what is available to us now.

Dr. Whitehead: Does my hon. Friend accept that one cannot rely on market mechanisms alone to ensure the future of energy supply—that, almost uniquely, requiring renewables to come to market by predominantly market mechanisms is not a logical part of a future energy policy?

Mr. Robinson: I agree with my hon. Friend entirely. I believe that it is a desirable part of a future energy policy, and I would support those new technologies, as all Labour Members do. The Liberals support them in theory, but—as always with the Liberal party—not in practice. We have to put in place every mechanism that is available to us to help the new technologies succeed in due course. But what I cannot do, and what I am sure, in light of his intervention, my hon. Friend would not do, is to base the security and diversity of our supply on their realisation.

Mr. Tynan: Will my hon. Friend give way?

Mr. Chaytor: Will my hon. Friend give way?

Mr. Kelvin Hopkins (Luton, North): Will my hon. Friend give way?

Mr. Robinson: I give way to my hon. Friend the Member for Hamilton, South (Mr. Tynan).

Mr. Tynan: On the question of new technology, does my hon. Friend accept that as regards nuclear waste, there is an urgent need to ensure that we invest in technology that can deal with our present problem; and that if we do, we should not necessarily agree that that would open the door for nuclear energy to be used as a fuel in the future?

Mr. Robinson: I agree with my hon. Friend, and I think I accept what the chief scientific adviser to the Department of Trade and Industry said: broadly speaking, in the absence of any immediately credible alternative to nuclear fuel, we have to see that nuclear fuel, at 20 per cent. approximately, is replaced by

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nuclear fuel. That is the position that we come to. We must have a big national debate on that, focused on the House and decided on in the House. I noticed that the Tory party was agnostic in its approach, although I suspect that its Members agreed with me that the option has to be decided one way or the other, because if it is left open for ever while the reactors close down, it is clear to everyone that one no longer has an option.

Mr. Chaytor *rose—*

Mr. Hopkins *rose—*

Mr. Robinson: I give way once more, but I do not think that I should give way again after that.

Mr. Hopkins: I listened with interest to my hon. Friend's speech and agree with much of what he is saying, but I was disappointed by his slighting reference to planning. Some 22 years ago I was co-author of a document called "A Planned Energy Policy" for a fine trade union called NALGO. I think my hon. Friend would agree that had we followed a planned energy policy for the last 22 years, we would not be in the mess that we are now in.

Mr. Robinson: I am grateful to my hon. Friend. I was not suggesting that I had changed my spots over the past few years. I still believe that in certain areas, planning is a very sensible thing to do. We have not always got it entirely right in the past, but I am sure of one thing—that in energy, a sensible Government overview of the whole situation and a sensible principle that will guide the decisions that we take, are essential.

I shall now discuss the immediate crisis, which is the occasion of our debate. The transfer of the liabilities—the legacy—must be carried through in the next Queen's Speech. The agency must be set up. These are things that we all, as Governments and consumers, have accumulated and inherited. The agency must be set up, to enable us to move to a new situation in which there is a solvent British Energy. That too will require a very sensible, commercial approach to dealing with what will be left of British Energy, together with BNFL.

I put this concept to the Minister. There is a possibility, admitted throughout the House—even by the Liberals, who say that we should continue research into it—of an ongoing role for nuclear energy. It is well known that BNFL owns Westinghouse, has the licence to generate electricity from pressurised water reactors and has created 200 power stations throughout the world. The Minister and the Government should therefore consider bringing together BNFL and British Energy in a new public-private enterprise, in whichever way one wants to structure it and in whichever of today's acceptable terms one wants to define it, so that they can be shorn of the inherited liabilities and free to make their case to join in a role—the House must decide if there is one—for nuclear energy in the future.

9.20 pm

Mr. Michael Jack (Fylde): The hon. Member for Coventry, North-West (Mr. Robinson) made some important points about the way in which the electricity generation market and the pricing thereof has developed over time, but I want to spend a few moments saying a few words on behalf of the 1,500 nuclear energy workers at BNFL Salwick in my constituency. With the exception of the fuel for the pressurised water reactor at Sizewell, they make all the nuclear fuel in this country. If some of them had been in the Public Gallery tonight, they would have scratched their heads in disbelief, particularly at the terms of the Liberal Democrat motion, given that it simply expresses concern, without giving an opinion, about the very proper action that was taken to safeguard British Energy's short-term future.

The Liberal Democrat motion also refers to the so-called competitive market proving that nuclear-generated electricity is uneconomic and also generates long-term environmental costs. Neither in the motion, nor with great clarity in the remarks made by the hon. Member for Twickenham (Dr. Cable), was any serious comment made about energy security, carbon dioxide emissions or a proper, sustainable balanced energy policy—all of which are vital to the United Kingdom.

Although the Minister was excellent in his scathing denunciation of Liberal Democrats' equivocation and double-dealing in their policy statements, the Government motion is equally unclear on the industry's future, which affects so many of my constituents. It says that it:

> "Recognizes that the future of nuclear power in the UK is a question that has to be addressed on its own merits, not in the light of a particular set of circumstances surrounding a particular private sector company".

At the heart of our nuclear policy lies a publicly owned company—BNFL. It is very much the key to some of the issues involving the disposal of the waste of the nuclear electricity generating business, but there is not much mention of that in the Government motion.

One company's difficulties do not necessarily make a policy, but the Minister touched on the new electricity trading arrangements. That illustrated the important failure in the Liberal Democrat motion to acknowledge that Governments have effectively determined the market for electricity and its price in the United Kingdom since the end of the second world war.

To return to the remarks made by the hon. Member for Coventry, North-West, if the previous market had some failings, one must acknowledge that there may be something wrong with NETA. If a company such as British Energy, which turns over £1.9 billion a year, is effectively on the brink of not making any profit and having to be shored up by a Government loan, given the disparity between the receipts from the sale of the electricity and its wholesale price, there is, as they say, something wrong in the state of Denmark, which ought to be investigated without delay.

Those of my constituents who are involved in the manufacture of nuclear fuel have observed that the current market arrangements lack any serious long-term underpinning. The base load characteristics of nuclear electricity generation are not properly recognised in the present market arrangements.

To put it very simply, we have to decide whether this country wants to enjoy what it has been happy to enjoy until now—a balanced electricity portfolio including coal and nuclear energy, which is under our direct control, and gas, which is questionable because it comes

from more volatile and less secure sources of supply, as was mentioned by the hon. Member for Coventry, North-West.

If we want to keep those issues in balance, we had better quickly reach decisions about the future disposal and legacy of nuclear waste, about the right pricing model to ensure that the base load characteristics of nuclear energy are properly recognised and about the need for some long-term assurances to enable planning to take place, for example, with the improved technology of the AP1000-type generator, which would certainly be more economic and efficient in the future.

The nuclear fuel workers in my constituency have striven to improve their operation and to reduce their production costs. They have an excellent safety record. As a company, they have taken full cognisance of their environmental responsibilities, yet their prospects seem deeply uncertain.

Everyone who speaks in the debate will wish to acknowledge the important role of renewables. However, with the kilowatt hour charge for landfill gas of between 2.5p and 3p per kilowatt hour, for wind of between 4p and 5p and for renewable crops of between 6p to 8p, we are considering important economic developments, but at a cost. With energy, we cannot have our cake and eat it.

Mr. Chaytor *rose—*

Mr. Simon Thomas *rose—*

Mr. Jack: I will not give way now because I want to speak for 30 more seconds and then resume my place to allow others to make their points.

If we want to have a sustainable supply of electricity with proper investments in the right sorts of energy that recognise environmental obligations—there is the long-term question of the disposal of waste for all industries, with the exception, perhaps, of wind and wave—we cannot have electricity that is so cheap that it does not generate long-term investment funds. The nuclear fuel workers in my constituency will look to the Minister for answers—if not tonight, in his White Paper—that will secure their future and the security of the nation's energy supplies.

9.27 pm

Dr. Stephen Ladyman (South Thanet): My hon. Friend the Minister said that in perhaps five years' time we shall have seen what renewables can contribute. I may have misunderstood what he was saying because we can work out now what renewables can contribute. I am a great supporter of renewables, as is everyone who has contributed to the debate. However, it is important that we are realistic about what we can and cannot achieve through them.

The 10 per cent. target that the Government have already set is a stretch target. There are already serious doubts about whether we can reach it. The 20 per cent. target that is proposed in the PIU report by 2020 is almost impossible. Any discussion with engineers or anyone else who is involved with trying to implement renewable resources will lead to them telling my hon. Friend the Minister that it is impossible.

I shall run through one or two of the reasons why it is impossible. For example, let us consider the number of windmills that we would need to match the output from the type of power station that the right hon. Member for Fylde (Mr. Jack) mentioned—that is, a 1,000 MW nuclear power station. We would require 6,000 windmills with 20 m blades. To reach 20 per cent. production of our electricity capacity using wind by 2020, we would have to start building 40 windmills per month, every month, from now until 2020. That will not happen in Liberal Democrat constituencies, will it? It is impossible to have such targets.

I was grateful for some comments that were made by Professor Ian Fells at a meeting that was held at Portcullis House last night. He gave a vivid example. He said that if we put the whole of Kent—the entire landmass—into coppiced willow and converted that into biomass energy production, we would have only half the energy production of Dungeness B on the coast. Those are the simple facts. We can make these calculations; we do not need to wait five years to find the answers to such calculations.

The hon. Member for Twickenham (Dr. Cable), who spoke for the Liberal Democrats, talked about the problems of NETA. He said that under the current arrangement a market is being created in which nuclear power is not economic. If we take that argument to its logical conclusion—if we say that we will have only that which is economic in the short term with no intervention in the marketplace—we have to start building gas-powered stations and nothing but. There will be no renewables because by any estimate of costs, renewables are three times as expensive as nuclear power—not even taking into account the additional capacity needed for the times when renewables are not available.

Professor Laughton of the university of London sent a letter during the recess—to all of us, I assumed, although having listened to the comments of those who overestimate wind input I realise that either some hon. Members did not read the letter or it did not reach them. He points out that the times that wind capacity in this country can generate power do not coincide with the times of peak demand; therefore if we build 20 per cent. wind capacity, we have to build matching conventional capacity that can be switched on to supplement provision when wind power is not available.

Mr. Simon Thomas: Will the hon. Gentleman give way?

Dr. Ladyman: I cannot, because other hon. Members want to speak and I have only a few minutes in which to make my key points.

My hon. Friend the Minister and his team have to address the following issue when they are preparing the White Paper. The reason why intervention in the marketplace is necessary is that if we rely solely on a market mechanism, we will not achieve the balanced energy supply that we need. We will be forced into consuming increasing amounts of gas and into becoming net importers of energy—in fact, we became net importers about two weeks ago. Ultimately, we will be forced to buy our energy from Scandinavia and then the countries of the former Soviet Union. That is no way to build a stable energy supply for this country. We must not only keep the nuclear option open, but force it forward.

[Dr. Ladyman]

Everyone seems to forget the health consequences of energy policy. We talk about global warming, but ignore air pollution. The United Nations estimates that 3 million people die each year as a consequence of air pollution caused by burning fossil fuels. The Minister for the Environment estimates that each year 24,000 people in this country die prematurely as a result of the burning of fossil fuels. Every year, the 25 per cent. of our energy production that is currently produced by nuclear generation saves 4,000 lives in this country. If our efforts to build a broad energy portfolio result only in our replacing the 25 per cent. nuclear production with 25 per cent. renewables, we will have made no contribution either to cutting greenhouse gas production or to reducing the huge number of people who die prematurely as a result of inhaling pollutants.

I ask my hon. Friend the Minister to think carefully when he is drawing up the White Paper. Not only must he keep the nuclear door open, but he must kick it down and make sure that we start actively to pursue a nuclear policy. That is right for our energy policy and right for the environment.

9.33 pm

Richard Ottaway (Croydon, South): I declare my interest as a consultant to AEP Energy Services, as set out in the register.

Two dogs have not barked tonight: first, the European Union, and secondly, the role BNFL is playing in market interaction. For the first time, we in this country have a pure market in energy, and the consequences are profound. Since 1998, there has been a 40 per cent. fall in wholesale electricity prices but, tragically, the consumer has not benefited. Ann Robinson, chair of Energywatch, the independent gas and electricity consumer watchdog, said:

"This long-awaited NETA end of year review fails to answer the questions we have raised about the massive difference between the savings being enjoyed by electricity suppliers as a result of NETA and those being passed on to domestic consumers. The report has done little to alleviate our fears that consumers are being ripped off."

That is the state of play: despite the fall in wholesale electricity prices, the consumer is receiving only about an 8 per cent. reduction.

One of the problems that we face is that, in my judgment, in the vertically integrated players—the generators and the suppliers—there may well be cross-subsidy going on, which is not feeding through to the consumer. I suggest to the Minister that he invite Ofgem to take a much harder look at what the suppliers are doing, particularly the vertically integrated suppliers, and what can be done to generate much more competition between the suppliers so that that can work its way through to the public.

The first dog that is not barking is BNFL. In focusing on British Energy tonight, we are looking at the wrong company. It happens to be the weakest of the companies in the private sector, so it is the first one that hits the stops when the going gets rough in the market. BNFL, owned by the Government, is far more uneconomic. If one draws up a list of the 10 most uneconomic power plants in this country, the five Magnox plants still in operation are Nos. 1, 2, 3, 4 and 5 on that list. That is what is causing the distortions in the market. Under normal circumstances, one would expect those stations to be phased out, but for reasons that we have discussed and for the reason that we have not hit the stops until now, they are being kept open.

Any restructuring of British Energy must take account of the whole market, so the Minister should not be looking just at British Energy—he should be looking at BNFL. If he were to phase out the uneconomic power stations in a sensible way, he would see the price of electricity rising, which would bring the cash back into the market and into the generators, so that alternative forms of energy could be considered, and nuclear and clean coal could become viable options again. However, he must get the price up and get more liquidity and more investment into the market.

The second dog that is not barking tonight is the European Union. I have no doubt that giving state aid to just one company in the market is discriminatory and is distorting the market. I am sure that in the long term that would be in breach of the EU state aid regulations. I appreciate that, in the short term, the Minister is doing the right thing in sorting out the problems, but if there were a long-term package that favoured British Energy against the rest of the market, in my judgment he would fall foul of the EU regulations.

That is not the Minister's fault; he is in a difficult position. He has the White Paper coming up, as well as the shake-out of the market and the problems in the nuclear sector. As other hon. Members have said, the difficulties with gas arise from the fact that from 2006 we will start importing and we do not want excessive reliance on gas. As regards coal, the rules for sulphur and nitrogen emissions will start biting, and unless the Minister can get clean coal-technology into place, the coal-fired power stations will run into difficulties, but the market is too low at present, so he cannot get the investment into clean coal technology. As others have commented in respect of renewable energy, the Government will be hard pushed to hit their target of 10 per cent. by 2010. I wish them well in their efforts. The Minister is doing an admirable job in pushing the renewable project as hard as he can, but there are limitations.

Any restructuring must take into account the whole market. My advice to the Minister is to take out the uneconomic plants, let the prices come back up and get the liquidity back into the market.

9.38 pm

Mark Tami (Alyn and Deeside): Thank you, Mr. Speaker, for giving me the opportunity to speak in the debate this evening. It is a pity that we do not have more time to spend on an issue of such great importance for the country.

The energy review published in February this year was a useful document identifying some of the key challenges facing Britain in the coming years. Identifying the problems is one thing; doing something about them is quite another. We have had reviews, reports and studies in the past, but we have never translated those into a meaningful and structured energy policy for Britain. In the pre-privatisation days, we relied predominantly on large coal-fired stations

supported by a strategic nuclear component. I seem to recall that the three new coal-fired power stations that were due to be built by the Central Electricity Generating Board were cancelled directly after privatisation. We have not seen, and nor are we likely to see, the building of another coal-fired power station.

Likewise, nuclear generation enjoyed a turbulent ride through the privatisation process. First, it was to be included in National Power, but the City got cold feet and it was removed. The Magnox power stations were also removed and the rest of the nuclear power industry went to what has subsequently become British Energy. As in the case of coal, the end result is that we have not seen the building of another nuclear station and we are not likely to do so in the foreseeable future. The approach to renewables has perhaps been more consistent. The CEGB and the Scottish generators did not see them as a worthwhile and viable investment, and it is fair to say that the privatised companies have followed suit.

We saw under privatisation an incredible and ultimately unsustainable dash for gas that led to the early closure of many coal-fired power stations that could and should have produced energy for many years to come. That had the terrible effects on the UK coal industry that we have all seen. For the longer term, the dash for gas has had even more damaging effects. A country that rightly prided itself on being self-sufficient in energy production now faces dependency on imported gas in the not-too-distant future. We will be a net importer of gas by 2005. The energy review is not worried about the increased use of imported gas in terms of energy security, but I am not too sure about that. While supply might not be a major problem, we cannot guarantee price, and that must endanger security. The recent changes in gas prices have already had an effect on existing gas-fired stations and on the likelihood of further stations being built.

Where are we now? On the positive side, as many hon. Members have made clear, we have the cheapest electricity for 10 years. We have also made some progress on carbon emissions, although that is a by-product of the increased use of gas rather than part of any concerted plan of action. However, I do not think that we have addressed the major issues that we face today in terms of meeting our energy needs in the years to come and into the middle of the next century, while maintaining our presumably growing commitments on climate change.

The industry is currently geared almost purely by commercial decisions. While that remains the case, I cannot see how we will make a meaningful change in how we produce energy in this country. The energy review rightly calls for an increase of some 20 per cent. by 2020 in the contribution made by renewables. That is a very tall order and I think that it will be unobtainable if we are not prepared to grasp the challenge of greater intervention in the mix of fuel generation. The review rejects that possibility on the ground that it distorts the market, but surely that is the point. It goes on to say that the

"role of government should be to monitor the actions of the market participants and only intervene at the last resort."

If we are not prepared to intervene or exert influence, we will recognise what we have done only when it is too late. We will then have to intervene, as we will be at the last resort. If we leave things entirely to the whims of the market, the reality is that nothing will change, or if changes occur, they will be driven purely by price, rather than by any need for diversity or by environmental concerns.

Nuclear power currently accounts for 15 to 20 per cent. of our electricity generation, but that percentage will fall. By 2020, the majority of our nuclear power stations will have closed. We must either be prepared to accept that or to change it. We must face up to the current situation. While nuclear power is not and never has been the cheapest means of energy production, it makes a major contribution to reducing carbon emissions. We must consider nuclear power in a full light and not purely in price terms.

9.44 pm

Mr. Robert Key (Salisbury): The debate has been a wasted opportunity. A pathetic, 19th-century motion was followed by a limp, 20th-century argument from the Liberal Democrats. We should have discussed the future of energy—science and engineering. We want to be involved in nuclear fusion and on the way to the hydrogen revolution. We will get there through science and engineering. We must abandon the country's perception that it is anti-science. It is preposterous to debate energy in an anti-science culture that looks backwards, distrusts science and will not understand the reality.

The proposition that renewable energy is not favoured and is not on an even playing field with other forms of energy is ridiculous. The renewable energy programmes are important and we welcome them, but they would not have a prayer if they did not have free ride on the back of the formerly nationalised electricity systems. We must inject some science, technology, sense and engineering into our debates.

Some of us are convinced that we must have a new generation of nuclear stations, constructed with new technology. I do not mean the old-fashioned, defence-based technology, which, as we all acknowledge, had terrible problems in the past. We want to move beyond that, and I hope that the Government will have the courage to do that.

Will the Minister state that he genuinely wants to support the work in plasma physics at Culham, and to look forward beyond Jet to the ITER programme, which must be the greatest hope for the planet?

9.46 pm

Mr. Andrew Stunell (Hazel Grove): The debate has been lively and interactive. There are many points about which I wish to speak, but it is simply not possible to do so.

After six and a half years, we do not have a Government energy policy, and the payment of £650 million to one company constitutes another contradictory bombshell. Other companies are in the queue, holding out their begging bowls.

The Minister produced some good, knockabout stuff, which I enjoyed. I suggest that he speak to my hon. Friend the Member for Southport (Dr. Pugh), who is desperate for an offshore wind project near his constituency; he has been denied one by the Ministry of Defence.

[Mr. Andrew Stunell]

British Energy is 20 per cent. above the market price. If Conservative Members believe that a 20 per cent. price premium should be paid to keep the company afloat, good luck to them.

On security, more than 20 per cent. capacity above maximum peak demand is available. On diversity, my hon. Friend the Member for Twickenham (Dr. Cable) referred to the necessary portfolio of technologies. On safety, I point out that a series of nuclear plants have been successfully closed down in good order in the past 10 years. There is no problem about closing down the remainder.

It is important to keep the environmental impact of our energy policy in focus. My hon. Friend the Member for Twickenham made our position clear. If anyone wants more detail, I say for the third time in the Chamber, "Please buy my book." It deals with the matter in depth.

The £650 million has been wasted. The Energy Saving Trust made it clear that if the money was invested in achieving the 20 per cent. improvement in energy efficiency in the domestic market, we could save the amount of energy that such plants produce.

The Energy Saving Trust has a budget of £28 million rather than £650 million. Much more could and should be done. I tell those people who claim to be in favour of both nuclear and renewable energy that there is a competition for resources in this country. The Government must decide whether to pump the limited money into a failed nuclear giant, renewables or energy efficiency and conservation. It is competition for resources that this argument is blowing to smithereens; this is not about pro and anti-nuclear arguments. The Government have so far failed to explain how high a price they are prepared to pay to keep British Energy alive. How will they be able to justify refusing bids from other firms and other technologies if they have rescued British Energy?

We had 20 minutes of knockabout from the Minister, followed by 10 minutes of evasion and three minutes of departmental brief, but we are still no clearer about where the Government stand on these matters. What is the Government's long-term energy policy?

Malcolm Bruce: Next week.

Mr. Stunell: Next week, next year, next decade—who knows?

Our motion poses serious questions not just about British Energy but about Britain's energy in the future, and I urge the House to support it tonight.

9.50 pm

Mr. Wilson: I am delighted to hear that the Liberal Democrat spokesman enjoyed my opening remarks, so I shall give him just one more. We have had an excellent, if all-too-short, debate and contributions from both sides have served the important purpose of feeding serious views on serious subjects into the White Paper process. I would welcome more debates and more dialogue, because they would allow people who really know what they are talking about to contribute to the White Paper.

We have heard a great deal about renewables targets. This matter was summed up for me by a press release issued in Scotland. The Scottish Environment Minister, Ross Finnie, announced that the Scottish Executive were setting a new 40 per cent. target for renewables. Splendid! I have to say that I am slightly allergic to targets. If a target has been set for 20 years hence, for example, that can often be a substitute for the need to do anything for the next 10 years. Anyway, within milliseconds of that statement being made by Mr. Finnie—who, for the benefit of our external audience, is a Liberal Democrat—a press release was issued by the Scottish Liberal Democrat environment spokesperson, a Ms Nora Radcliffe MSP, under the inspiring—inspirational, indeed—headline

"SNP scunnered over green energy challenge".

[Interruption.] I am sorry. Is that word taught in public schools? Do we all know what "scunnered" means?

Ms Radcliffe went on to say that the main point in support of this 40 per cent. target was that

"The SNP have clearly been scunnered with this announcement as their own target stands at only 30 % of green energy supplies by 2020."

The comparison with wee boys—or, indeed, wee girls—in a playground making contrasts between their respective anatomies springs to mind here.

I do not want to labour the point, but setting targets achieves nothing. Delivery achieves something, and I hope that the Liberal Democrats will take my remarks to heart, because, instead of being regarded as the party of sustainable energy, as it would wish, it is in some danger of being regarded as the party of unsustainable hypocrisy.

The substance of this debate has been excellent. I fully respect the reasons why the Opposition spokesman has had to leave the House, but I want to answer some of the points that he raised on the nuclear issue. First, Project Blue is nothing sinister. That is not a name that I would have chosen myself, but the use of code words when discussing commercially sensitive information is perfectly normal, and there was no agenda there. The name describes a process of monitoring what was going on in British Energy.

That leads me to the answer to another of the hon. Gentleman's questions. Of course we knew that there were problems with British Energy, and we were monitoring them very closely. It is true that we did not know the full extent of British Energy's problems until the company approached us in early September. When the discussions between two commercial entities—BNFL and British Energy—concluded without delivering the solution that had been widely hoped for, the extent of the difficulties became apparent and the company approached the Government. There is absolute transparency about what we discussed and when we discussed it. I shall be happy to answer further questions if they are asked.

Mr. Lansley: I want to avoid confusion. Liberal Democrats assert that British Energy is producing electricity at 20 per cent. above the market price. If past liabilities are not taken into account, is not the marginal

cost of production for British Energy's nuclear fleet about 1.8p per kilowatt hour—only slightly above the prevailing market price?

Mr. Wilson: The hon. Gentleman makes his own point, which is a perfectly reasonable one.

What is undoubtedly true is that even given the slight swing that has occurred because of the market difficulties with electricity, the wholesale price has risen to a point at which British Energy is presumably operating profitably. I agree with much of what has been said on both sides: decisions that are fundamental to security of supply, and the economic interests of the country cannot be left entirely to the vagaries of a marketplace that can produce such a swing. [HON. MEMBERS: "Your marketplace."] That sounds like an allegation, but my hon. Friend the Member for Coventry, North-West (Mr. Robinson) has been entirely open. He gave a frank and analytical explanation of why the changes were made. They were made for good reasons, and they have produced many benefits. What we must recognise, however, is that they have not been an unqualified good; they have had other effects, which we must now examine in the spirit of wanting not only a competitive market but of wanting to be sure that the objective of that market—driving down the price of electricity—is not achieved at the cost of security of supply or our environmental obligations. That strikes me as a straightforward proposition, but a complex one to deliver in practice, especially in a liberalised market.

Malcolm Bruce: This is a serious point, which is at the heart of the debate. If the market is not the whole answer and there is a strategy, should not the Government make clear which kind of energy they wish to encourage, how they will react to changes in the market, and what their long-term policy is? Without that clarity, we do not know what they are doing. Are they just manipulating the market according to their whim? That is what they have been accused of doing. The Minister really must make their position clear.

Mr. Wilson: We are manipulating the market in one sense, through the support we are giving to renewables. Are the Liberal Democrats criticising us for manipulating the market in favour of renewables?

I believe that the £650 million loan to British Energy—I emphasise that it is a loan, and that it is capped—makes sense for the energy industry. Let me say in passing that it also makes sense for the people who work for British Energy. I believe it makes sense for security of supply, but I believe too that it makes sense for the taxpayer. The daftest option, from the taxpayer's point of view, would be to switch off electricity generation by British Energy, surrender the revenue, and at the same time pick up all the costs that would be associated with such action. That, it appears to me, is the sequence of actions that the Liberal Democrats and their associates are recommending, and it is bonkers.

Mr. Paul Marsden (Shrewsbury and Atcham): Is it not shameful that a Labour Minister should defend the nuclear energy industry when he knows as well as I do that it should not be propped up by the Government? We should be giving far more support to the renewable energy industry. The Minister should be ashamed.

Mr. Wilson: The hon. Gentleman's comments reflect the fact that he arrived in the Chamber two minutes ago. Tell them that in Shrewsbury.

Let me say something about NETA—

Sir Robert Smith (West Aberdeenshire and Kincardine) *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put accordingly, That the original words stand part of the Question:—

The House divided: Ayes 54, Noes 313.

Division No. 326] **[10:00 pm**

AYES

Allan, Richard
Baker, Norman
Baron, John *(Billericay)*
Breed, Colin
Bruce, Malcolm
Burnett, John
Burstow, Paul
Cable, Dr. Vincent
Calton, Mrs Patsy
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Chidgey, David
Cotter, Brian
Davey, Edward *(Kingston)*
Doughty, Sue
Ewing, Annabelle
Foster, Don *(Bath)*
George, Andrew *(St. Ives)*
Gidley, Sandra
Green, Matthew *(Ludlow)*
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Heath, David
Holmes, Paul
Hughes, Simon *(Southwark N)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kirkwood, Archy
Lamb, Norman
Laws, David *(Yeovil)*
Llwyd, Elfyn
Marsden, Paul *(Shrewsbury & Atcham)*
Moore, Michael
Öpik, Lembit
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Angus *(Moray)*
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Taylor, Matthew *(Truro & St. Austell)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tyler, Paul
Webb, Steve
Weir, Michael
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon & Radnor)*
Wishart, Pete
Younger-Ross, Richard

Tellers for the Ayes:
Sir Robert Smith and
Mr. Andrew Stunell

NOES

Ainger, Nick
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Beggs, Roy *(E Antrim)*
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris

Buck, Ms Karen
Burgon, Colin
Burnham, Andy
Burnside, David
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Caplin, Ivor
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Clark, Mrs Helen *(Peterborough)*
Clark, hon. Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cranston, hon. Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donaldson, Jeffrey M.
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Field, Mark *(Cities of London & Westminster)*
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, Michael *(Worcester)*
Gardiner, Barry
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Hermon, Lady
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jamieson, David
Jenkins, Brian
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kemp, Fraser
Khabra, Piara S.
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, rh Michael
Merron, Gillian
Michael, rh Alun
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morgan, Julie
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Hara, Edward
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Robinson, Mrs Iris *(Strangford)*
Roche, Mrs Barbara
Rooney, Terry
Ruane, Chris
Russell, Ms Christine *(Chester)*
Ryan, Joan
Salter, Martin
Sarwar, Mohammad
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev. Martin
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stringer, Graham
Sutcliffe, Gerry
Tami, Mark
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Todd, Mark
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Mr. John Heppell and Mr. Jim Murphy

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Order [17 October] and Standing Order No. 31 (Questions on amendments):—*

The House divided: Ayes 293, Noes 52.

Division No. 327] **[10:12 am**

AYES

Ainger, Nick
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Beggs, Roy *(E Antrim)*
Benn, Hilary
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burgon, Colin
Burnham, Andy
Burnside, David
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Caplin, Ivor
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Clark, Mrs Helen *(Peterborough)*
Clark, hon. Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cranston, hon. Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donaldson, Jeffrey M.
Donohoe, Brian H.
Doran, Frank
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Fisher, Mark
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, Michael *(Worcester)*
Gardiner, Barry
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Hermon, Lady
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jamieson, David
Jenkins, Brian
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kemp, Fraser
Khabra, Piara S.
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, rh Michael
Merron, Gillian
Michael, rh Alun
Miliband, David
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morgan, Julie
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Hara, Edward
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Robinson, Mrs Iris *(Strangford)*
Roche, Mrs Barbara
Rooney, Terry
Ruane, Chris
Russell, Ms Christine *(Chester)*
Ryan, Joan
Sarwar, Mohammad
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheridan, Jim
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev. Martin
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stewart, Ian *(Eccles)*
Stringer, Graham
Sutcliffe, Gerry
Tami, Mark
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Todd, Mark
Trickett, Jon

Truswell, Paul
Turner, Dr. Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Wray, James
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. John Heppell and Mr. Jim Murphy

NOES

Allan, Richard
Baker, Norman
Barrett, John
Breed, Colin
Bruce, Malcolm
Burnett, John
Burstow, Paul
Cable, Dr. Vincent
Calton, Mrs Patsy
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cotter, Brian
Davey, Edward *(Kingston)*
Doughty, Sue
Ewing, Annabelle
Foster, Don *(Bath)*
George, Andrew *(St. Ives)*
Gidley, Sandra
Green, Matthew *(Ludlow)*
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Heath, David
Holmes, Paul
Hughes, Simon *(Southwark N)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kirkwood, Archy
Lamb, Norman
Llwyd, Elfyn
Marsden, Paul *(Shrewsbury & Atcham)*
Moore, Michael
Öpik, Lembit
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Angus *(Moray)*
Salmond, Alex
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Stunell, Andrew
Taylor, Matthew *(Truro & St. Austell)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Simon *(Ceredigion)*
Tonge, Dr. Jenny
Tyler, Paul
Webb, Steve
Weir, Michael
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon & Radnor)*
Wishart, Pete
Younger-Ross, Richard

Tellers for the Noes:
Bob Russell and John Thurso

Question accordingly agreed to.

MR. SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the publication earlier this year of the Performance and Innovation Unit's review of the strategic issues surrounding energy policy for Great Britain up to 2050; welcomes the Government's commitment to publish an Energy White Paper in the New Year setting out a long-term framework for energy policy following its recent extensive and innovative public consultation on energy issues; understands that British Energy's problems, and those of certain other players, are about companies rather than a way of generating electricity and welcomes the speed with which the market can respond to protect the interests of consumers; recognizes that the future of nuclear power in the UK is a question that has to be addressed on its own merits, not in the light of a particular set of circumstances surrounding a particular private sector company; further recognizes that it is not the responsibility of Government to bail out electricity suppliers unless it threatens safety or security of electricity supplies; and welcomes the work Government has done to promote sustainable energy use in terms of energy use reductions and to promote the development of renewable energy.

DELEGATED LEGISLATION

Ordered,

That the Countryside (Provisional and Conclusive Maps) (England) Regulations 2002 (S.I., 2002, No. 1710), dated 7th July 2002, be referred to a Standing Committee on Delegated Legislation.—*[Mr. Caplin.]*

STANDING COMMITTEE ON THE CONVENTION

Motion made,

That the Order [12th June] relating to the Standing Committee on the Convention be amended, in paragraph (4)(b), by leaving out the words 'or be counted in the quorum'.—*[Mr. Caplin.]*

Hon. Members: Object.

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Wednesday 23rd October, opposition business may be proceeded with, notwithstanding paragraph (2)(c)(i) of Standing Order No. 14 (Arrangement of public business), for three hours or until Seven o'clock, whichever is later, and proceedings shall then lapse if not previously concluded.—*[Mr. Caplin.]*

PETITIONS

Food Supplements Directive

10.25 pm

Andrew Selous (South-West Bedfordshire): I rise to present a petition about choice in health food products, signed by about 340 of my constituents, which reads:

To the House of Commons

The Petition of Consumers for Health Choice and its supporters,

Declares that Consumers in the United Kingdom have for many years maintained good health by choosing to take safe vitamin and mineral supplements and herbal remedies; and fears that the European Food Supplements Directive and the Proposed European Directive on Traditional Herbal Medicinal Products would severely restrict the number and range of such products on general retail sale in the future.

The Petitioners therefore request that the House of Commons requires that the Secretary of State for Health does all in his power to protect the rights of the UK consumers by ensuring that such European legislation does not unnecessarily and unacceptably restrict the availability of natural health products.

And the Petitioners remain, etc.

To lie upon the Table.

10.26 pm

Dr. Stephen Ladyman (South Thanet): I rise to present a petition in similar terms to the hon. Member for South-West Bedfordshire (Andrew Selous).

The petition reads:

The Petition of Consumers for Health Choice and its supporters, declares that consumers in the United Kingdom have for many years maintained good health by choosing to take safe vitamin and mineral supplements and herbal remedies; and fears that the European Food Supplements Directive and the proposed European Directive on Traditional Herbal Medicinal Products would severely restrict the number and range of such products on general retail sale in the future.

The Petitioners therefore request that the House of Commons requires that the Secretary of State for Health does all in his power to protect the rights of UK consumers by ensuring that such European legislation does not unnecessarily and unacceptably restrict the availability of natural health products.

And the Petitioners remain, etc.

That petition was signed by more than 120 people at Herbs, Gardens and Health, a health food store in St. Peter's, near Broadstairs.

To lie upon the Table.

Air Weapons

10.27 pm

Mr. Parmjit Dhanda (Gloucester): I am delighted to be able to present a petition calling for greater regulation of air weapons, which was signed by 272 people from my constituency of Gloucester. The petition

Declares that greater regulation of our weapons will save lives and improve animal welfare.

The Petitioners therefore request that the House of Commons urge the Secretary of State for the Home Department to bring forward legislative proposals to raise the minimum age for unsupervised use of air weapons from 14 to 17 years, and to bring the regulation of air weapons into line with existing firearms legislation.

And the Petitioners remain, etc.

To lie upon the Table.

Hepatitis C

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Caplin.]*

10.28 pm

Mr. Richard Spring (West Suffolk): May I thank you personally, Mr. Speaker, for giving me the opportunity of introducing this debate, and the Minister for being here to reply.

I would like to bring the Minister's attention to something about which there has already been correspondence with the Department of Health, namely the case of my constituent, Dominique Porché, who suffers from hepatitis C and for whom all avenues of compensation appear to have closed, most unjustly.

Before discussing the circumstances surrounding my constituent's case, I would like to talk about the condition of hepatitis C itself.

The Campaign for Effective and Rational Treatment estimates that there are between 300,000 and 500,000 hepatitis C, or HCV, cases in this country. By way of tribute to the Haemophilia Society, I should add that about 2,800 haemophiliacs also have HCV and the society has produced a well thought-out compensation package for consideration.

I shall outline what we are dealing with medically. Hepatitis C is a disease characterised by inflammation of the liver, usually producing swelling and, in many cases, permanent damage to liver tissue. It is a contagious, viral disease that can lead to serious permanent liver damage. The identification of the specific hepatitis C virus in 1989 solved a mystery: over the previous 10 years, large numbers of hepatitis victims began to appear, but when examined those patients tested negative for both hepatitis A and B. In 1990, when a test was developed to identify individuals infected with a hepatitis variant, hepatitis C was found to be responsible for the majority of cases.

In contrast with most other types of hepatitis, the majority of HCV infections lead to liver disease. Hepatitis C, in combination with hepatitis B, accounts for 75 per cent. of all cases of liver disease throughout the world. As HCV infection is typically mild in its early stages, it is rarely diagnosed and is often not recognised until it has progressed.

The virus mutates frequently. Once an infection has begun, hepatitis C creates different genetic variations of itself within the body. The mutated forms are frequently different enough from their ancestors that the immune system cannot recognise them. Thus, even if the immune system begins to succeed against one variation, the mutant strains can take over and become new predominant strains. As a result, the antibodies developed against hepatitis C do not produce an immunity against the disease, as would be the case with most other viruses.

I turn to the case of my constituent Dominique Porché who, despite his infection, has dealt with his illness in an enormously robust and positive way. I have come to admire his resilience, patience and good humour in adversity.

In 1998, he contracted hepatitis C from blood transfusions given during operations at Addenbrooke's hospital in Cambridge. In September 1991, routine testing for blood transfusions was brought in. It is unclear exactly when the National Blood Authority may have become aware of the likelihood of my constituent's infection. In any event, he was not informed of that possibility for a further five years.

In 1996, he was informed by the National Blood Authority, via his GP, Dr. Bateman, that he had been identified as infected. That flowed from the Department of Health's national hepatitis C look-back exercise. My constituent said:

"I was in such shock, confused and very worried. I did not know what to do about this horrifying news."

In a letter from the consultant in transfusion medicine based at the East Anglian blood centre in Cambridge, my constituent was offered assistance to try to understand the implications of his infection. Disgracefully, there was not even an allusion to compensation.

In April 2001, more than 12 years since my constituent underwent surgery, he happened to be watching a television programme and became aware of possible compensation claims. At no stage had he been informed either by Addenbrooke's hospital, the National Blood Authority or any other arm of the national health service of his right to pursue such a claim.

I shall also mention the case of another constituent—Mrs. Angela Woodley of Haverhill. Although her case is different in some respects from that of Dominique Porché, there are similarities in that she contracted the disease at Addenbrooke's hospital from blood transfusions in the 1980s. Mrs. Woodley was receiving treatment for cancer at the time. Her situation represents another tragic story and she is still fighting for compensation. She recently observed to me:

"It seems nobody wants to know. You never know when it will hit and nobody ever talks about it. The horrific truth is that there are hundreds of people that contracted this disease the same way as I did. How many have to die before this Government takes notice?"

The Minister will of course be aware of section 32(4)(a) of the Consumer Protection Act 1987, which overrides normal provisions concerning the deliberate concealment of facts. That means that even if it were proved that the National Blood Authority knew about the likelihood of infection sometime around 1991, there would be no way of extracting such evidence.

Indeed, in a letter to me dated 25 January, the then Under-Secretary of State, the hon. Member for Pontefract and Castleford (Yvette Cooper), detailed the legal underpinnings of the so-called 10-year rule:

"It should have been made clear that the ten-year ruling means that any legal proceeding needs to have been initiated with a solicitor within ten years of the injury or infection. The Consumer Protection Act 1987 is based on the European directive 85/374/EEC on the liability for defective products. This states in Article 11 that 'Member States shall provide in their legislation that the rights conferred upon the injured person pursuant to this Directive shall be extinguished upon the expiry of a period of 10 years from the date on which the producer put into circulation the actual product which caused the damage, unless the injured person has in the meantime instituted proceedings against the producer'."

In the circumstances surrounding the case of Dominique Porché, the cry has to be, "Where is natural justice?" There was a clear dereliction of duty on the

part of different NHS personnel not to tell him his rights. When he brought the matter to my attention, I obviously got into correspondence with both Addenbrooke's hospital and the then Suffolk health authority. In a letter to me dated 8 February 2002, the Administrative Director of Addenbrooke's hospital wrote with almost heroic understatement:

"Without making any commitment on behalf of the Trust, I do have to agree that it seems that this chap has received a rather poor deal and I will have a further look into the way in which his case has been handled here to see if there is anything at all that we can do to help."

It has been pointed out to me that the Consumer Protection Act 1987 is draconian in respect of limitations of actions. Schedule 1 of the Act introduced section 11A into the Limitation Act 1980. It provides for a 10-year long stop on actions for breach of statutory duty. At the end of 10 years the right of action is extinguished. There is no discretion to disapply the 10-year long-stop rule and no provision for extension in respect of late knowledge of a potential action.

Similarly, in a letter sent to Dominique Porché written at my instigation, the Chief Executive of the Norfolk, Suffolk and Cambridgeshire health authority, Peter Houghton, wrote:

"I refer to your letter of 4th February to Jane Rutherford at Suffolk Health Authority...I have discussed the issues you have raised with Jane Rutherford. Jane has taken, on your behalf, advice from the NHS Litigation Authority, which has been dealing with the Hepatitis C Litigation. Whilst both the NHSLA and the Health Authority wish to extend their deepest sympathy to you in view of the situation in which you find yourself, neither body is authorised to offer patients compensation by way of an ex-gratia payment, or where they have failed the litigation process."

So we have reached a dead end, but it is scandalous that that should be the case. Of course there has to be a time limit on litigation, and of course litigation cannot be open-ended in the pursuit of a compensation claim; but how on earth can an individual know of his rights when no one in authority tells him?

Dominique Porché is a self-employed painter and decorator. He has a young son and his wife is expecting another baby. Obviously, he worries about their future in the event of his condition deteriorating. I personally feel deeply committed to supporting him and to trying to secure him some compensation for the tragedy that has cast such a blanket of anxiety over his life.

Let me tell the Minister that I shall not allow this issue to be pushed under the carpet after this debate. Compensation arrangements have been made in many other countries—Ireland, Spain, Hungary, Sweden, Canada, Italy and Norway, among others. The Minister will note the absence of the United Kingdom from that list.

British citizens are entitled to clean blood, as Mr. Justice Burton ruled in the case of S and others *v.* the National Blood Transfusion Service and others last year. However, in practice, that right is not recognised in this country, as it does not extend to individuals, such as Dominique Porché, who are also seeking compensation.

In my view, the moral argument is transparently obvious and powerful. I hope that the Minister will accept that Dominique Porché has been treated shabbily and unsympathetically because of inflexibility of the system. That really is not fair; it is simply not good enough.

10.41 pm

The Parliamentary Under-Secretary of State for Health (Ms Hazel Blears): I thank the hon. Member for West Suffolk (Mr. Spring) for raising this very important issue. Like him, I should like to say a little about hepatitis C before coming to the individual circumstances of his constituent.

Hepatitis C is recognised as a global public health problem. The World Health Organisation estimates that there are about 170 million people with chronic hepatitis C infection worldwide. The prevalence of hepatitis C infection varies in different countries. Studies suggest that we in England have a relatively low prevalence of hepatitis C compared with many other countries. The best estimate is that probably about 200,000 people in this country, or 0.4 per cent. of the general population, are likely to have been infected and to have become chronic carriers of hepatitis C.

Although that is a low prevalence of hepatitis C, it is nearly ten times the estimated figure for those infected with HIV, which shows that it is quite a significant problem for us. However, unlike HIV, we have a drug treatment that can clear the hepatitis C virus in many of those infected, but we obviously recognise that there is no room for complacency. The drug treatment does not work for everyone, but there is a little more hope for those with hepatitis C than for those infected with HIV.

In most cases, hepatitis C is spread by contact with the blood of someone who is infected. The main groups at risk of infection are injecting drug users and those who received blood transfusions or blood products before screening and viral inactivation processes were introduced.

People with chronic hepatitis C infection may remain virtually symptomless for many years, and a large number of people will live out their life in the normal way. However, some people may suffer more general debilitating effects, which can affect their quality of life. In a proportion of cases, the liver may become progressively inflamed and damaged. If not treated, that may eventually develop over a number of years into cirrhosis, or occasionally liver cancer. So the disease has some very serious consequences indeed for those people who are not susceptible to the latest drug treatments and for whom the disease progresses to its end stages.

Two groups of people contracted hepatitis C through blood—the issue that the hon. Gentleman raises. The first group includes about 3,000 haemophilia patients treated with clotting factors before 1985. That is an important date, because it was only in that year that it became possible to remove viruses from pooled blood products by using heat treatment. However, the hon. Gentleman's constituent falls into the second group of people: blood transfusion recipients who contracted the virus before September 1991, the month in which the United Kingdom first introduced blood testing for hepatitis C.

About 700 such people, including the hon. Gentleman's constituent, Mr. Porché, were identified through a look-back study conducted by the National Blood Service from 1995, but it is likely that it has been impossible to trace many hundreds of others, even through that look-back study, who may be in a similar position.

[Ms Hazel Blears]

The reason why people were still being infected with hepatitis C as a result of blood transfusions as late as 1991 requires some explanation. Unlike pooled blood products that can be heat treated, the red cells for transfusions cannot be treated to remove viruses. The only way to remove viruses from transfused blood is to screen out the infected donors. So there is no treatment of the blood itself that can be carried out. The hepatitis C virus was firmly identified only in 1989. The first screening test for hepatitis C for donors was marketed later that year. It was very experimental at that stage. The United States was one of the first countries to introduce hepatitis C testing in May 1990. The UK began screening blood for hepatitis C in September 1991, using a far more reliable second-generation test. These dates are crucial when considering people's entitlement to compensation. A key issue is whether the national health service was in possession of the scientific knowledge to enable it to carry out the processes at the time.

I move on to compensation. Haemophiliacs infected with hepatitis C have been campaigning for compensation for a number of years. They have put forward a proposal for a scheme that amounts to about £500 million over 10 years. That was submitted early this year by the Haemophilia Society. We are currently giving the proposal our detailed consideration. There has also been a call for financial assistance in Scotland for all people infected with hepatitis C through blood. That has been discussed by the Scottish Parliament Health and Community Care Committee. The Scottish Executive is currently considering its response to that.

The Government have listened carefully to all the arguments in favour of a compensation scheme. I am aware of the personal tragedy that is caused to those who find themselves in these circumstances. However, the fact remains that in the NHS compensation is usually given only when either the NHS or those working in it have been at fault. That is where there has been some negligence and the damage can be attributed to it. That is not the case with hepatitis C infection. We therefore do not believe that an exception can be made to the general rule in the case of people infected with hepatitis C. The same conclusion was reached by the previous Government. They examined the issue in the mid-1990s and decided that it was not possible to depart from the general principle.

As the hon. Gentleman has said, a number of blood transfusion recipients with hepatitis C were successful in winning damages in the High Court through a judgment in March 2001. It was a landmark judgment made under the Consumer Protection Act 1987. Those who were awarded damages were infected between March 1988, the date when the Act came into force, and the start of screening for hepatitis C in September 1991. The hon. Gentleman will appreciate that that is quite a small window of the people who were infected between the date that the legislation, which is strict product liability legislation, came into force and the date when it could reasonably be held that the NHS should have, and did, introduce screening of blood donors. Those people who fell into that category were entitled to compensation.

The Consumer Protection Act implements the 1985 European directive on product liability. As I have said, it is a piece of strict liability legislation. That means that there is no requirement of proof of fault, unlike the ordinary law of negligence. It is about defective products. The judge ruled that hepatitis C-infected blood was a defective product and that, irrespective of fault, there was product liability. That is why it appears that the claimants who fell within the window to which I have referred were treated differently in that they received compensation. There is a good legal reason why they became eligible for compensation.

The outcome of the case does not alter our position on the general rules of compensation. Damages were awarded on a no-fault basis, and at present we do not have such a basis of compensation. Although Governments have occasionally made ex-gracia payments to patients—for example, in the case of haemophiliacs with HIV and the families of people with variant CJD—these have been in truly exceptional circumstances that do not apply to hepatitis C. When HIV first emerged as a disease, it was almost undoubtedly the case that people would die quickly in dreadful circumstances as a result. Even to date there is no accepted treatment as there is in the case of some of those suffering from hepatitis C.

My understanding is that the hon. Gentleman's constituent was infected after the Consumer Protection Act came into force, but he was not part of the group action and is now barred from seeking damages under the limitation period in the Act. It contains a provision stating that legal proceedings must be initiated with a solicitor within 10 years of the infection. I entirely understand the frustration felt by anyone who has missed out on an opportunity to take legal action for damages. The hon. Gentleman's constituent is not the only person in that position of whom we are aware, but it would set a most unfortunate precedent in other litigation where there are "time bars" if the Government were to accept that as a reason for awarding financial compensation, because it would be entirely outwith the legal framework that applies to our decision making in such matters. I recognise how hard that seems to individuals facing difficulties or family tragedies, but it is important that we maintain the integrity of the system and the rules by which we are bound.

The hon. Gentleman made two points to which I want to respond. The first is that his constituent, Mr. Porché, was not informed of his infection until 1996, five years after the start of screening. That requires an explanation. Secondly, Mr. Porché says that once he had been told of his infection, NHS personnel were derelict in their duty by not informing him of the opportunity to take legal action and become part of the litigation that was brought.

As I mentioned earlier, the NHS began a look-back exercise in 1995 to trace, counsel and, if necessary, treat people who had been infected with hepatitis C through blood transfusions. That was announced in the House by Mr. Tom Sackville, who was the Minister responsible at the time, on 11 January 1995, and guidance was issued to the NHS in April that year. I have managed to obtain

a copy of the press release issued in 1995 by Mr. Sackville. In it, Dr. Jeremy Metters, the chairman of the advisory committee and the Government's deputy chief medical officer at the time, explained the reason for the delay:

"Until recently there was no treatment to offer those who might be identified and it was believed that this exercise would have been technically very difficult. However, following a pilot research study procedures have been established which make it possible to trace those at risk and, more importantly, certain drugs have recently been licensed which may be suitable for the treatment of some of those involved. This look-back programme will go ahead without delay."

That is the explanation for the time that elapsed between the infections and the look-back exercise: no treatment was available and there were technical barriers to the exercise. However, once they had the means, they got on with the action.

As for whether Mr. Porché should have been told about the opportunity to claim damages, I am not sure of exactly when he was in contact with NHS officials; however, it may be that at that time the litigation had not started, or it was in its infancy, or people were not certain of the validity of the claim. The Act on which it was based was relatively new, and the judgment was not issued until 2001. If the hon. Gentleman gives me full details of Mr. Porché's contacts with NHS personnel, I shall certainly look into the matter, but it may well be that the litigation had only just started to be contemplated and was therefore not a significant feature in the mind of the NHS at that stage.

The hon. Gentleman described how his constituent is, naturally, worried about his future and that of his family, and what would happen if his condition were to worsen and perhaps prove resistant to the drug treatments available. Many people with hepatitis C have had difficulties in obtaining insurance. It is, sadly, inevitable that policies and premiums offered by insurers will reflect health factors, but I understand that the Association of British Insurers has told us that applicants who are infected with hepatitis C should not automatically face increased premiums or refusal of cover.

Many people with hepatitis C will live out their normal life span and not progress to serious liver disease, but some may do so. There will therefore be a range of outcomes for insurance applications from people with hepatitis C, depending on the individual case. Those will range from standard rates to a small weighting, through to a greater weighting or, in serious cases, refusal of cover.

I know that Scottish Ministers have been working with the Association of British Insurers and the Council of Mortgage Lenders on the issue. I am happy to consider a joint meeting with my Scottish colleagues to see whether we can take matters forward and give people some reassurance about their access to finance in the future.

I shall finish by mentioning some of the steps that the Government are taking to ensure that we get effective prevention, testing and treatment services for people who have hepatitis C. Treatment has improved markedly in recent years. The National Institute for Clinical Excellence assessed the drug combination therapy of ribavirin and interferon for treating hepatitis C and published its recommendations in October 2000. The therapy has been shown to be twice as effective as any previous treatment and clears the virus in about 40 per cent. of those treated. We have provided additional funds to make sure that the NICE-approved therapies can go through.

There are grounds for further optimism. I understand that there is a new treatment, a modified slow-release form of interferon called pegylated interferon, which became available last year. That appears to be even more effective than conventional interferon, and when used in combination with ribavirin, it clears the virus in about 55 per cent. of cases. That is good news for people who have been infected.

We have recently been developing a national strategy on hepatitis C, and considering ways of raising public awareness, raising the awareness of clinicians, trying to prevent new cases of hepatitis C, making sure that there is early diagnosis and access to the new therapies, developing managed clinical networks to get everybody in the field involved and, crucially, improving the evidence base so that we can reduce new cases and treat people effectively. Much work is going on in connection with hepatitis C.

The chief medical officer's infectious diseases strategy, "Getting Ahead of the Curve", recommended that we have the hepatitis C strategy. That will be followed up by an action plan setting out the action that we can take to make a difference. I assure the hon. Gentleman that the NHS takes the matter extremely seriously. I understand the frustration and the difficulties faced by his constituent, among others, but unfortunately, in the circumstances it is not possible for the Government to go outwith the normal system of clinical negligence in this case. We will do everything we can to make sure that people get the proper treatment, and that the proper support is available to the thousands of people and their families for whom hepatitis C is an extremely important issue in their lives.

Question put and agreed to.

Adjourned accordingly at three minutes to Eleven o'clock.

House of Commons

Wednesday 23 October 2002

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

COMMITTEE OF SELECTION

Order read for resuming adjourned debate on Question [16 October],

That Mr. John Hayes be discharged from the Committee of Selection and Mr. Peter Luff be added to the Committee.—*[Mr. Jim Murphy.]*

Hon. Members: Object.

Debate to be resumed tomorrow.

Oral Answers to Questions

NORTHERN IRELAND

The Secretary of State was asked—

Good Friday Agreement

1. **Mr. Ben Chapman** (Wirral, South): What aspects of the Good Friday agreement remain to be implemented; and if he will make a statement. [73997]

The Secretary of State for Northern Ireland (Dr. John Reid): The Government are determined to press forward with all aspects of the agreement. The key priority now is to restore the devolved institutions. Essential to that is the restoration of trust that all parties remain committed to fulfilling their obligations and, crucially, the commitment to exclusively democratic and peaceful means.

Mr. Chapman: While I appreciate that we face testing times in Northern Ireland with the suspension of power sharing, does my right hon. Friend concur with me that the Good Friday agreement is about much more than that? Does he agree that the suspension of the Assembly and the Executive, much as it is to be regretted, should not be allowed to stall progress in other areas of the agreement? Can he confirm that all possible steps are being taken to implement those other measures?

Dr. Reid: Yes. As my hon. Friend points out, the Belfast agreement has brought considerable benefits to people in Northern Ireland. We have made considerable progress, which is reflected in the day-to-day life of people in Ulster in terms of their standards of living and their security compared with a decade ago. It is the Government's intention to carry forward those items of the agreement that fall to our respective jurisdiction. It is important to remember that the agreement has not been suspended; it is the Assembly and the Executive that, regrettably, have had to be suspended. Having said that, we should not diminish the effect and success of devolved and inclusive government in Northern Ireland, which was greatly appreciated by people in Ulster.

Mr. David Trimble (Upper Bann): On the question of the agreement's implementation, will the Secretary of State look again at those matters which the Government have done and are proposing to do that are not part of the agreement? I refer, of course, to the special category that has been invented for certain Members and the proposed special measures for so-called on-the-runs. Those matters are not part of the agreement and the Government should look again at them.

The right hon. Gentleman referred to the suspension of the Assembly, which was not inevitable and is exercised at the Secretary of State's discretion. As that suspension arose from events in his own Department—the massive breach of security in his own Department—will he come to the House, when what has been called the root-and-branch examination of his Department by the Security Service has been completed, to explain precisely how that massive breach of security occurred and to outline arrangements for a proper inquiry into it?

Dr. Reid: On the right hon. Gentleman's first point, access to facilities in the House is, of course, a matter for the House, and any wider aspect of that is a matter for the Serjeant at Arms.

On the breach of security to which the right hon. Gentleman referred, I have already said that I have asked the Security Service to carry out an investigation and inquiry into it, not least to safeguard our position in the future. I think that he will understand that it is not always possible, in such circumstances, to put before the House as full details as I would wish because that, in itself, may compromise the future safeguarding of our position; but I will certainly consider how we can share what information can be shared with the right hon. Gentleman and the House.

Mr. Eddie McGrady (South Down): Given that the Governments are intent on the full implementation of the Good Friday agreement, does the Secretary of State agree that there can be no level of acceptable paramilitary activity—the so-called in-house or political violence, or indeed in the structures of paramilitarism—in either jurisdiction, the Republic of Ireland or the United Kingdom? Does he agree that further concessions to loyalist or republican paramilitaries would be entirely corrosive of the democratic process and destructive of the peace process in the long term? Will he reaffirm that the true way forward is by full, round-table negotiations with all the parties that are signatories to the Good Friday agreement, not by what can be destructive, unilateral meetings in secret?

Dr. Reid: I agree with everything that the hon. Gentleman said. First, let us be clear that there is no acceptable level of violence. Violence is violence, and crime is crime, from wherever it comes. From

wherever it comes, whatever the consequences, on whatever side of the community, and whatever political discomfort it might throw up, crime will be pursued by the police, and the police will follow where the evidence leads. The hon. Gentleman can be assured that that will be applied in an even-handed fashion across the community.

A great deal of publicity has been given recently to arrests and charges laid against republicans. We should also remember that, in recent weeks, a considerable number of loyalists have been arrested and charged by the police. Last night, there was another disgraceful attack causing injury to young men in the Short Strand area, and I want to congratulate the police on their hard work leading to the discovery and retention yesterday of a considerable arsenal of weapons, which, apparently, was connected with loyalists. There is no doubt in my mind that it was destined for murderous attempts at violence. We should all congratulate the police on the way in which they have been applying themselves, with some success, against crime wherever it arises.

Mrs. Iris Robinson (Strangford): Is the Secretary of State not yet ready to accept, as evidenced by the recent opinion poll on "Hearts and Minds", that two thirds of the unionist community do not support the agreement? Is it not time, therefore, to call early elections, followed by negotiations for a new agreement which would have the endorsement of unionists and nationalists?

Dr. Reid: Like the hon. Lady, I follow opinion polls carefully, although, of course, they are not definitive. Some recent opinion polls, however, have given some interesting indications of the feelings of people in Northern Ireland. First, there is a loss of confidence in the way in which the agreement is proceeding among the unionist community. Secondly, for three quarters of those who have misgivings in the unionist community, the most important single issue is the continued activity in violence or the means of violence by the republican movement. That is why we have said that there is now a real crossroads, at which there is a decision to be taken. We await the response of the republican movement to what the Prime Minister has said in recent days, but I cannot see how we can restore sufficient trust to have inclusive government of a devolved nature in Northern Ireland without a definitive move in that direction.

I also note other factors that are illustrated in the opinion polls: the continuing lead, in terms of support among the unionist community, for the right hon. Member for Upper Bann (Mr. Trimble), the leader of the Ulster Unionist party, and 80 per cent. support for him inside his party.

Mr. Peter Mandelson (Hartlepool): May I commiserate with my right hon. Friend, but congratulate him on his handling of recent events in Northern Ireland, in which he has shown considerable skill and judgment? Does he agree that implementation of the Good Friday agreement has, for years, been dogged by the issue of arms decommissioning, but that that is a proxy gesture for what is really needed: a full-hearted commitment by the republican movement to ending the war completely and saying so in terms?

What is needed now is a genuinely substantial shift in the attitude of the rest of the republican movement to the future of the IRA. Does my right hon. Friend agree that such a move will not be easy for republicans, and that demonising Sinn Fein will not in any sense help the republican movement in that direction? May I encourage him along the lines in which he has indicated that he is moving, and urge him to bring these matters to their logical conclusion—the end not only of the provisional IRA but of all paramilitary organisations in Northern Ireland?

Dr. Reid: First, I thank my right hon. Friend for his support and praise—coming from the quarter that it does, it means much more than it usually would in the House. Secondly, he has couched his question, and the implied recommendations, wisely. It is wise counsel. We must recognise that the republican movement has come a huge distance in recent years, and none of us should diminish that. We must also recognise that just as continuing activity by republican paramilitaries is the major factor, in my view, undermining the capacity to continue with power sharing in Northern Ireland, in turn loyalist paramilitary activity is not only murderous in its intent but becomes an excuse and a reason for the republicans not to reduce their level of activity, and an obstacle to their doing so.

Finally, we should recognise that everyone should be seen to be committed to exclusively peaceful and democratic means in deeds as well as in words and that, as I have said so often in the House, the question of activity goes well beyond a ceasefire. If people are suspected of preparing and maintaining a capability to break the ceasefire in future, that will, and has, undermined the trust of the other parties to power sharing. Unless those issues are addressed in a definitive fashion, all of us who are partners to the agreement and partners in shaping a new Northern Ireland will ultimately fail. I hope that all of us, including the leadership of republicanism, will reflect on that point.

Lembit Öpik (Montgomeryshire): Given that paragraph 8 of the validation, implementation and review section of the agreement says that

"the two Governments and the parties in the Assembly will convene a conference four years after the agreement comes into effect, to review and report on its operation",

do the Government intend to carry out such a review and, if so, when?

Dr. Reid: Yes, we intend to carry out that particular review, but I am tempted to say it will be after we carry out all the other reviews that are now stacking up for us. I think that the time scale that the parties envisaged for that review—this is not definitive—was at the end of next year. However, we now have a legal duty upon us as a consequence of suspension to carry out a review under the Northern Ireland Act 2000. I have already talked to a number of the parties, in various capacities, about that. Yesterday, I talked to our colleagues in the Irish Government and, next week, I will have meetings with all the parties—and not just the pro-agreement

parties—represented in the Assembly to fulfil the beginnings of the obligations placed upon us to have such a review subsequent to suspension.

Mr. Kevin McNamara (Hull, North): My right hon. Friend has taken a difficult and, in many ways, a very courageous decision. Will he assure the House that, in his pursuit of following up the Good Friday agreement, there will be no let up on those matters concerning human rights, equality between the communities, and pushing forward those concepts and ideas? Will he also say when we will see legislation arising out of agreements that were made with some people at Weston Park?

Dr. Reid: We intend to continue with all aspects of the agreement, including those aspects that we have put into the public domain over the past 18 months. On human rights and equality, there is no question of this Government or—as far as I am aware—any party in Northern Ireland wanting us to go back to a stage before equality or human rights were enshrined. I merely say to my hon. Friend that, although it is only one aspect of the agreement, devolved power sharing and the capacity of the people of Northern Ireland together to shape their future is, in my view, a vital part. Unless we can overcome the obstacles to achieving that—the real choice facing people is between democracy and violence—we will never fulfil the agreement in full. Much emphasis must be placed on that, and I and my colleagues on the Front Bench will certainly do that. I am sure that the other parties and the Irish Government will also do that over the coming weeks so that we can achieve our aim.

Mr. Quentin Davies (Grantham and Stamford): May I offer our warm congratulations to the Police Service of Northern Ireland on discovering the major loyalist arms cache?

Will the right hon. Gentleman accept from us that the Prime Minister's new tone on Northern Ireland in last week's speech in Belfast is very welcome? The Prime Minister was right to state that there is a fork in the road and that there is a choice for the parties to the agreement between implementing its obligations and breaching it. Even if we had to wait four and a half years for those words from the Prime Minister, it is good to hear them so clearly now. Does the Secretary of State accept that if the Government sustain this new line not merely in rhetoric but in action, and if there is a definitive end to the disastrous policy of turning a blind eye and making unilateral concessions, the Government will henceforth enjoy our support?

Dr. Reid: I thank the hon. Gentleman for his comments. I am sure that the Police Service of Northern Ireland and the Prime Minister will be fortified by his support.

Let me repeat what I have often said in the House. There has been no turning of a blind eye by either the politicians in Northern Ireland or the Police Service of Northern Ireland. They have conducted themselves in the most appropriate fashion in the most difficult circumstances. If the police are now having more success as a result of the application that they have applied to unearthing crime and violence and to arresting and charging people, it is a result of their good and continuing work; it is not because they have changed their approach.

Mr. Davies: The right hon. Gentleman is trying to avoid his embarrassment and that of the Government by diverting attention from what I said. The police have done an excellent job. They uncovered some extraordinary things in Stormont and the Northern Ireland Office, and also with the break-in at Castlereagh. The Americans did some tremendous police work in Florida and we know about events in Columbia. It was those events to which the Government turned a blind eye.

However, I want to look forward. Does the right hon. Gentleman accept that the only possible viable solution in Northern Ireland must be comprehensive and global? Does he further accept—if only in the light of events, not because we have been saying so for many months—that the principles that we have been urging on the Government, of linkage, multilaterality, sanctions for non-compliance, balance and, indeed, timetables for implementation, must be an essential part of a settlement and his negotiations from now on?

Dr. Reid: I was discourteous in omitting a welcome to the hon. Member for Solihull (Mr. Taylor) to the Front Bench. I also welcome what I take to be an obfuscated restoration of bipartisanship—if not hyper-multilateralism—to the problems that we face. I understood the hon. Member for Grantham and Stamford (Mr. Davies) to say that everything is linked to everything else. He is certainly accurate in that.

Forensic Centre

2. **Rev Martin Smyth** (Belfast South): What plans he has to build a new forensic centre. [73999]

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Desmond Browne): We are committed to providing alternative accommodation for the Forensic Science Agency and have accepted the recommendation in the criminal justice review that new dedicated accommodation would be desirable. The Forensic Science Agency of Northern Ireland, with the Department, is in the process of engaging consultancy advice to take forward a project to meet its long-term accommodation needs.

Rev. Martin Smyth: May I welcome the Under-Secretary's two new colleagues to the Front Bench, although I am sure that we all wish them a short stay in the Province?

I thank the hon. Gentleman for taking a positive step forward after the 10 years or so since the premises were demolished. Does he agree that the need for the Forensic Science Agency of Northern Ireland is as vital as ever? I pay tribute to its work and remind him that staff cuts have left the service short-handed in light of the new bombing campaigns.

Mr. Browne: On behalf of my new colleagues, I thank the hon. Gentleman for his welcome. They share his hope that devolution is restored to Northern Ireland sooner rather than later.

The hon. Gentleman is right to highlight the significant contribution that the Forensic Science Agency of Northern Ireland has made to the investigation of crime. In many respects, it is a world leader. The service has put up with unsuitable accommodation for too long. It is fair to point out that it provides services for both prosecution and defence. It is seen to be independent of both, and its standing nationally and internationally has never been higher.

Peace Process

3. **Dr. Nick Palmer** (Broxtowe): If he will make a statement on progress with the peace process. [74000]

The Secretary of State for Northern Ireland (Dr. John Reid): There is at present in Northern Ireland a lack of confidence that all parties to the Belfast agreement will fulfil their obligations under it, especially the commitment to follow exclusively peaceful means. That has led to the suspension of devolved government, which I hope will be short lived. The peace process and the agreement remain, in my view, fundamentally sound, and the only way forward for Northern Ireland.

Dr. Palmer: Following on from some of the Secretary of State's previous replies, does he agree that in view of the unfortunate events and the blizzard of hostile comments by motivated politicians, the surprising thing is that there is still solid support for the peace process, and that as long as the police continue to find illegal arms, as they so successfully did yesterday, people would be horrified if the interruption to the Assembly were to lead to an end to the peace process?

Dr. Reid: I agree with my hon. Friend about the success of the police, not only yesterday but over the past few weeks. As I said, they are to be congratulated on that. On the devolved Assembly, it is my sincere wish that the suspension should be very short. I thank hon. Members for congratulating and welcoming my Ministers; I hope that theirs is a short term of office. I see that one of them has been moved already; his office was even more short lived than he anticipated—welcome to Northern Ireland.

Lady Hermon (North Down): I understand that considerable progress has been made towards announcing the appointment of the ceasefire monitor, who will of course play a key role in the peace process. When does the Secretary of State intend to announce that appointment?

Dr. Reid: Over the past couple of weeks we have been somewhat diverted from some of the issues on the agenda. If anything, on that matter, events have moved on even further, so I am sure that it will be considered, not least in our meetings with political parties next week and subsequently.

Mr. John Taylor (Solihull): Will the Secretary of State answer the question asked by the hon. Member for North Down (Lady Hermon)? When will he finally get round to appointing the independent monitor of violence?

Dr. Reid: I repeat my welcome to the hon. Gentleman to the Front Bench. I thought that I had answered the hon. Lady's question. There are many issues to be considered and that is one of them. Events have moved on, and we have been somewhat busy over the past week trying to consult Ministers from Northern Ireland, including not least the First and Deputy First Ministers, and our colleagues in the Irish Government, to try to find a way forward on the governance of Ireland, on the implementation of the agreement and on breaking the impasse.

What is central to the question, and why I have no doubt that it will be raised again, is that we cannot sustain a level of trust sufficient to have a devolved power-sharing Government in Northern Ireland if some of the parties to it appear to be involved in criminal or violent activity. There is no question that this issue, the crossroads issue, will fall off the agenda.

Fireworks

4. **Mr. Barry Gardiner** (Brent, North): What restrictions the Government are placing on the purchase, possession, sale and use of fireworks in Northern Ireland; and if he will make a statement. [74001]

The Minister of State, Northern Ireland Office (Jane Kennedy): Additional controls were, regrettably, required in Northern Ireland because of the widespread misuse of fireworks generally, throughout the community and particularly against the security forces in public order situations. The regulations, which came into effect on 6 May 2002, require a licence for the possession, sale, acquisition, handling or use of all fireworks except those suitable for indoor use.

Mr. Gardiner: I thank my hon. Friend for her reply. Has there been a reduction in using fireworks for making pipe bombs, which were extensively used against the security forces in the past? Has the change in the regulations meant a decrease in youth violence involving fireworks and damage to property? Does she believe that the mainland could learn from her piloting work?

Jane Kennedy: The misuse of fireworks to which my hon. Friend alludes is precisely why I introduced the regulations, albeit reluctantly. It is early days, but the signs are encouraging. Last week, the *Derry Journal* reported that local police said that, from their point of view, the new regulations have had a good effect. I intend to review and monitor the position in Northern Ireland, especially over halloween, and to learn from the experiences of both the Police Service of Northern Ireland and the ordinary folk in the community, who made such an issue of the matter last year.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [74027] **Dr. Doug Naysmith** (Bristol, North-West): If he will list his official engagements for Wednesday 23 October.

The Prime Minister (Mr. Tony Blair): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I will have further such meetings today.

Dr. Naysmith: Does my right hon. Friend agree that the Fire Brigades Union and the firefighters have a good case for a substantial increase in remuneration, but that they are currently pursuing the wrong tactics? Does he further agree that the sooner the employers and the union get together in meaningful negotiations, the better it will be for everyone?

The Prime Minister: Perhaps I should say at the outset that no one wants the dispute, and that we shall do all we can to avoid a dispute that would be damaging for obvious reasons. However, there are two difficulties. The first is a pay demand of 40 per cent., to which no Government could yield. Secondly, inasmuch as the firefighters want a new formula, for which we understand the reasons, it would be best for them to co-operate with the independent review, which can provide such a formula. If they co-operate with the review, I am sure that we can resolve the matter satisfactorily. Those with the interests of the firefighting service at heart, the public and the Government want that.

Mr. Iain Duncan Smith (Chingford and Woodford Green): I agree with the Prime Minister that there is no reason for strike action. Will he confirm that the safety of the general public is more important than the sanctity of a picket line? Will he give troops access to the most modern firefighting equipment if the strike goes ahead?

The Prime Minister: I agree that public safety is the most important factor. There are practical issues such as training to consider, but we must also make a judgment. The dispute is not under way yet and we are doing what we can to resolve it. It is sensible to do what we can to try to calm matters and get the firefighters' union to understand that the way forward is to participate in the review, submit evidence to it and get the matter settled. We do not rule out anything to protect the public. However, at this juncture, we believe that allowing military personnel to operate the appliances that they have is the best way in which to proceed. We keep that judgment under constant review, but if we were to follow another path at this stage, we would probably exacerbate rather than resolve the dispute.

Mr. Duncan Smith: I hear what the Prime Minister says. I suspect that he would like to re-examine the comments that the Deputy Prime Minister made yesterday. Speaking about the practicalities, he said that it would take three months to train soldiers to use the equipment. That comment led me to ring the Retained Firefighters Union this morning. *[Interruption.]* Its members' sympathies may lie in the wrong place, but they told me that, in training to cope with emergencies, learning to drive a modern firefighting engine would take five days; learning the basics of specialist cutting equipment would take seven days; and learning to use breathing equipment would take 10 days. So, by the union's estimate, the Government would be able to put in place teams of troops trained to use this equipment not in 12 weeks—as the Deputy Prime Minister said—but in two weeks. Perhaps I can ask the Prime Minister once again what his plan is. Has he made contingency plans to give the troops access to that equipment?

The Prime Minister: On the training times, our best information is that the full range of training necessary would indeed take 12 weeks, as the Deputy Prime Minister said. There are, however, other things—to do with driving the appliances, for example—that would take a shorter time. The judgment that we have to make at the moment is whether it would be sensible for us to have troops going into the fire stations, taking out the fire appliances in circumstances in which the firefighters would not be co-operating, then returning them. That might simply inflame the dispute rather than cooling it down and ensuring that we are able to get it resolved satisfactorily. Having said all that, however, we are keeping the matter under review because the safety of the public must come first. I hope that the right hon. Gentleman understands that, in doing this, the best thing that we could possibly do is to try to avoid the dispute by ensuring that everyone comes behind the independent review. So we are keeping all those options under review, but I hope that he will agree that, at the present time, what we are doing is probably the best way of ensuring that we actually resolve this.

Mr. Duncan Smith: It is absolutely right to let all those who are likely to be engaged in the dispute know exactly what the Government are prepared to do. That means that if the Deputy Prime Minister is using a set of training figures that is not correct, it will mislead all those who are wondering what might happen. It is worth remembering that, when the Green Goddesses were last used, they were only 20 years old, yet two soldiers died driving them and 325 service men were injured fighting fires with that equipment. Today, that equipment is 50 years out of date. The job of the Government is surely to take all necessary steps to safeguard the public, regardless of the sensibilities of a striking union. I ask the Prime Minister simply this: should not he now send the very clear signal to that union that, if its members go on strike, the Government are likely to want to use the equipment that is sitting idle in the fire stations? Will he now say that that is the case?

The Prime Minister: First, the equipment is not sitting idle in the fire stations; it is being used by the firefighters. I would simply point out to the right hon. Gentleman that it is important that we do everything that we possibly can to make the right preparations. This is not just a question of the Green Goddesses; it is also a question of breathing apparatus—there are about 300 teams trained to use that—and the use of cutting machinery, for which there is special training. We are doing every single thing that we can to make proper contingency plans, but we take the view that, at this stage, forcibly to go in, take the fire tenders out of the fire stations and do the work that the right hon. Gentleman is suggesting would exacerbate and inflame the dispute, rather than get it resolved. I hope that that is not what he wishes.

I do not know how the right hon. Gentleman thinks there could be any doubt about the signal that we are sending to the firefighters. We are sending a very clear signal. We understand the issues that they have around

the new pay formula, but there is a simple way of avoiding this dispute. There is an independent review into the pay formula: co-operate with the review; and realise that no Government could accede to a 40 per cent. wage claim—that simply is not on. If the firefighters do that and present their evidence, it can be looked at by the independent review and adjudicated on, and we can get on with running the fire service properly.

Mr. Duncan Smith: The issue is not whether the Government disagree with the pay dispute. We accept and agree with that. The issue is whether they are now engaged in a dispute about which they are not sending clear signals. The reality is that the Deputy Prime Minister and the Prime Minister have both said that the problem about using modern fire appliances is to do with whether there are practicalities involved in training. The Retained Firefighters Union has said that that is not the case. So why cannot the Prime Minister be absolutely clear about this? If it comes to the question of whether he will order the troops to cross the picket line, the answer must surely be that he will, to safeguard the public.

The Prime Minister: There must be no question of any doctrine or ideology preventing us from protecting the public. Of course that is right.

Let me deal with the two issues raised by the right hon. Gentleman. There are real issues in respect of training—practical issues, which the Deputy Prime Minister rightly raised yesterday. As for whether we should send troops into the fire stations before the dispute has begun, at the very moment when we are trying to resolve it—

Mr. Duncan Smith: No.

The Prime Minister: That is, actually, precisely what the right hon. Gentleman is asking us to do—and it would end up simply exacerbating and inflaming the dispute at the very moment when we are trying to settle it. I hope very much that the Conservative party is not going to sit there trying opportunistically to exploit the situation, rather than ensuring that it is dealt with properly.

I say that in particular because, while the right hon. Gentleman talks of our not sending a clear signal to the firefighters, I could not be clearer. We cannot support the 40 per cent. claim. We believe it is important that the firefighters get behind the pay formula that will be worked out in an independent review, but no Government could agree to a pay award that would effectively cause chaos right across the public sector. It would mean, simply, not just that we would not be able to put into public services the extra spending that we want to put in, but that people's mortgages and interest rates would go up.

Ms Meg Munn (Sheffield, Heeley): What impact are parenting orders having on the reoffending behaviour of young people? *[Interruption.]*

Hon. Members: Read it again!

Mr. Speaker: Order. Will the hon. Lady read it again?

Ms Munn: Thank you, Mr. Speaker. May I ask my right hon. Friend what impact parenting orders are having on reducing the reoffending behaviour of young people?

The Prime Minister: I thought for a moment that it was a question about antisocial behaviour orders. I was about to suggest that they might be applied to the Conservative party.

Parenting orders are having an impact, but there is a problem: the court procedures required to obtain such orders are not as strong or as tight as we need them to be. That is one of the things we are looking at now in the context of the Queen's Speech and forthcoming legislation. It is important for us to ensure that parents accept their responsibilities, and in particular that they make sure that their children turn up at school on time.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): Does the Prime Minister acknowledge that it is precisely because all people in this country recognise the vital role played by firefighters that all people, equally, find it unbelievable that the leadership of the Fire Brigades Union think a 40 per cent. wage increase could possibly be acceptable, and indeed that strike action could in any way be allowable at this stage? Given that the sensible way forward is the FBU leadership's contributing to the Bain review, does the Prime Minister agree that the Government must also show intent to bring forward the timetable for the review so that it can report sooner rather than later?

The Prime Minister: The point about whether we can bring forward the review, which I think people made yesterday as well, is perfectly reasonable. Obviously in the end it is for Sir George Bain to decide how he conducts the review. The problem at the moment is that the firefighters will not co-operate with it in any shape or form. That means that they will not give evidence to it. They have instructed their members in the fire stations not to talk to Sir George Bain when he is conducting his review, and for that reason it is hard for him to complete it within the time scale that he would ideally want.

Obviously this is something that we keep under discussion. If it were possible to secure a change of attitude on the part of the firefighters' leadership and they could co-operate with the review, I have no doubt that we could ask Sir George to bring it forward. However, another point needs to be made. Right from the beginning, the employers have also told the firefighters that any award under the review would be backdated. Because of that, they are fully protected in relation to pay.

Mr. Kennedy: As a follow-on to the Prime Minister's latter remarks, does he agree that the pressure on the leadership of the Fire Brigades Union to allow its members to participate more fully—or indeed, participate at all—in the Bain independent inquiry would be increased constructively if he were able to discount some of yesterday's press reports that whatever

the outcome of the Bain findings, the Chancellor will not make any additional sums available for possible funding of implications that may follow?

The Prime Minister: The Chancellor is not saying that. We have set up an independent review. It is important that everyone cooperate with it and we shall consider its outcome carefully and I have no doubt sympathetically, but of course it has to be done within the Government's overall spending limits. Another issue is the need to make sure that, if there is a new pay formula, it deals not only with pay, but with all the other issues. There are many issues involving the modernisation of the service, modernisation of the terms and conditions of employment, how we recruit and retain firefighters and how they cooperate with other agencies, particularly at the scene of an accident or fire. So there is a whole range of considerations. Of course we will consider carefully the outcome of the Bain review, but it has to be done, as one would expect the Chancellor to say, within the overall spending limit set by the Government.

Mr. Roger Berry (Kingswood): Will my right hon. Friend join me, and I hope all hon. Members, in welcoming the lobby of Parliament today by the Mental Health Alliance, which represents 50 organisations of mental health service users, providers, carers and professional organisations? Will he undertake to give careful consideration to the serious concerns that they have expressed about certain parts of the draft Mental Health Bill?

The Prime Minister: It is precisely because we decided to introduce a draft Bill that we are able to consider the consultations. I think from memory that just under 2,000 different consultations have been received. I understand the concerns expressed by members of the Mental Health Alliance. It is important that they realise that there is public pressure in a different direction. The public worry that some people, who tragically have a severe mental disorder, can pose a danger and threat to the public, so we need to strike a balance. Precisely because we realise that some of these issues are difficult, we decided to produce a draft Bill and that allows us to take account of these consultations before we publish the actual Bill that we will legislate.

Q2. [74028] **Mr. Michael Jack** (Fylde): In May, the Pensions Minister said that policies which were having the effect of raising levels of private saving were having a positive effect. Can the Prime Minister therefore explain why on Monday this week the Office for National Statistics identified that the figure for pension savings was some £43 billion lower than the figure that Ministers were using? What does he intend to do about that? Will he please ask the Chancellor to stop frightening those who are saving for their pensions with threats of higher taxes?

The Prime Minister: I do not believe that the Chancellor has done any such thing, but as the right hon. Gentleman will see from the ONS press release, the change was in the calculation of the amount of money that is available for pensions, not in the amount that people are saving. Indeed, that amount is going up, not down.

Huw Irranca-Davies (Ogmore): Will the Prime Minister join me in recognising the potential contribution of Wales to the creative industries and welcoming the decision of the National Assembly of Wales to give the go-ahead for the largest film and stage studio in Europe, near Llanilud? To paraphrase "Under Milk Wood": Praise the Lord, we are a creative nation.

The Prime Minister: All that and beating Italy too. Yes of course I pay tribute to the proposals. This particular project is immensely exciting, not just for Wales, but for the whole United Kingdom and I congratulate the Welsh Assembly and the Welsh Executive on putting it together. I have no doubt that the spin-off in terms of jobs and industry will be enormous, so congratulations all round.

Q3. [74029] **Andrew George** (St. Ives): If the Prime Minister agrees that, to combat international terrorism, the United Kingdom should support actions that make it less likely rather than more likely, will he tell the House which he thinks would command more support at home and at the UN; the unilateral option of President Bush or the multilateral approach of President Chirac?

The Prime Minister: Since we are all trying to work on a UN resolution, it is important to recognise that, obviously, the best approach is to work through the UN and get multilateral action to make sure that Saddam knows very clearly that he must disarm his weapons of mass destruction and that if he does not, severe consequences—including, if necessary, military action—will follow. I hope that the hon. Gentleman accepts this fact also: that, in today's world—particularly in light of the news that has come out of North Korea in the past week—it is important that we work on the issue of weapons of mass destruction, that we are not complacent about it and that we recognise that we and the Americans are right to raise the issue. We need the broadest possible basis of action; let that happen through the UN but let the UN be the way of dealing with it.

Q4. [74030] **Mr. Gordon Marsden** (Blackpool, South): The Prime Minister and the Government are taking commendable initiatives to increase support to victims and witnesses of crime. However, is my right hon. Friend aware of the National Audit Office report, published today, that indicates that referral rates to Victim Support by police forces vary alarmingly in different parts of the country? I know from cases that I have taken up in Blackpool how vulnerable and isolated victims can feel. Will my right hon. Friend take action on the report to make sure that all police forces countrywide are equally aware of the benefits of Victim Support?

The Prime Minister: We will certainly work with Victim Support to do that. As my hon. Friend may know, we have doubled the funding for Victim Support, which now helps about 1.5 million victims and witnesses

every year. Victim Support has recruited 2,500 new volunteers in the past 18 months, but we need to make sure that the system is used in the same way throughout the country. That is precisely the point that has been raised and that is what we are working on now.

Mr. Iain Duncan Smith (Chingford and Woodford Green): Two years ago the Prime Minister said:

"Clinical need is supposed to determine whether people are treated or not. If that is not happening, that is wrong."

Yesterday, Mr. Bircher, a senior orthopaedic surgeon, said:

"Orders are that we must get our waiting lists down, so we must stop treating badly injured patients."

Is Mr. Bircher's experience an isolated case, or does the Prime Minister think that the problem is caused by his Government's targets?

The Prime Minister: I certainly stand by what I said about the importance of clinical need. I gather that the allegations made by Mr. Bircher are being investigated by the local trust, as is entirely right. Once the trust has investigated, it will see whether the allegations are correct or not. Certainly it is the case that clinical need should come first.

Mr. Duncan Smith: It is not an isolated case. The National Audit Office, in its recent report, said that over half of all consultants said that clinical priorities were taking second place to Government targets. The British Medical Association said yesterday that targets

"threaten the survival of patients with complex, life threatening injuries."

Is the Prime Minister now saying that this is just an isolated case, or is it that all those doctors, including the BMA, are completely wrong? Should not he take action to get the administrators and Government Ministers out of the process, stop setting those targets and let doctors take over again?

The Prime Minister: I find that an absolutely extraordinary thing to say. Obviously, the allegations have to be investigated and, of course, it is right that clinical need comes first. But what the right hon. Gentleman said at the end is extraordinary: that we should scrap any of the waiting list and waiting time targets. He shakes his head, but that is what he just said. *[Interruption.]* I heard him say it. I know he is a quiet man, but I heard that. Let me make this point to him. Of course we must make sure that clinical need comes first, but I have no intention of getting rid of targets to reduce waiting times and waiting lists because they are important for patients. The vast majority of people, including many who are watching now, will have received excellent service from the NHS and, incidentally, they know perfectly well that the reason why the Tories run down the NHS is that they are against the NHS. *[Interruption.]* Absolutely. However the problem that many people face is one of access into the health service. They wait too long for their operation, they wait too long to see their GP, and they wait too long in accident and emergency. Setting targets—*[Interruption.]* Waiting lists and waiting times are down since we came into office. The reason for that is precisely that we are putting in money and changing the system. If the right hon. Gentleman is now saying not merely that he is against the money going into the health service—that we knew—but against the reform of the national health service, I suggest that he gets quieter still. *[Interruption.]*

Mr. Speaker: Order. I call Mr. Mark Todd.

Q5. [74031] **Mr. Mark Todd** (South Derbyshire): If I may, I shall speak up first on behalf of my constituents. From my own experience, some of the worst examples of anti-social behaviour are found among tenants—*[Interruption.]* Indeed, such examples are perhaps found among Opposition Members, as well as among tenants of private landlords. Such behaviour is often tolerated, at the very least, by those landlords, in defiance of their own tenancy agreements. We have been encouraged by many of the remarks made by my right hon. Friend, and by the announcements on housing benefit reform and a possible change of tack that would strengthen the controls. Will he enlighten us further?

The Prime Minister: What I can say is that, in terms of parenting orders, just over 2,000 have been made. It is fair to say that anti-social behaviour orders had a slow start, but about 700 of them have now been granted. As I said to my hon. Friend the Member for Sheffield, Heeley (Ms Munn), the problem with both orders is that, often, the bureaucracy needed to achieve them is too cumbersome. We are looking at how to make sure that we tighten that up, and to ensure that they are easier to implement. For many people in this country, the problems of anti-social behaviour are right at the top of their agenda. They recognise that what we need are simple and flexible ways of making sure that, in a community, the vast majority of responsible, law-abiding people are the ones in control.

Q6. [74032] **Mr. Bill Wiggin** (Leominster): Can the Prime Minister tell the House if he still believes that the national Fire Brigades Union is "Scargillite"? How exactly is he going to stamp on it?

The Prime Minister: As I said a moment or two ago, I think that the strike—in the words used by my right hon. Friend the Member for Hull, East (Mr. Prescott) yesterday—is "simply indefensible" for the reasons that I have given. Frankly, I had very much hoped that the Conservatives would have the honesty and sense to stand up and say that they agree with the Government, because actually, they do.

Coalfield Communities

Q7. [74033] **John Mann** (Bassetlaw): What plans he has to raise aspirations in coalfield communities.

The Prime Minister: We are firmly committed to regeneration in coalfield communities through education and job creation. We have already made substantial provision to support this commitment: £385 million for English Partnerships' national coalfield programme, more than £90 million in funding for the coalfields regeneration trust, and £10 million for

the coalfield enterprise fund. I hope that this is an indication of how we desire to make the investment necessary to raise aspirations in coalfield communities.

John Mann: At the public inquiry into heroin that I conducted recently, former miners were in tears when they talked about the lives of their sons, daughters, grandsons and granddaughters being destroyed by heroin addiction. Will the Prime Minister reflect on the recommendations for action in the report that I have delivered to him? Will he note that, if drug courts are to be introduced, my community wants to be one of the first to have them?

The Prime Minister: I am sure that my hon. Friend speaks for many hon. Members from up and down the country. I have received his report, and I will study it carefully and come back to him with some decisions and recommendations on it. The point that he makes is right. What we are trying to do—obviously, this involves the up-coming criminal justice legislation—is to make sure that we have proper drug treatment in local communities, and proper orders that the courts can give. An example is the drug treatment and testing orders, which are being very successfully implemented in many parts of the country. We must also make sure that we do not have a situation in which people who genuinely want help to get off their drug addiction do not have the chance to do so. We are increasing investment in drug abuse programmes, and in addition, we need to use the measures outlined in the proceeds of crime legislation to try to attack the assets of the drug dealers who have caused such misery in our local communities. However, I hear what my hon. Friend says about drug courts, and I shall certainly bear it in mind.

Engagements

Q8. [74034] **Mr. Andrew Robathan** (Blaby): Does the Prime Minister accept that Sinn Fein's recent actions, including referring to him as "the naïve idiot", have not only let him down and undermined his quest for peace, but betrayed all the people of Northern Ireland and of the United Kingdom? Will he therefore ensure that Sinn Fein MPs cannot use offices in the House of Commons for their plotting, nor draw public money, through parliamentary allowances, that may later be used for terrorist activity?

The Prime Minister: First, I understand that office facilities are a matter for the House, not me. *[Interruption.]* I can only imagine what Opposition Members would say if I said that they were a matter for me.

I said what I had to say about Sinn Fein last week, but I have something to say to the Conservatives on the matter. When we were in opposition, we worked really hard with the then Conservative Government on a bipartisan approach. I think that it is a shame that we no longer have such an approach. If the Opposition are worried about the Government having dealings with so-called terrorists or with Sinn Fein, there is something of which I want to remind them. I remember this, but I do not know whether the hon. Member for Blaby (Mr. Robathan) was in the House at the time. The then Conservative Government were engaged in secret talks with the IRA when an IRA bombing campaign was going on. That Government told the House that they were not involved in those talks, but later had to admit that they were.

The then Opposition took the view—and John Smith was the leader of the Labour party at the time—that, even though the Government had misled the House, such difficulties were likely to exist in those circumstances. We believed that it was worth trying to overcome the situation that prevailed and get to a more peaceful future.

There are difficult matters in all such cases, but the hon. Member for Blaby should look at what has happened in most places in Northern Ireland over the past five years. There are no troop movements in two thirds of Northern Ireland, and in the summer people can sit out in the centre of the city of Belfast in a way that they never could before. The hon. Gentleman should consider the number of people who have been killed, the general standard of life and of jobs and investment in Northern Ireland. Even with all the difficulties, the peace process has been worth it. I shall continue with it if I can.

Points of Order

3.31 pm

Mr. Roy Beggs (East Antrim): On a point of order, Mr. Speaker. I want to register the intense frustration felt by my Northern Ireland colleagues at the perceived filibustering during Northern Ireland Question Time. The Secretary of State and some of the other Northern Ireland Office Ministers gave long-winded responses and answers to questions. I think that the House noted your own frustration today, Mr. Speaker. Discussion of Question 1 went on until after 2.50 pm, and we only got as far as Question 4. In Prime Minister's questions, we got to Question 8.

I ask you, Mr. Speaker, to register again your disapproval of long-winded answers, and to encourage those responding to questions to enable us to challenge the Northern Ireland team properly.

Mr. Speaker: I would not use the term "long-winded", but some of the questions were rather long, as were some of the answers. However, I remind the hon. Gentleman that, at Northern Ireland Question Time, not only do I have to worry about the Opposition and the Liberal Democrats, but I also have to accommodate two parties from Ulster on one side of the House and one party on the other. That requires me to give a longer run to some questions, which can have an impact on how far down the Order Paper we get.

However, the point of order gives me the opportunity to say that the shorter the questions are, the shorter the replies will be.

Mr. David Trimble (Upper Bann): Further to that point of order, Mr. Speaker. The responsibilities of the Northern Ireland Office have grown considerably, and the growth in the size of the ministerial teams shows that Ministers are responsible for a hugely increased range of matters. I appreciate the point that you made, Mr. Speaker, about the number of parties in Northern Ireland and about how some questions will run for a certain amount of time. However, given the necessity that we deal with as many questions as possible, is not there now an overwhelming case for a significant increase in the amount of time available for Northern Ireland questions? Would not it be desirable, as we move into a new Session, to make a very significant change in that respect?

Mr. Speaker: I have some sympathy with the right hon. Gentleman, but he will realise that these matters are not within my powers. I suggest that he approach the Leader of the House.

Mr. Quentin Davies (Grantham and Stamford): Further to that point of order, Mr. Speaker. Is it not the case that we now have five Northern Ireland Ministers on the Treasury Bench, all of them doing important jobs and with important responsibilities? However, given that under present arrangements it is almost impractical to expect that they will get a chance to answer even one question on their various areas of responsibility, may I reinforce the point been made by the First Minister?

Mr. Speaker: I can only make the same suggestion. The hon. Gentleman may wish to take the matter up with the Leader of the House.

The Secretary of State for Northern Ireland (Dr. John Reid): Further to that point of order, Mr. Speaker. I have said that I am more than happy that discussions on these matters take place through the usual channels. I would, however, like to make two points that were mistaken in the premise put forward by the right hon. Member for Upper Bann (Mr. Trimble). First, Northern Ireland Question Time was reduced to half an hour before devolution when there were the same number of Ministers on the Front Bench. Secondly, although of course I am open to discussion, as we always are, on bringing scrutiny to bear on these matters, we must get a balance between the need for scrutiny and the need not to create a backlog in the legislation that has previously been put through the Assembly. Much of it has already been discussed; it is very important for the good governance of Northern Ireland and the benefit of the people there.

Mr. Eric Forth (Bromley and Chislehurst): On a point of order, Mr. Speaker. This is on a different matter. Tomorrow's Order Paper, as you are well aware, contains the continuation of the debate on local government finance formula grant. Bearing in mind that it is a continuation, Mr. Speaker, can you confirm that there will be no opening speeches from the Front Benches but that the maximum time will be given to the very large demand for Back-Bench speeches in that important debate, and that the Minister will only wind up the debate?

Mr. Speaker: As the right hon. Gentleman has said, tomorrow's debate is billed as a continuation debate. Effectively, therefore, the opening speeches have been made. I intend to call the Minister to launch the debate, but I expect him to confine his remarks to no more than two sentences.

Sir Patrick Cormack (South Staffordshire): Further to that point of order, Mr. Speaker. Could you clarify something? When the debate came to a premature end last week, the hon. Member for Bath (Mr. Foster) was speaking. Do you intend to call him to continue his speech?

Mr. Speaker: The Speaker decides these matters. The Minister will say a few words and then I will decide who will be called next.

Mr. Alex Salmond (Banff and Buchan): On a point of order, Mr. Speaker. Have you had notification of a statement from the Under-Secretary of State for Environment, Food and Rural Affairs, the hon. Member for Scunthorpe (Mr. Morley), on the proposals of the advisory committee to the European Commission for a complete closure next year of the White fishery in the North sea and off the west of Scotland? As you will understand, thousands of jobs in catching and processing are at stake, and it will affect the economic infrastructure of entire areas. At this time of crisis, it would be of some use to find out whether the Government have a policy on the matter or whether we

are merely drifting to disaster. There are plenty of Ministers on the Front Bench—perhaps one of them would at least tell us when we can expect a statement on this vital matter.

Mr. Speaker: So far I have had no approach from a Minister. However, the hon. Gentleman can pursue the matter and I am sure that the Ministers concerned will have heard his remarks or will be able to read them in *Hansard*.

Waste Management Licences

3.38 pm

Siobhain McDonagh (Mitcham and Morden): I beg to move,

That leave be given to bring in a Bill to make further provision regarding waste management licences.

During the past few weeks I have been carrying out a detailed survey in St. Helier ward in Morden in my constituency. I undertake such surveys as one way, among others, of keeping in touch with my constituents' concerns, and I am pleased to say that I received an excellent response over the telephone, on the doorsteps and from the questionnaires posted back to me. The results show that the two main worries of people in Morden are crime, which was chosen by 31 per cent. of residents, closely followed by environmental and quality-of-life issues, such as graffiti, abandoned cars and fly tipping, which were chosen by 27 per cent. of residents. My constituents' worries are, therefore, crime and environmental crime, and I should be surprised if those worries were not mirrored in the constituency of every hon. Member.

We ignore environmental crime at the peril of our communities. Let us make no mistake: the community that falls into the hands of the graffiti vandal, the car dumper or the fly tipper soon becomes a magnet for antisocial behaviour, including arson and drug and solvent abuse, and the fear of crime is magnified. In short, a good neighbourhood is dragged down and a good community is threatened.

We in the House must take quality-of-life issues much more seriously and must take much more action to fight environmental crime. It is all very well to talk about such issues, but it is time that we actually took some action.

The main aim of my Bill is to secure effective powers for local authorities to do battle with a particular group of environmental criminals—the fly tippers: the cowboy builders who dump rubble in the rear alleys of elderly homeowners; the car wreckers who dump redundant tyres in parks and open spaces; and, worse, the unscrupulous businesses that dump hazardous waste chemicals.

It is bemusing—to say the least—that no council in the country has the power to go to any business or high street shop that is using the public pavement as a dumping ground, to ask to see its waste licence. We should not ignore the fact that those people, who unlawfully deposit waste without a management licence or registered exemption, leach tens of millions of pounds annually from legitimate, regulated businesses, denying people the safe and protected employment conditions offered by legitimate businesses and preventing the controlled and environmentally responsible management of waste. Not only do those cowboys ride roughshod over people such as my constituents in St. Helier, but they leave those people to pick up the massive cost of cleaning up after them—through the council tax.

To give the House some idea of the scale of the problem locally, during the quarter April to June 2001, 4,144 cases of fly tipping were reported in the borough of Merton, some of which took more than four days of council time to clear up, distracting the council's

[Siobhain McDonagh]

environmental services teams from other activities. If we compare that with the same quarter this year, we see a 6 per cent. increase in fly tipping.

Let us consider the national cost. In December 2001, BBC News reported that, according to its calculations, fly tipping was costing local authorities £100 million per annum. I was shocked to discover that the Environment Agency estimates that the figure could be as high as £150 million a year.

Nor is the problem confined to urban areas—far from it. These days, it seems that where there is a field, there is a fly tip. An independent consultancy, Marcus Hodges Environment Ltd., reported that, in 2002, fly tipping on agricultural land was costing farmers approximately £57 million a year and that, in 2001, 10 National Trust properties in Surrey, not far from my constituency, incurred a cumulative cost of £10,000 to clear fly-tipped waste.

My Bill would amend section 34 of the Environmental Protection Act 1990, which covers duty of care as respects waste, to allow local councils the authority to demand of right the inspection of trade waste agreements, carriers' disposal notices, receipts and related documents. Local authorities, in their guise as waste collection authorities or principal litter authorities need to be given that right, which Environment Agency officers already exercise, so that smaller businesses and waste carriers can be checked locally to see whether there is any evidence or suspicion of illegal practices.

The extension of that power to local authorities would encourage more productive co-operation between those authorities and the Environment Agency than I understand exists at present. That would provide for more efficient gathering of evidence locally, for the exchange of information and the avoidance of duplication of effort. Indeed, given that the Environment Agency is limited in its ability to be on the ground wherever and whenever fly tipping takes place and that local authorities can be much more responsive, the new arrangement would allow for stronger enforcement of the rules and would, I am sure, result in more successful prosecutions of fly tippers.

Another aspect of the Environmental Protection Act that needs clarification is local authorities' ability to make prosecutions under section 33 of the Act, which covers prohibitions on the unauthorised or harmful depositing, treatment or disposal of waste. I understand that many local authorities are not aware that, although they cannot ask to see licences, they have the power to prosecute and fine for fly tipping. It would therefore be another aim of my Bill to require clear written guidance from the Government to clear up that anomaly and clarify section 33, and to require a clear education programme to ensure that all local authorities and their legal departments have a full understanding of their powers under the Act.

The Environmental Services Association, the trade body of the UK's waste management industry, has made a proposal which I support and which I put forward in this Bill: that the Govt should establish a central fund to help the victims of fly tipping and to improve the quality of data. Government officials would manage the fund and, to apply, each landowner would be required to complete a standard form describing the extent and type of materials fly-tipped. Officials would record each incident and aggregate the data to identify specific fly-tipping hotspots. Resources would then be made available to help compensate the landowner and to try to catch the perpetrators.

I very much welcome the intention of the Environmental Services Association, which wants to set up a fund of £1 billion per annum to provide new resource management facilities, such as composting and materials reclamation facilities. Those will be badly needed if we are to keep pace with the amount of waste that individuals and businesses are producing, and also if we are serious about stepping up our recycling efforts. Thus to keep that ESA investment flowing, one essential requirement is that waste goes where it should go—into the legitimate, regulated waste management facilities, with zero tolerance of fly tipping. In other words, dump the fly tippers. That is one strong reason for increasing the powers of local authorities to deal more efficiently and effectively with fly tippers.

There are many other strong reasons to support this Bill, and for me, the strongest are the concerns of my constituents in Mitcham and Morden.

Question put and agreed to.

Bill ordered to be brought in by Siobhain McDonagh, Mr. Tony Banks, Caroline Flint, Laura Moffatt, Mr. Barry Gardiner, Barbara Follett, Margaret Moran, Ms Oona King, Jeff Ennis, Mr. Graham Allen, Martin Linton and Linda Perham.

Waste Management Licences

Siobhain McDonagh accordingly presented a Bill to make further provision regarding waste management licences: And the same was read the First time; and ordered to be read a Second time on Thursday 7 November, and to be printed [Bill 196].

Opposition Day

[19TH ALLOTTED DAY—1ST PART]

National Lottery

Mr. Speaker: I have selected the amendment in the name of the Prime Minister.

3.49 pm

Mr. John Whittingdale (Maldon and East Chelmsford): I beg to move,

That this House notes that since its creation in 1994 by the last Conservative Government, the National Lottery has raised over £12 billion for good causes; believes that the principle that Lottery money should not be used to fund projects that are the responsibility of the Government has been undermined by the establishment of the New Opportunities Fund and that this has also significantly reduced the money available for original good causes; further notes that grants made to organisations like the National Coalition of Anti-Deportation Campaigns and the Communities Empowerment Network have destroyed public trust in the Lottery, with the result that ticket sales are falling rapidly; and calls upon the Government to take urgent action to restore public confidence and to return the Lottery to its original purpose of raising money to support deserving causes that command widespread public support.

It is a pleasure to find that my first outing in this Chamber in my new brief should be to debate with the Secretary of State an issue that I know both of us believe to be of great importance. In her recent consultation paper, the Secretary of State said that after eight years it was now the right time to review the operation of the national lottery. I agree, although recent events have made the need for that review even more urgent. I hope that this debate will help to inform the consultation on which the Govt are embarked.

It is worth saying that the national lottery has been a fantastic success. It was created by the last Conservative Government to raise money for good causes, while at the same time providing the enjoyment of a modest flutter with the admittedly small chance of winning a life-changing amount of money.

Bob Russell (Colchester): It has been a major success.

Mr. Whittingdale: It has indeed, despite the fact that the Liberal Democrats voted at every stage against the Bill that introduced it, I believe.

Mr. George Osborne (Tatton): On that point, is my hon. Friend aware of any Liberal Democrat Member of Parliament supporting lottery grants in their constituency, having voted against the lottery when it was introduced?

Mr. Whittingdale: That is an interesting point. Indeed, I look forward to hearing the Liberal Democrat spokesman try to defend that very point later in the debate.

To get back to its success, the national lottery has surpassed all expectations of how much money it might raise. It was originally suggested by the then Home Secretary, Ken Baker, when he proposed the idea that

"once fully developed, it could raise up to £1 billion for good causes".

Less than eight years after its establishment, it has already raised over £12 billion.

Grants awarded by the national lottery are transforming the landscape and have provided a boost to arts, sports and heritage that could never have been achieved from reliance on the taxpayer alone.Some of the major projects that have been supported by the lottery have been an unqualified success: Dynamic Earth in Edinburgh, the Eden project in Cornwall and the Tate Modern. Others have not been so successful. The millennium dome, which used up £630 million of lottery money, is perhaps a case in point. However, in many ways, it is the thousands of smaller grants that have really made a difference.

There have been many arguments in the Chamber about whether the distribution of grants has been fair. We may hear them again this afternoon, but every hon. Member will know of organisations and projects in his or her constituency that have benefited from lottery funds. Village halls, sports pitches, museums, galleries and community centres have all been transformed thanks to lottery money. Many will argue over the record of the Conservative Government, but few would deny that one of their lasting achievements was the establishment of a national lottery in the United Kingdom.

One of the fundamental principles of the lottery from its beginning was that the money raised should be used to finance projects that were unlikely to be regarded as of sufficient priority to get financial support from the taxpayer. Both sides have always accepted the principle of additionality—that lottery money should not be used to fund core spending programmes that should be paid for by the taxpayer. Indeed, in the Government's own White Paper published five years ago, the Prime Minister himself wrote:

"We don't believe it would be right to use Lottery money to pay for things which are the Government's responsibilities",

yet the creation in 1998 of a sixth good cause, the new opportunities fund, was in direct breach of the additionality principle. It was created specifically to fund health, environment and education projects, which traditionally have always been regarded as the responsibility of Government.

Mr. Colin Challen (Morley and Rothwell): Does not the hon. Gentleman accept that a manifesto commitment should be implemented, that Labour put it to the electorate in 1997 that health would be one of our lottery-funded targets, and that that has produced great improvements and been welcomed by the public?

Mr. Whittingdale: I heartily disagree with a large part of the Labour party manifesto, including that particular provision. Just because it was in the manifesto does not necessarily make it the right thing to do.

Claire Ward (Watford): The hon. Gentleman forgets a fundamental fact: in a democracy, the people decide. The people very clearly decided that they wanted our manifesto commitments, not the hon. Gentleman's.

Mr. Whittingdale: In a democracy, it is the Opposition's job to oppose what they think is wrong, which is what we shall continue to do.

Mr. Chris Bryant (Rhondda): I thank the hon. Gentleman for giving way—we are having such a

[Mr. Chris Bryant]

reliable hat trick. Does he accept that, most importantly for constituencies such as mine, the new opportunities fund has been one of few ways to ensure that money is spread more equitably throughout the country?

Mr. Whittingdale: I accept that a large part of what the new opportunities fund has done is extremely welcome. My point is not that the money should not have been spent, but that lottery money should not have been spent. I shall give one or two examples.

The new opportunities fund has financed information technology training for teachers and the treatment and prevention of coronary heart disease and cancer. The Prime Minister got up at the Labour party conference to announce that £750 million would be spent on improving sports facilities in schools, but it was only afterwards that we discovered that that money would come from the national lottery via the new opportunities fund. None of those are bad things—they are extremely desirable—but they represent activities that most people would believe are core responsibilities of the Government.

The new opportunities fund also explicitly breaks the arm's length principle, and I suspect that we may hear quite a lot about that this afternoon. Unlike the other distributing bodies, the new opportunities fund receives direct instructions from Ministers about the projects that it should finance.

Claire Ward: Is the hon. Gentleman not aware of the Omnibus survey, which took place in July this year and which indicated that 59 per cent. of the public wanted the national lottery's proceeds to be spent on health and that 53 per cent. wanted the lottery to spend money on education? Does he not believe that that shows that the public want some national lottery funds to be spent on those two areas?

Mr. Whittingdale: I have a great mistrust of opinion polls, but if people understood that the Government were using national lottery money to pay for projects that would otherwise rightly be paid for out of central Government funds, the hon. Lady might find that those figures would be rather different.

Gregory Barker (Bexhill and Battle): Is my hon. Friend aware that there is a scandalously long wait for radiotherapy treatment in my part of East Sussex and Kent? Some women in my constituency have had to wait up to 24 weeks for post-operative radiotherapy care. Much needed linear accelerators are now being bought, but the money is coming from lottery funds via the new opportunities fund, to which he refers. Many of my constituents find it absolutely obscene that such core health facilities are being funded from lottery money.

Mr. Whittingdale: My hon. Friend cites a very good example, which demonstrates that the Government are completely failing to deliver in the health service—and lottery funds will not bail them out.

I shall now return to the lottery's original purpose. Perhaps most damaging of all is the impact of the new opportunities fund on the other good causes. When the lottery was first set up, each of the original good causes—sport, the arts, heritage, charities and the millennium celebration—took an equal share of the proceeds. However, since the new opportunities fund was created, it has taken a steadily bigger share of the cake. Instead of the 25 per cent. that sports, art, heritage and charity bodies expected to receive when the Millennium Commission was wound up, they now only get 16.7 per cent., but the new opportunities fund receives a third—twice as much as any other cause. That has significantly reduced the money available for the original good causes.

The community fund's grant income has dropped from £366 million in 1997 to £296 million last year, and it predicts a further fall to £213 million over the next three years. The income of the Arts Council of England has dropped by the same amount, as has that of Sport England. Falling income has meant that many applications for deserving projects now have to be turned down. In the first round of the arts capital programme, £400 million worth of applications were received for just £88 million of available funds. According to Sport England:

"annual Lottery income has been falling and one of the main reasons for this drop is the creation of the New Opportunities Fund."

It continues:

"Any further reduction in Sport England's annual Lottery income could have serious implications for English sport. At a time when many communities recreational deprivation is acute, falling Lottery revenue will mean that a growing number of much-needed projects will not go ahead".

Mr. Christopher Chope (Christchurch): Would my hon. Friend accept that one way of solving this problem would be to introduce competition and choice into the process, denationalising the monopoly national lottery—as it is at the moment—and allowing rival lotteries to be set up, perhaps by sports organisations or health organisations? Is not that the way forward, rather than the dirigiste approach being adopted by the Government?

Mr. Whittingdale: There are already possibilities for societies to have their own lotteries. Nevertheless, my hon. Friend's suggestion is a good one, and I hope that it will be considered. There is no doubt that we need to do something to restore public trust in the national lottery, which is the main point that I want to make.

The good causes are suffering not just because the Government are now siphoning off lottery money to pay for programmes that are core responsibilities and that should be financed by the taxpayer: falling ticket sales mean that they are suffering from a double squeeze. There may be many reasons why ticket sales have declined. It is beyond doubt, however, that one factor is a growing concern that money raised by the lottery is going to support causes that are highly controversial and that do not command public support. Two causes in particular have received considerable publicity in recent weeks.

The decision by the community fund to award £340,000 to the National Coalition of Anti-Deportation Campaigns should never have been made. Far from being an organisation concerned with the welfare of those seeking asylum, it is a political organisation that

has called for the overthrow of Britain's asylum laws. I do not usually come to the defence of the Home Secretary, but that organisation's claim that he is "colluding with fascism" is one that most people would find unacceptable, and even I would not go as far as the body's organiser, who has stated that new Labour is "the heart of evil". The organisation will have received £740,000 of public money raised by the lottery once its current grant goes ahead.

It is hardly surprising that the Home Secretary was on the phone to the Secretary of State three times in one day to protest. We have been told that the subsequent talks between the Department and the community fund were "frosty". Even after the grant was confirmed yesterday, the Secretary of State issued a statement saying that she "still had doubts" about this particular organisation. I suspect that the Home Secretary might have put it a bit more robustly. We are now assured that the organisation will cease its political activities, but it is hard to imagine what else an organisation whose raison d'être is to oppose our asylum laws is likely to do.

Dr. Evan Harris (Oxford, West and Abingdon): Is the hon. Gentleman arguing that to qualify for community fund funding charities should not have political views? On that basis, organisations based in my constituency, such as Oxfam, would find it very difficult to access lottery funding. Surely recipients of such funding have a right to different views from those of the Government as long as the funding goes to core charitable causes that are separate from those political views.

Mr. Whittingdale: Of course, many charities have political views, but the core purpose of this particular organisation is to oppose the legislation passed by the House. It is a political organisation, and it is waging a political campaign. Most people would regard such a body as not appropriate to receive funding from the national lottery.

That is not an isolated example. A few weeks ago, the Secretary of State for Education and Skills rightly expressed her anger that an appeals panel had overruled a head teacher's decision to exclude two pupils for threatening to kill their teacher. It was revealed shortly afterwards, however, that the Communities Empowerment Network, which had given legal support to the two pupils, had received £200,000 from the community fund. Once again, an organisation that actively campaigns against the actions and policies of Ministers is funded by national lottery grants.

Mr. Andrew Turner (Isle of Wight): Did my hon. Friend hear the Secretary of State on "Newsnight" yesterday busily putting herself at arm's length from the community fund and these nonsensical grants, on the ground that she had to allow the fund to make its own decisions? Did not the Government back the community fund's priorities and appoint most of the people on it who hand the money out?

Mr. Whittingdale: My hon. Friend is absolutely right—that point is at the core of my argument. Although we support the arm's length principle, he is right to point out that the community fund operates under guidelines set by the Government.

Mr. Bryant: Is the hon. Gentleman seriously suggesting that he has not once in his life been lobbied by a charity? Is it not true that charities have, at some point, tried to put their arguments extremely forcefully to every one of us in the Chamber and that they are thoroughly involved in the political process? Many Labour Members regularly welcome that.

Mr. Whittingdale: The hon. Gentleman should put his argument to the Government. They have made it plain that they do not agree with the grants that have been made, especially the one to the organisation campaigning against our asylum laws. They have disowned it, so he should direct his comments first to the Secretary of State and to the Home Secretary, who are absolutely right to say that it is not an appropriate body to receive lottery funding.

Let me make it clear that I am not suggesting that the work of the community fund is not valuable; the vast majority of grants that it awards are to organisations that I thoroughly applaud. The community fund's work in supporting local causes, such as carers associations, village halls, community centres and citizens advice bureaux, has done enormous good. Only last month, I was informed that the community fund had awarded £258,000 to the Steeple village hall trust in my constituency. I do not believe that that happened just because I had been appointed to my present position six weeks earlier.

The majority of the thoroughly deserving causes that have been supported have been eclipsed by a number of awards to politically correct organisations that command little public support. The community fund should, of course, support less popular charitable organisations that find it harder to raise voluntary contributions, but awards to help farmers in Peru to breed meatier guinea pigs for eating, that support the staging of a lesbian and gay pantomime in Manchester or that strengthen the contribution of women to the peace movement in the great lakes region of Africa simply undermine public confidence that the money raised from lottery tickets is used to help the causes that they wish to support.

Mr. Gerald Howarth (Aldershot): My hon. Friend is absolutely right. It is precisely because it has come to the public's attention that the lottery is giving money to such disreputable causes that there has been a decline in ticket sales. My newsagent in my constitutuency lost 10 per cent. of sales when the information was revealed. Do not such grants stand in sharp contrast to the lack of support that the lottery gives to many deserving veterans' and ex-service men's organisations that desperately try to help those who risked their lives or suffered for their country? St. Dunstan's is a case in point. It has been refused a £600,000 lottery grant, and the whole country knows what a fantastic job it does for those who were blinded in the service of their country.

Mr. Whittingdale: My hon. Friend anticipates my remarks. I am not suggesting that the work of some of the organisations that have been offered support is not worthy. However, I think that most people would find it a fairly strange set of priorities to give them money when other organisations that command universal support and are regarded as thoroughly deserving are refused funding.

Dr. Evan Harris: The hon. Gentleman will not be surprised to hear that it is possible that no group that

[Dr. Evan Harris]

works with refugees and asylum seekers supports Government policy. On that basis, does he argue that none of those organisations should receive lottery funding because of the worry that they might be forced to change their views and agree with the Government to qualify? I hope he agrees that that is not the civil society that we want.

Mr. Whittingdale: I do not want to go into too much detail on individual applications, but there is a difference between organisations that work to improve people's welfare and those that run political campaigns. The latter group is inappropriate for lottery funding, but no one is saying that organisations dedicated to improving people's welfare do not deserve support.

The point made by my hon. Friend the Member for Aldershot (Mr. Howarth) goes to the core of the problem. The situation is made worse by the refusal of a large number of applications made by organisations that everyone would agree are deserving. The anger expressed by Simon Weston a few weeks ago about the refusal of applications from service charities, such as the Royal British Legion and St. Dunstan's, is widely shared. In the introduction to the Department's publication "Lottery Funding: The First Seven Years", the Secretary of State wrote:

"Public confidence in the integrity of the Lottery is the key to its success. It is the knowledge that their money is put to good use which keeps people playing".

Yet it is precisely that public confidence that has been so badly shaken by the revelations about some of the organisations that benefit from lottery grants.

Andy Burnham (Leigh): The hon. Gentleman says that he supports the arm's-length principle, but the Conservative motion calls for Government intervention. Does he agree that there is a contradiction in those two positions? If so, what would he do to resolve the problem?

Mr. Whittingdale: I assure the hon. Gentleman that there is no contradiction. I will explain what the Government are responsible for and what they should do. It is not fair to place the blame for the crisis in the lottery on Lady Brittan and the board of the community fund. Although it is correct that the Government do not decide individual applications, they do set the guidelines under which the fund operates. Ministers changed the guidelines in 1999 and the emphasis was shifted. The community fund recently published a new strategic plan, from which it becomes clear that the focus will be on causes that are more politically correct. Ministers have been involved in that decision. Lady Brittan and her colleagues are simply following orders.

Matthew Green (Ludlow): Was the *Daily Mail* right to encourage its readers to "vent their justifiable anger" on Lady Brittan? Was it right to give the address of the community fund, to which people sent hate mail?

Mr. Whittingdale: I have no hesitation in condemning without reservation the letters sent to Lady Brittan. The *Daily Mail* has made it clear that it, too, condemns the letters, and it has told its readers to write not to Lady Brittan, but to the newspaper. It has since received about 40,000 letters. That is a serious indication of the level of public concern. No one would hesitate in condemning racists who send hate mail, but there is genuine public concern, which we need to address to return to the original principles of the lottery.

Mr. Chris Smith (Islington, South and Finsbury): Does the hon. Gentleman realise that the changes to ministerial guidelines in 1999 involved the following: that the lottery distributors should take account of the needs of areas of particular social deprivation; that they should pay particular attention to the needs of children and young people; that they should pay attention to the needs of environmental sustainability; and that they should pay attention to the fairness of geographical spread of lottery grants? With which of those changes does he disagree?

Mr. Whittingdale: I do not disagree with any of those objectives, but the right hon. Gentleman confirms that the community fund operates under ministerial guidance. If we have, as I believe, reached the point at which some of its grants are being given to causes a long way removed from the national lottery's original purpose, it is the responsibility of the Ministers who operate the guidelines to ensure that the community fund concentrates its attention on causes that command widespread public support.

Mr. Smith: I am afraid that the hon. Gentleman misses the point entirely. Ministers do not operate the guidelines but put them in place, and under the legislation they have of necessity to be broad. Our Conservative predecessors established most of the guidelines, and we made the changes that I have just described. It is up to the lottery distributors independently to operate the guidelines. What problem does the hon. Gentleman have with them?

Mr. Whittingdale: I am saying that because Ministers set the guidelines they have a broad responsibility for the way in which the community fund operates. The degree of public concern is evidence of the widespread view that the community fund is not operating as it should, so Ministers should revisit the guidelines to ensure that the fund returns to supporting causes that command universal support. That is the way to restore public confidence in the national lottery, as hon. Members on both sides of the House wish.

Miss Julie Kirkbride (Bromsgrove): I was interested by the contribution of the former Secretary of State, the right hon. Member for Islington, South and Finsbury (Mr. Smith). Although we want a geographical spread to ensure that every community feels that it has gained something from the national lottery, it is not obvious to me why young people should be singled out for support when a great many deserving old people and military personnel may feel that they should benefit in accordance with the guidelines set by those distributing the funds, not by Ministers. Does my hon. Friend agree?

Mr. Whittingdale: I do. The community fund might take account of the widespread public view that the lottery has not given sufficient priority to deserving

causes such as veterans and former military personnel, and Ministers might suggest, in their guidelines, that the fund should focus on those causes in future.

Huw Irranca-Davies (Ogmore): Will the hon. Gentleman recognise the fact that he is filling with dismay people in my community who have benefited from the largesse of the community fund? He is right to say that the guidelines are broad and that the operational detail is down to the distributor.

Mr. Whittingdale: I entirely agree. I have already made it clear that I welcome the vast majority of grants made by the community fund. However, it is necessary to deal with the problem of public perception, and, through issuing guidelines, Ministers have some control over that matter.

Claire Ward: Will the hon. Gentleman give way?

Mr. Whittingdale: If the hon. Lady will forgive me, I should move on.

The point at issue is what has happened to lottery sales. Having already been in decline, they are now plummeting. In July, it was reported that public disenchantment with the good causes has led to a slump in sales that could lead to proceeds being over £1 billion below forecasts. Sales have fallen by 12 per cent since the peak in 1997–98, just before the Government set up the new opportunities fund. Last weekend, takings hit a record low for a weekend rollover draw. Previously, rollovers could be expected to lead to ticket sales of more than £70 million. On Saturday, the figure was barely over £40 million.

In July, the Secretary of State announced a review of lottery funding. I welcome her recognition of the fact that action needs to be taken. Some of the suggestions that she has made, such as establishing micro grants to be delivered at local level with the minimum of red tape, are sensible; others, such as the merger of the distributing bodies, are not. The suggestion that purchasers might tick a box to indicate the type of good cause that they want to support also raises serious difficulties. However, nothing in the Secretary of State's consultation paper addresses the real problem. Public confidence in the merits of the good causes has been undermined. People resent the fact that their money is being used to finance projects for which the Government should pay, and that it is being given to organisations that they do not support.

The Secretary of State must act now to restore public trust. She should issue new guidelines.

Mr. Andrew Lansley (South Cambridgeshire): As my hon. Friend said, the Government have commented on micro-grants in local areas. Does he agree that it would be better if the money for the community fund and the new opportunities fund, which accounts for a substantial proportion of good cause funding, were genuinely delegated to local areas? Spending the moneys raised for good causes on local causes that attract local support might restore confidence in the distribution and encourage people to play the lottery.

Mr. Whittingdale: That is an interesting suggestion. My hon. Friend is right that the priority is restoring people's confidence that the money raised through purchasing tickets will go to worthy causes, especially those in local communities that they want to support. If there were a way in which to achieve that without the bureaucracy of ticking boxes, it would be worth examining.

The priority is to restore public trust. The Secretary of State should issue new guidelines to the community fund to ensure that the charities to which it gives money command widespread public support. She should also stop raiding the till to pay for Government programmes that the Chancellor is unwilling to finance.

The national lottery has been an enormous success but it is under threat. Unless action is taken quickly, the original good causes, which we all support, will be the losers.

4.21 pm

The Secretary of State for Culture, Media and Sport (Tessa Jowell): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

"welcomes the fact that the Lottery has so far generated over £12 billion for investment in good causes and has brought much needed support for sport, the arts and heritage, charities, and organisations dealing with health, education and the environment; notes that the Lottery has created funds for projects to mark the new millennium; also notes that the typical constituency has received millions of pounds of Lottery funding, often transforming local communities and their economies; welcomes the contribution that Lottery funding has made throughout the United Kingdom; believes that Lottery players can have full confidence in the Lottery and in Lottery fund distribution; and welcomes the current review being undertaken by the Department of Culture, Media and Sport to ensure that the Lottery continues to make the fullest possible contribution to the nation."

I welcome the hon. Member for Maldon and East Chelmsford (Mr. Whittingdale) to his new position as Front-Bench spokesman. However, I am surprised that the Conservative party has chosen to ask for a debate on the national lottery today. Conservative Members did not ask for such a debate when the Baltic Mill in Gateshead opened to international acclaim, or when the lottery-funded Commonwealth games put Manchester and the United Kingdom on the world map for sporting excellence. They did not request it in March when I announced that £169 million of lottery money would be targeted at the deprived areas that fared least well from the lottery, or in July when I announced the most fundamental review since the lottery's inception.

Conservative Members chose this week simply because they have read a lot in the papers about a specific grant by the community fund, which is funded by the lottery. That is not profound, but it is a good example of the bandwagon tendency in the Conservative party. It tends to hang around, wait for a passing issue of public anxiety and leap aboard. Conservative Members did not care about the national lottery previously, and they will not in future, once the bandwagon has moved on.

Perhaps the Conservative party wants to be considered the nice party, but the timing of the debate shows that it is still the nasty party. Moreover, to connoisseurs and historians, it remains the stupid party. Although Conservative Members have called for the

[Tessa Jowell]

debate for all the wrong reasons, I am glad that they did so. It gives Members of all parties a chance to condemn the vile campaign of racist hatred and abuse against the chair and staff of the community fund. Human excrement and needles sent through the post, threats of physical violence: all in all, that is the disgusting face of racial thuggery masquerading as concern for the lottery. I am glad that the hon. Gentleman eventually condemned those racist attacks in his opening remarks, and I hope that he and his colleagues will do so without reservation.

Before moving on, I would like to dwell a little longer on the individual case of the community fund.

Mr. Andrew Turner: Will the Secretary of State give way?

Tessa Jowell: No, I want to make a little more progress.

As the House knows, the community fund yesterday confirmed a grant of £336,000 to the National Coalition of Anti-Deportation Campaigns. The grant will be paid subject to a number of conditions that will address directly the concerns that I and my right hon. Friend the Home Secretary had about the original grant. The funds will be issued to support individual case work, not doctrinaire campaigning, and they will not be used to fund support for people who are being deported because they have criminal convictions. The chief executive of the community fund made it clear in a television interview last night that the money will not be paid unless those conditions are met.

Mr. Turner: The right hon. Lady is reading her speech very well, but she seems to have ignored the point made by the representative of that organisation—on the television programme on which she herself appeared last night—who said that the money was very welcome because it would pay salaries this month. What control is there over the payment of those salaries to those people this month?

Tessa Jowell: Responsibility for ensuring the proper spending of this grant within the terms under which it has been awarded now rests with the community fund. That is one of the many illustrations of the arm's-length principle to which the hon. Member for Maldon and East Chelmsford referred, and which the House is united in believing to be the proper principle to govern lottery grants and their distribution. A consequence of the arm's-length principle is that I doubt that it would be possible to go through a list of the grants awarded by any of the 15 distributors and find unanimity, either in the House or in our constituencies. By definition, the arm's-length principle means that government and parliamentary lobbying is removed from having a direct influence on grants. This is a cross-party principle, and I believe that there is cross-party consensus that it is right.

Mr. Henry Bellingham (North-West Norfolk): Will the right hon. Lady give way?

Tessa Jowell: No, I want to make a little more progress.

The community fund has made its decision without interference from me or anyone else, and whatever my own views about this grant, I will defend utterly the fund's right to make its decision without any political interference. As I have already said, there is long-established cross-party support for the principle that lottery funding decisions are taken at arm's length from government, out of the reach of meddling by politicians. That means that lottery distributors will sometimes fund grants about which we are passionately supportive and, at other times, they will fund grants with which we violently disagree.

Mr. Bellingham: In the light of the fact that there are about seven different funds—or more, if we take into account Scotland and Wales—does the Secretary of State feel that it might make sense to have one overall strategic body in charge of the different funds, the chief executive of which would report directly to her? Would that not make life a bit easier?

Tessa Jowell: There might well be a case for looking at rationalising the number of lottery distributors, but not in such a way that would put politicians in control of making decisions about how lottery grants are made and what those grants were.

Having said all that, I now consider this matter closed. We should learn the lessons of this saga, and we should move on. The community fund, too, is learning the lessons. It is producing guidance that was not available to the commissioners when they made that award. It will produce guidance on the nature of political activity engaged in by organisations applying for grants. Those that encourage the breaking of the law will not be eligible for funds. The community fund has also asked the National Audit Office to review its processes in the particular case of the grant to the National Coalition of Anti-Deportation Campaigns. I welcome that; but there is one thing I do not intend to ask the fund to do.

Mr. Mark Francois (Rayleigh): If the matter is now closed, as the Secretary of State says, does she expect lottery ticket sales to go up again?

Tessa Jowell: I certainly believe that if we—as a country, as a Government, as a Parliament and as constituency MPs—focus more on the way in which lottery investment has changed and improved people's lives, rather than identifying specific grants that are in themselves bad cases and generalising about the performance of the lottery, lottery sales will increase again and public trust in the lottery will begin to be restored.

I want to make clear what I will not ask the fund to do. I will not ask it to end its support for the most marginalised groups and individuals in our society. I will not ask it to end the support—5 per cent. of its total allocation—that is given to drug addicts, homeless people, people with AIDS and, yes, asylum seekers and migrants. The lottery gives us a great and unique opportunity to help build a strong civil society—a society in which we can live and thrive; a society that is pluralistic and mostly tolerant. It is in all our interests for marginalised people to find a place in our society,

and there should be no bar in principle to their eligibility for funds to support and sustain services provided for them.

Sandra Osborne (Ayr): My right hon. Friend speaks of marginalised groups. Is she aware that 20 years ago groups such as Women's Aid, which supports abused women and their children, were marginalised? That was not a mainstream issue, as it is now. It was not generally accepted to be a worthwhile cause. Indeed, such groups were regarded by certain people—for instance, some Conservative Members—as nutters. They would certainly not have attracted the support of funding bodies. Does my right hon. Friend agree that it is extremely important for vulnerable groups to have a voice through the lottery?

Tessa Jowell: Yes. In their day, the suffragettes were probably regarded as politically correct. Certainly this party, when in opposition, was denigrated for making efforts to get more women into Parliament, in order to secure a Parliament that would be more representative of society as a whole. My hon. Friend makes a very good point about the way in which grants to progressive voluntary organisations can in turn improve the cohesion and solidarity of society more generally.

Mr. Gerald Howarth: The Secretary of State will have heard my earlier intervention on the speech of my hon. Friend the Member for Maldon and East Chelmsford (Mr. Whittingdale). While I do not think anyone present would describe ex-service people as marginalised, will she give us some idea of the Government's view on the eligibility of the many wonderful ex-service organisations, which do such wonderful work? Do the Government really think it fair that they should receive so little of the cake?

The right hon. Lady is at pains to say where she thinks the priorities should lie. Perhaps she will say something about where she thinks service charities come into the equation, because they do not receive Government money.

Tessa Jowell: I will come on to that point. It is worth recording that some 200 veterans' organisations have already had £1 million in grant from the community fund. I welcome the fact that Simon Weston is to be invited to meet members of the community fund board in order to discuss with them lottery funding for veterans' groups. At its heart, lottery money exists to make a difference, to add value to other Government and voluntary sector activity and to be a form of venture capital for communities that cannot get funds through more orthodox routes. Sometimes it will take risks, therefore by definition some grants will be more successful and popular than others, but without that element of risk the lottery would simply become an agent of the status quo.

The lottery must support and reflect society, so it must change as society changes. If we are to retain public confidence it must adapt or die a slow death. To take one example, Gateshead council and the Arts Council took a risk when they commissioned Anthony Gormley, one of our greatest sculptors, to build the Angel of the North. It was ridiculed in the media, but now we have one of the most stunning pieces of public art in Europe and the north-east has an icon of its regeneration and its renewed regional pride. Who now would say that the Angel of the North was a mistake? It was a risk, but one that paid off handsomely.

The previous Administration left us a legacy of a lottery that had the power to transform the country, and it has. It has provided £13 billion to good causes ranging from the Gateshead millennium bridge and the Manchester Commonwealth games to the Northumberland family camping group which gives holidays to low-income families. There are hundreds of other examples in each and every one of our constituencies.

Ms Candy Atherton (Falmouth and Camborne): My right hon. Friend has mentioned many examples of the national lottery making a difference to communities. Does she agree that in Cornwall the Eden project has been the very beacon, along with objective 1 status, which has made a tremendous difference to the whole economy of the county?

Tessa Jowell: I certainly do. My hon. Friend has been an unstinting advocate and supporter of the Eden project which is one of the most popular tourist attractions in the country—another successful investment by the lottery. In addition the lottery has provided more than 320,000 child care places, 156 neighbourhood nurses, 300 healthy living centres, which serve more than 30 per cent. of the population in some of our most deprived communities and more than 570 pieces of cancer diagnostic equipment. Which of those do the Opposition regret the lottery paying for?

All in all tens of thousands of grants have been made to improve the lives of millions of people.

Matthew Green: We heard earlier from the former Secretary of State, the right hon. Member for Islington, South and Finsbury (Mr. Smith), that one of the Government's priorities for lottery distribution was young people, yet in the west midlands the regional board of the community fund has removed young people from its list of five priorities. Does the Secretary of State have something to say about that? Does she regard it as the correct decision? From what Conservative Members have been saying from a sedentary position about young people, they clearly do not consider them a deserving cause.

Tessa Jowell: I am surprised that that regional board has taken that decision, because 26 per cent. of the community fund's income goes to children and young people; 12 per cent. goes to older people and their carers and 33 per cent. goes to disabled people.

Mr. Challen: On Sunday lunchtime, I was at Morley rugby club to present a cheque for £60,000—£30,000 from the lottery and £30,000 from a local company under the Sportsmatch scheme—to help the club go to into schools over the next three years to encourage young people, both boys and girls, to take up rugby. The Opposition might argue that that should be done by schools—that it is a state function. Yet here we have an example of the lottery arrangements that they decry helping young people.

Tessa Jowell: My hon. Friend provides a good example from his constituency, and he has campaigned

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tirelessly for fair shares of lottery allocation to constituencies across the country. His example shows clearly how the lottery can fund sport as a force for good and a force for community cohesion, in his constituency and beyond.

Seven years ago, Britain was a different kind of country. The fact that we now have one of the most diverse and exciting cultural scenes in Europe is in no small part due to the success of the lottery. It is why the Sydney Olympics gave Britain the biggest medal tally since the 1920s and why every school in the country has books that it could not afford before. It is why—as my hon. Friend the Member for Falmouth and Camborne (Ms Atherton) said—the Eden project is revitalising the economy of Cornwall, giving us one of the greatest centres for environmental learning in the world. It is why Childline has a new home, where it can continue to help abused children. It is why Belfast has a new 10,000-seat arena and a science centre that is helping to regenerate the whole city. We are helping unite people through sport, education and having fun. The list is endless but I use it to illustrate a point.

The Tories gave us a politician-proof lottery, for which they deserve credit. But there were flaws in the original design of the lottery because it was also people-proof. People had, and still have, too little say in the allocation of funds. Under the Tories, the lottery focused on big capital projects, with 97 per cent. of lottery money in 1995–96 spent on such projects. That was reduced to 35 per cent. by February this year. Lottery funds were not spent on the areas that needed them most; the most deprived and needy areas and the places with fewest facilities.

In 1998, the then Secretary of State, my right hon. Friend the Member for Islington, South and Finsbury (Mr. Smith), re-oriented the lottery towards people and communities.

Mr. Andy Reed (Loughborough): Does my right hon. Friend agree that many local organisations found the process difficult? In my area, the sports clubs that were successful were tennis clubs and others with professional support on their management committees. Those who were most deprived were the clubs that most needed the money. The biggest change that we made was to ensure that there were fair shares. I am sure that all hon. Members would agree that that was the right move at the time.

Tessa Jowell: It was the right move at the time. We have made more progress in getting a proper and equitable distribution of lottery funds, but there is still more to do.

The lottery does not belong to the Government, to the lottery distributors or to Camelot. It belongs to the people who play the lottery, week in and week out, who play in the hope that their dreams will come true. When we spend lottery proceeds on good causes, we are giving back to the people what is already theirs: their inheritance.

Miss Kirkbride: It would be a shame if the right hon. Lady finished her remarks without offering some clarification. She denigrated the Conservative Government for not giving people enough choice, but surely she approves of the capital project spending for the millennium, to which she has just paid tribute in her speech. Can we make it clear that that was a considerable achievement on the part of the Conservative Government, and not to be denigrated?

Tessa Jowell: I gave generous praise to the previous Government for their role in starting the lottery, but I also made it clear that the lottery had become too heavily focused on funding capital projects, to the exclusion of the range of community projects and support for voluntary organisations that we have now secured for the lottery.

Because the lottery belongs to the people of this country we owe it to lottery players—many of whom pay to play it out of their most marginal income—to ensure that their money is used wisely for the benefit of the whole nation. Our 1998 reforms have opened the way to massive investment in communities: £300 million for healthy living centres to tackle the underlying causes of ill-health; £750 million to transform the quality of sports and PE facilities across the country for schools and their communities; £200 million for after-school learning and summer camps; and £160 million for those areas that have done least well from the lottery. I pay tribute to the Members of Parliament from those areas, who have pressed their case so effectively. They made their case well for the good causes in their constituencies, and we listened. Because the lottery is strong, because people can have confidence in it, and because it is flexible and responsive, many good causes in those constituencies will now benefit. All in all, that will give everyone the chance that the lucky take for granted. Such a grant does not replace Government spending—it complements it.

Mr. Lansley: Will the hon. Lady give way?

Tessa Jowell: No, I want to make some progress. I do accept that this distinction—the so-called principle of additionality—is a fine one to draw, but draw it we do. If we were not a Government who drew that distinction, people would not have seen, for instance, the investment in the sure start programme that we made in the past four years.

The review that I established in July will take a long, hard look at the way in which the lottery operates. I expect it to be radical in scope and no-holds-barred in its analysis. It will plot a route map for the lottery in the future. It will look at how to award the lottery licence in the future, and consider whether there are too many distributors. Do they complement each other's work, or do they overlap? It will also consider how to strengthen public understanding of how the lottery works, and what is does with the public's money.

Some problems we have identified already. We know that it can be too difficult for some groups to apply for grants. The process can be too long and too complex. We know that the poorest areas should receive a greater slice of the cake. The fair shares programme will distribute £169 million to areas of deprivation that have not fared well from the lottery. It is worth recording that coalfield communities, which fared very badly in terms of their share of lottery funding, have seen such income rise by 50 per cent. in the past four years.

We know that the lottery should be democratised, and that the people who play the lottery should have a greater say in how its proceeds are used. For politicians and bureaucrats, asking people what they want can be a painful business, but we must not be afraid and we must not shy away from asking searching questions.

Caroline Flint (Don Valley): I intervene because my right hon. Friend mentioned coalmining communities, one of which I represent. Does she agree that delivering the substantial funds created by the lottery is a learning process? The Government have been prepared to listen to the problems faced by some communities, and to make changes when and where necessary. Is that not a strength, rather than a weakness?

Tessa Jowell: I entirely agree. We must—and will—build on the success of the lottery in changing the landscape of arts and sports funding in Britain. It has put culture and communities back at the heart of our country, and in that way put right the contempt for both expressed over the previous 18 years.

I am considering a number of ways to bring democracy to the lottery. There are many practical obstacles to overcome, but the principle is secure.

Mr. Lansley: The Secretary of State has referred to many distinct communities and areas. She has not so far mentioned rural areas, even though such areas often have the fewest facilities. There has been valuable support under the community fund for village halls and clubs, for example, which give a sense of community focus, but that support has diminished. Does the right hon. Lady agree that further resources should be made available for village halls in rural areas from the new opportunities fund?

Tessa Jowell: I have two points to make in response to that intervention. First, the difficulty of securing lottery funding for village halls is an example of why we must get lottery distributors to work together more closely and collaboratively. Secondly, the fair shares programme has sought to tackle the low level of lottery funding in deprived communities. There will soon be an announcement—if such an announcement has not been made already—that that programme will be extended to rural areas, as should be the case. Each lottery distributor has a responsibility to ensure that the interests of rural communities in pursuit of the equity to which I have referred are properly reflected in the way that lottery funds are distributed.

I am considering a number of ways in which the practical obstacles to the greater involvement of players in the lottery can be overcome, but the principle is secure. In connection with the point made by my hon. Friend the Member for Don Valley (Caroline Flint), the review is important because the lottery must show that it has the capacity to adapt and change in accordance with the circumstances in which it operates.

The lottery's future depends on public confidence in its operation. That is why it can never stand still. We must prove to people every day that their lottery pounds are well spent. Whether or not we play the national lottery, we all win in some way or other.

We will maintain the lottery as a powerful force for good in this country. We take very seriously the bond of trust that exists between the lottery and the people of this country. Despite the Opposition carping from the sidelines, we will give the lottery back to the people of this country.

4.53 pm

Bob Russell (Colchester): First, I wish to thank the hon. Member for Maldon and East Chelmsford (Mr. Whittingdale) for having the decency to praise the former right hon. Member for Huntingdon, Prime Minister and leader of the Conservative party. It is a long time since a senior Conservative politician has uttered such praise.

However, I felt that the hon. Member for Maldon and East Chelmsford was very ill at ease when he made his contribution. He is a decent man, but I draw the House's attention to the 27 words in the Opposition's otherwise excellent motion which I suggest have been inserted to appeal to the racist tendencies of the *Daily Mail*. The motion, which otherwise would be likely to command respect around the Chamber, is thereby contaminated.

There is no doubt that the national lottery has been of great benefit to the people of the United Kingdom since it was launched in November 1994, notwithstanding any objections and reservations that may have been expressed at the time by the Methodist tendency of the Liberal Democrat party. Since then, nearly £12 billion has been raised for good causes, and every one of the communities that we represent has been improved as a result. We have new community centres, sports facilities, cultural projects and heritage centres, all as a direct result of lottery funding. For that, we must thank the former right hon. Member for Huntingdon.

Mr. Peter Duncan (Galloway and Upper Nithsdale): Is the Methodist tendency in the hon. Gentleman's party still prevalent, and is that why they are boycotting his speech?

Bob Russell: I commend the hon. Gentleman for that wise observation. However, I am pleased to say that we command far more respect north of the border than does his party.

We should be grateful for the support of the people who buy tickets—about 60 per cent. of the population—and to those who have spent lottery grants effectively to the benefit of all our communities. Of course, there have been times when some have said that lottery money has not been spent wisely. For the most part, however, the money raised and spent has been invested in improving the quality of life for just about everyone. This debate should be set against the background of that Major success.

The thousands of charities and organisations that have applied for, received and spent lottery money since 1994 should be congratulated on what they have done. The volunteers and paid staff of various organisations should be applauded for helping our top athletes achieve the medals to which the Secretary of State has referred, which have made this country so proud. They should be applauded for running our local clubs and improving access and participation for people, whatever their race, age or ability. Let us make no mistake—many of these projects would never have seen the light of day or got off the ground without such funding. In the case of the

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millennium dome, that would have been a blessing, but there are many other projects for which we have only the lottery to thank.

A pat on the back should also go to Camelot for running one of the most successful lotteries in the world. It has helped fund 121,000 projects and supported countless small retailers across the country. It is vital to the financial viability of many of our small shops and sub-post offices that they do not have their terminals removed because sales figures are considered too low. I would welcome an assurance from the Minister who is to respond to the debate that the Government will use their best endeavours to persuade those who are responsible for issuing and maintaining terminals to ensure that very small shops are not penalised if they are in areas where sales do not reach a perceived target.

Over the past seven years, Sport England has received £1.6 billion from the lottery, which has been distributed to sporting good causes. However, Sport England's lottery income has fallen from a peak of around £270 million in 1996–97 to just £200 million this year, and it is projected to fall even further to £185 million in the financial year ahead. That was before the recent drop in sales, so the figures are now even more dire for sport.

Every constituency has benefited, as have 62 different sports. So far, 2,800 lottery-funded capital projects have been completed and opened. I am told that the majority, some 85 per cent., are local facilities specifically earmarked for community use.

I congratulate the Government on their lottery funding aims, and Sport for All on developing sporting opportunities for all sections of our community—the active communities development fund, sport action zones and school sport co-ordinators. These are all good positive messages. However, Mr. Gordon Neale, the chief executive of Disability Sport England—which is nothing to do with Sport England—has contacted me because he wishes the House to be made aware that, when it comes to lottery funding, all is not well in the world of sport. Mr. Neale informed me that

"it has become apparent that the distribution of Lottery funding does not support a number of genuine causes in this country. It is also the case that some applications are blocked by third parties used as distributors i.e. Sport England.

Surely this is public money for good causes, and if the applicant can justify and meet the conditions laid down by the Lottery then they should be allowed to access the funds. I have spoken to a number of like minded organisations who feel that the Lottery should review their application and distribution criteria.

Organisations who have given many years of beneficial programmes to the people of this country deserve support. I hope the House will agree that the National Lottery should be made more accountable to the public for the distribution of grants to worthy causes."

Let us not forget the silent beneficiary of the lottery, however. It sits there, raking in millions of pounds each year. So far, it has enjoyed £4.6 billion of lottery money, about a third of the amount raised for good causes. It does not need to account for its spending of that money in particular—the money is merely added to the pot and divvied up later. I am talking, of course, of the Treasury. The lottery has added £4 billion to the pot for our public services. That is something else for which we can be grateful.

We know that not everything is rosy in the lottery garden, but we must bear in mind the fact that the lottery's contribution to the arts, sports, heritage and charities—causes that are traditionally low on the list of the Treasury's priorities—is invaluable. The same cannot be said of other recipients of lottery funds, however; for them, the amounts are more significant, the causes more important and the issue more fundamental. I am talking about the observance of the principle of additionality.

The Secretary of State has pointed out that the principle that lottery money cannot replace Exchequer spending is clear. Indeed, her predecessor said:

"The principle is clear. Lottery money must not replace Exchequer spending".—[*Official Report*, 7 April 1998; Vol. 310, c. 166.]

There is thus consistency between two Secretaries of State.

However, the new opportunities fund lottery money is being used to implement Government objectives, as is clear from press releases and consultative documents. Health and education feature high on the Treasury's list of priorities—rightly so. They also top the list of voters' priorities; they are services that are legitimately and correctly funded from general taxation, and on which the Government have staked their reputation. Yet those services are being part-funded by lottery cash. Why should the Government be permitted to shirk their fiscal responsibilities by funding health and education programmes with lottery money?

The lottery is funding the Government's commitments to cancer care via a £150 million living with cancer programme. It is also meeting part of the Government's commitment to education via the school sports facilities programme. In the words of the Government, lottery funding should

"add to, and not substitute for, services already provided by government".

That principle, enshrined in the legislation that created the lottery, is at best being ignored and at worse being abused by such funding. We have a Government who are siphoning off lottery money, which the players think is going to good causes, and using it to pay for their election pledges—[HON. MEMBERS: "Oh."] The legislation made it clear that lottery money should not be used for that. An election manifesto is one thing; legislation in this place is another.

Mr. Challen: Is the hon. Gentleman yet another Opposition Member who does not believe that manifesto pledges should be kept?

Bob Russell: The important thing is that election manifestos should not take the place of legislation. If the hon. Gentleman wants his party to change the legislation, that is for him and his party to do, but while it remains on the statute book the House should honour it. That is clear.

Mr. Bryant: Is not the whole point of manifesto pledges to change or to retain legislation?

Bob Russell: I am grateful for that intervention. Clearly, the hon. Gentleman is unaware of the difference between a manifesto commitment and legislation.

Manifesto commitments lead to legislation, but as far as I know the House has not yet voted on the change to which I referred. In my opinion, this is the most regressive of the stealth taxes that the Government have so far utilised.

Andy Burnham: The hon. Gentleman seems to be saying that he opposes the new opportunities fund, but I am sure that schools in Colchester—like those in Leigh—will soon be receiving money for new sports facilities under the new opportunities for school sports initiative. Will he give the House an assurance that he will not attend the photo opportunity when those facilities are opened?

Bob Russell: I am not going to give such a commitment, because I would not pass up a chance like that. *[Laughter.]* I would be much happier, though, if the funding had come from the proper source and if the Government's education policies did something to replace all the demountable classrooms in my constituency. That is not at present on the lottery shopping list, but watch this space.

Lottery funding is not a long-term answer to the longstanding problems in our public services. If Ministers wish to pay for projects such as cancer care or teaching our librarians and teachers to use computers, they should not fund those projects at the expense of the good causes.

Dr. Evan Harris: Is my hon. Friend aware that many hospices providing terminal care for people with cancer rely on lottery funding? Many lottery decisions are predicated on geographical factors—which areas will receive funding and which will not—which means that hospices endure a lottery in lottery funding, as well as in NHS funding, even though they provide services that should be core NHS-fundable services.

Bob Russell: I endorse what my hon. Friend says. Life is a lottery, and that is a classic example.

Mr. Challen: The hon. Gentleman seems to be arguing that we should not have charitable support for health services, but we have always had campaigns in local newspapers raising money for machinery for hospitals. Why should the lottery be treated any differently?

Mr. Malcolm Moss (North-East Cambridgeshire): Because the law says so.

Bob Russell: Exactly. If punters are allowed to choose the destination for the proceeds from their purchase, as suggested in the recent consultation documents on the lottery, that is exactly what could happen. Given the choice, most people would choose to fund cancer care over community centres, but when Parliament created the lottery the intention was to remove such choices. Those schemes should not be mutually exclusive. As the Secretary of State argued in the foreword to a departmental publication, the lottery should enable

"much needed initiatives, which would not otherwise have been funded, to go ahead".

Cancer care should be funded out of general taxation, because it is a priority and would go ahead anyway. Conservation areas can be financed from lottery grants because they are not a priority and may not otherwise go ahead.

The National Council for Voluntary Organisations has pointed out that lottery funding works best when it is free from direct Government control. The community fund has shown its independence from Government and has responded to genuine local needs. Picking out a few individual lottery grants for criticism should not deflect attention from the important work that the community fund has done over its eight years of operation as an independent body.

The most valuable gift that politicians can give to lottery fund distributors is their independence. The ability to distance themselves from Ministers has enabled distributors to contribute to significant successes, from big schemes such as the Eden project to smaller programmes across the country, helping to regenerate communities, rescue buildings and increase skills. However, we need only recall the millennium dome for evidence of what happens when politicians seek to lead with such projects.

The best projects are community led, respond to local needs and are driven by local people. Sometimes the aims of those people and the groups to which they belong are contrary to the Government's aims, but that makes them no less legitimate. Indeed, the chances are that it makes them more legitimate. Involving people in decisions in their communities is an invaluable exercise that can engage people in regeneration, community awareness and local politics. If the price of perpetuating that involvement is that the occasional grant is condemned by the *Daily Mail*, so be it.

Where the Government need to involve themselves more closely is in ensuring that the poorest and most deprived areas receive their fair share of funding. In 2001, four of the 81 most deprived districts in the United Kingdom received no new opportunities fund money. Thirty-three of those 81 received less than the national average. Of the 80 districts that received more than £10 per head, not even half appeared on the Department for Transport, Local Government and the Regions list of the most deprived districts. The fair shares programme has gone some way to redressing that but distributors need to be extra vigilant in ensuring that they are not giving grants merely to those who have the means to apply for them.

Mr. Bryant: There is an important point about different areas being described, or not described, as deprived. My constituency of Rhondda consists of seven or eight wards that would be listed among the poorest in Wales; indeed, they would be listed among the poorest in Europe. However, because Rhondda Cynon Taff, the local authority in which my constituency falls, also contains some of the wealthier wards in Wales, all of which are in the constituency of my hon. Friend the Member for Pontypridd (Dr. Howells), grants that go to my constituency might not be counted as going to the poorest in the country.

Bob Russell: I am grateful to the hon. Gentleman for that clarification but I think that he is in a way agreeing that we need to focus attention on the poorest areas to ensure that they get at least their fair share.

Ministers also need to be vigilant about how quickly awards are paid. Millions of pounds are still held for national lottery distribution but are not yet committed,

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despite the debate that we had on the subject some six months ago. On that occasion, my hon. Friend the Member for North Devon (Nick Harvey) criticised the Department for Culture, Media and Sport for the fact that lottery funds were not being distributed on time. He said:

"The reserve funds of the distributing bodies have continued to grow—by almost £150 million since December 2000—and now stand at almost £3.5 billion."

Those funds had been allocated but not yet distributed to projects. My hon. Friend said that

"more than a quarter of the £12 billion that the lottery has raised since its began . . . has not yet been distributed." —[*Official Report*, 1 March 2002; Vol. 380, c. 970.]

That is the equivalent of almost two years' income. If it were easier for prospective applicants to apply for grants, that would not be the case. A one-stop shop for applicants would remove many of the hurdles for groups that would normally be put off applying for a grant, and enable money to be siphoned down to areas that need it most, which often happen to be those least likely to apply.

Falling lottery sales are a continuing concern to the good causes. Bodies such as Sport England have little alternative to grant in aid and lottery funding. They would be hamstrung by significant falls in income. Projects such as those that Sport England has funded and that have more than doubled facility usage in many cases would surely have to come to an end without alternative revenue streams.

Camelot's sales improvement programme is designed to arrest the fall in sales, but we need to explore other areas, too. I would like lottery-supported schemes to display the fact that they have been helped by lottery ticket sales in the hope that that will reconnect lottery ticket buyers with good causes. I have not met that many people who play the lottery whose prime concern is the good causes. I think that they have an ulterior objective. Nevertheless, they need to be told where the money is going—to the good causes—and to be reminded that when they purchase a ticket they are not only participating in a prize draw but helping to support good causes in and around their community.

Whatever steps are taken, we need to ensure that they are taken quickly. Sustained falls in sales will see the lottery diminish, and with it many of the programmes that our communities hold most dear.

5.13 pm

Mr. Chris Smith (Islington, South and Finsbury): There is common ground among hon. Members: we all recognise the enormous importance of what the lottery has achieved. I vividly recall attending the opening of the Olympic games in Sydney just over two years ago and meeting athletes from the British team. Time after time, they thanked me for the lottery funding that had enabled them to develop their potential to fulfil what they were capable of and to give them a real chance of doing credit not just to themselves, but to this country.

I am also acutely conscious of the benefits of projects that have been able to go ahead in my constituency. Building work will be completed shortly on the London Symphony Orchestra's music education centre at St. Luke's church, Old street, so transforming one of the greatest of London's old churches into a centre that will provide the opportunity for children and others from many parts of London to have the experience of working with one of the world's greatest orchestras. That project, which is jointly funded by arts lottery and heritage lottery money, is a splendid example of what can be achieved by lottery funding and would not otherwise be possible.

Virtually all hon. Members agree absolutely that the lottery has a done a huge amount of good, but it is now under attack, so I want to say three things this afternoon. First, I congratulate my right hon. Friend the Secretary of State on standing up firmly for the robust independence of the lottery distributors, especially the community fund. That independence was, of course, put in place by the Tory Government. It was fought for fiercely by one Tory Front Bencher after another, and there have been rather a lot of them over the years.

Of course, the community fund will occasionally do things that many people do not like. It will give money to organisations that look after the interests of minorities. I have to observe, in case the Conservative party has not yet tumbled to this, that democracy is surely every bit as much about looking after the interests of minorities as about representing the views of the majority.

Caroline Flint: My right hon. Friend may recall the wide coverage given to the purchase of Winston Churchill's papers. I do not disagree with that, but one might say that a certain family benefited from it. However, is it not true that some things will please some people and not others and that you cannot please all the people all the time?

Mr. Smith: My hon. Friend is absolutely right, and the community fund will occasionally pay money to organisations that may be critical of the Government—indeed, most charities in this country are from time to time—and it will certainly do things that the *Daily Mail* does not like, and rightly so. That is its job; it is what independence is all about. I have to say with some sadness that I am not surprised that the Tories are giving in to the braying bigotry of parts of our national media. That diminishes them, and it demeans some of our national newspapers. I urge my right hon. Friend the Secretary of State to continue to resist following them down that road.

Miss Kirkbride: The right hon. Gentleman seems to accuse Conservative Members of being bigoted because we do not approve of the grant given to the National Coalition of Anti-Deportation Campaigns. Does he therefore think that the Home Secretary is bigoted in also disapproving of that grant?

Mr. Smith: I simply observe that every example quoted by the hon. Member for Maldon and East Chelmsford (Mr. Whittingdale), first, came from the *Daily Mail* and, secondly, related to organisations responsible for supporting either asylum seekers or people who happen to be lesbian or gay. If that is not picking on minorities, I am not sure what is.

The second thing that I would tell my right hon. Friend is that, as she considers the representations now arriving in relation to her consultation on the lottery's

future, she should resist any proposal that does away with the existing division of responsibilities for lottery distribution. I would remind her of the firm guarantee, which was put in place three or four years ago, that the existing percentages should be safeguarded for the arts, sport, heritage and charities for the entirety of the duration of the second franchise of the lottery. That commitment was given not just by me but by the Prime Minister and the whole Government.

Mr. John Greenway (Ryedale): I am extremely grateful for what the right hon. Gentleman has said, because I totally agree with him. Does he think, however, that he would have had the opportunity to say that on the Floor of the House to the Secretary of State today had we not had a debate on the lottery?

Mr. Smith: Having a debate on the lottery is a useful opportunity for me to do so. It obviates the necessity for me to sit down and write a letter to my right hon. Friend the Secretary of State to make precisely the same point. The point, however, must be made, because ensuring that one sixth each of the good causes money goes to the arts, sport, heritage and charities—and making sure that that lasts into the future—is an important objective to which I trust she will hold fast.

My third point to my right hon. Friend and the House is that one issue remains that needs to be considered, on which the hon. Member for Colchester (Bob Russell) has touched—the extent of the balance of funds that are sitting in the national lottery distribution fund. A stubbornly constant figure of £3.5 billion sits in the fund. We have always said—and it is true—that it is all earmarked for approved projects, which have been applied for, considered and approved for grant by the various distributors. Those projects, however, by their very nature, take years to use up all the allocated money. Meanwhile, as those years progress, more funds flow in every week to the distribution fund. For the arts, sport and heritage in particular, that means that an outstanding amount of money is apparently sitting there waiting to be used.

I know that the Secretary of State has urged the distributors to bring the balances down. That will not happen, however, without a fundamental change to the way in which approvals can be made by the distribution bodies. I urge her to put in place a system of forward allocations—especially for the arts, sport and heritage—enabling the distributors to approve applications in advance of the funds coming in, but in the safe knowledge that the money will, in due course, come in. That, of course, will need a change to the Treasury rules. She will need to persuade her right hon. Friend the Chancellor of the Exchequer that it is worth doing, but it could provide a real solution to the distribution fund problem and could enable a real boost in immediate approvals in these important areas of activity.

We must all welcome the overall success of the lottery. We should resist the minority-bashing instincts of the Tory party. We should reassert the independence of the lottery distributors. We should repeat the guarantee of funding for the arts, sport, heritage and charities into the future, which has previously been given. Finally, we should look at new ways of ensuring that the available funds can be put into use more effectively and immediately.

5.24 pm

Miss Julie Kirkbride (Bromsgrove): I am grateful to be called to speak in this debate, not least to mark the significance of Members on both sides paying tribute to the previous Conservative Government. That is extremely rare.

Mr. Bryant: Will the hon. Lady give way?

Miss Kirkbride: The hon. Gentleman should at least give me a few minutes. Although he is my colleague on the Culture, Media and Sport Committee, I will not, on this occasion, allow him to disabuse me of my view that the previous Conservative Government should be accorded some merit. I, too, wish to place on record how pleased I am with the lottery and its funding of projects in my constituency.

I am especially pleased that the Secretary of State drew attention to some of the great capital projects that were funded by the millennium fund that was created under the lottery by the Conservative Government. However, she then appeared to contradict herself in her subsequent remark that the way in which they set up the lottery was not sufficiently democratic. There was a clear need to celebrate the millennium with projects, such as the Eden project in the constituency of the hon. Member for Falmouth and Camborne (Ms Atherton), and we then had to move on to do other things with lottery funding.

I also congratulate the Secretary of State on her desire to consider how the lottery may change in the future and to assess whether we should allow people to earmark the good causes that they wish to fund when they purchase a ticket. I have some doubts as to whether that would work, because it would entail a great bureaucracy, but the suggestion has some merit and should be considered. It may encourage people to believe that their money is being spent wisely.

The lottery has been a fantastic success in my constituency. We have recently been given £250,000 to create a ward for the Primrose hospice at my local hospital. The money came out of the new opportunities fund and, in this context, I disagree with my hon. Friends on the Opposition Front Bench. So great is the public acclamation for such projects that the Government are right to consider the principle of additionality, which did not form part of the lottery when it was set up by the Conservative Government in the early 1990s.

I wish to refer to another project on my patch. I recently visited the Charford resource centre, which is in one of the few deprived areas in my constituency. Its chairman, Kevin McNamara, a former Labour councillor, has done fantastic work for the centre, which is supported by volunteers but has received £400,000 from the community fund. It has done fantastic work in providing IT skills to young mothers and to young people who are unable to go to college.

The community fund has done great work, and it is doing good work in my constituency, and that is why I am very cross with the award that it made recently to the National Coalition of Anti-Deportation Campaigns. I am sorry that the right hon. Member for Islington, South and Finsbury (Mr. Smith), whose speech I have the honour of following, chose to say that, because

[Miss Kirkbride]

Conservative Members disagree with that award, we are bigoted. I draw his attention to the fact that the Secretary of State also appears to oppose the award. It is certainly true that the Home Secretary disapproves of it. The whole awards procedure is brought into disrepute if the public feel that significant sums of money—£363,000 is a huge amount—that can do a tremendous amount of good work in all our constituencies go to such organisations. I know of other projects that I would like to receive funding, and I bet every Member can think of how to obtain good value from £363,000. Most of us do not believe it is good value to grant that sum to this organisation. British taxpayers already provide significant support to people coming to this country to claim asylum. We are a generous country, and it could be argued that our generosity to those who fear persecution is one reason why people come here.

Bob Russell: Will the hon. Lady confirm that the grant was allocated by a quango system established by the Conservative party when it was in government, and according to the rules, regulations and criteria of the legislation introduced by the Conservative Government of the day?

Miss Kirkbride: I have two responses to the hon. Gentleman. First, the guidelines were changed. Secondly, the community fund in general has a responsibility to pay due and strict attention to the organisations that it funds. We are democratically elected and are responsive to the electorate, who can sack us in a general election. We are obliged to answer our constituents' mail. Our remarks in the Chamber and the way in which we vote on legislation are recorded in *Hansard*. So we have a democratic responsibility on which we can be challenged.

One weakness of the community fund and other grant-giving bodies is the lack of democratic responsiveness. They need to be much more attentive to public reaction when they decide to give awards to organisations that will engender a hostile response. It saddens me that they put themselves in that position because it harms the wider good works that they do.

I engaged in a radio debate with one of the community fund distributors. It saddened me to hear the distributor say that such grants account for only a tiny proportion of the money distributed. That is not the point. Hundreds of thousands of pounds would do great good in all our constituencies, and that opportunity has been lost with the award of such a grant.

Ms Atherton: I am listening to the hon. Lady's arguments. Does she agree with the campaign by the *Daily Mail* to target the chair of the community fund?

Miss Kirkbride: No, certainly not. In fairness, the *Daily Mail* has condemned the opprobrium attached to Lady Brittan and does not believe that it is right and proper. *[Interruption.]* I am not an apologist for the *Daily Mail*; I am here to express my views. I am happy to make it clear that I would not support such attacks in any shape or form.

Hon. Members have mentioned the Government's changes to the guidelines. Indeed, I referred to them when I intervened on my hon. Friend the Member for Maldon and East Chelmsford (Mr. Whittingdale). Apart from creating a more level playing field for the communities that benefit from a lottery grant, there is no need to issue guidelines on who should receive such funds. That decision should be for the discretion of the people who award them. We should not say that they are just for young people.

Claire Ward: Will the hon. Lady give way?

Miss Kirkbride: No. I am afraid that I do not have much time.

Mr. Chris Smith: Will the hon. Lady give way?

Miss Kirkbride: Yes, as the right hon. Gentleman was responsible for the guidelines.

Mr. Smith: No one has said that lottery distributors should just look after the interests of children and young people. There is a spread of need in our society to which the lottery distributors need to pay attention.

Miss Kirkbride: The right hon. Gentleman admitted in an intervention that his guidelines stated that priority should be given to young people.

Mr. Smith: The hon. Lady was not listening. I said—the wording was precise—that attention should be paid to the needs of children and young people. That is very different from giving exclusive priority to them.

Miss Kirkbride: We will have to agree to differ on the semantics. It seems to Conservative Members that the right hon. Gentleman created a priority for young people which is inappropriate, given the needs of the entire community.

The creation of priorities in the new guidelines detracts from the fact that some organisations may have been refused a grant because of too much political correctness. For example, the British Legion was refused £500,000 for a residential home, an application for £400,000 for ex-servicemen suffering from psychiatric illnesses was refused, the British Vascular Foundation was refused £30,000 to help to promote knowledge about diseases and strokes and the British Liver Trust was refused £224,000 to help with screening for a dangerous genetic disorder that affects 200,000 people.

These are all worthwhile causes, and it is disappointing to Conservative Members that such categories of organisations have been refused grants. I do not want to excite the right hon. Member for Islington, South and Finsbury by saying which categories of successful applicants I disapprove of, but they should not have been given money when the needy organisations that I have just mentioned were turned down.

5.35 pm

Claire Ward (Watford): Since the lottery was established in 1994, it has provided huge benefits to millions of people in every constituency. There is not a single Member who cannot point to a project in their constituency that has received a substantial benefit from the national lottery. Whether through support for the arts, heritage, sports, charities or other good causes, the £12 billion raised in that time has helped thousands of projects, large and small.

We rightly took the opportunity to review the operation of the lottery, just as we reviewed every area of legislation, and in the National Lottery Act 1998 we made the changes necessary to ensure a broader distribution of funds. The creation of the new opportunities fund was a manifesto commitment. As I reminded the hon. Member for Maldon and East Chelmsford (Mr. Whittingdale) earlier, this party sticks to its manifesto commitments—something that the previous Government did not do. Since the fund has been in operation, it has funded out-of-school-hours clubs in more than 12,000 schools, provided local hospitals with more than 2,000 pieces of new equipment to treat cancer and coronary heart disease, and allocated £750 million to local PE and sports projects. Those are just some of the things that the fund has done to ensure that the national lottery benefits more and more people in the way the public wants. As I said earlier, when we talk to members of the public we find that many people do not want the national lottery proceeds to be invested only in sports, the arts, heritage, charities and voluntary organisations; they want to see the benefits in education and health.

Caroline Flint: Does my hon. Friend agree that the lottery funding priorities of health, education and sport mirror the areas that have benefited from record public expenditure, and that lottery funding is therefore added value to those massive public spending increases?

Claire Ward: My hon. Friend is absolutely right. She reinforces the message that the national lottery provides additionality, just as the Government insisted it should.

In this debate we have heard a lot from the Opposition about a particular organisation that has received funding. It has been made clear that although many of us have widely differing views about some of the organisations that receive funding from the distributing bodies, we accept that it is important to have an arm's-length principle and to allow those bodies to make the decisions. The Home Secretary and the Secretary of State for Culture, Media and Sport were right to question the decision to award a grant to the NCADC and to remind the community fund to look carefully at how it was made. We ought to be concerned that organisations that receive lottery funding do not act in a manner that is highly political or at odds with the guidelines set by the Government and by parliamentary decisions. I disagree, however, with the unacceptable attacks by newspapers, in particular the *Daily Mail*, and the excessive campaign that brought out the worst elements of racism. Of course there should be an opportunity to question the allocation of grants, but in this case the manner in which that was done was not appropriate.

People play the lottery because they want to win. If their primary purpose were to give money to a good cause or charity, they would do that without buying a lottery ticket. However, when they do not win, they feel better because a proportion of their £1 has gone to a good cause. When they read a negative story, some players decide not to continue to play the national lottery; so negative stories have an impact on funding.

It will be no surprise to many hon. Members to learn that the headquarters of the national operator, Camelot, is in my constituency. It employs more than 400 people. In the past few weeks, it has noticed a direct correlation between the newspaper stories and funds. The damaging attack on the national lottery has resulted in a fall in the sum that will be made available to good causes. We should examine that in the review.

I hope that the Government will consider how we can ensure a better connection between the organisations and good causes that are funded and what the public want. However, we must achieve a balance: we must ensure that the lottery exists not only for the big causes and great national charities about which we all know, or the popular arts, sports and heritage projects, but also for smaller groups of which many of us have never heard. It is also there for minority groups and interests.

The Government's review of the national lottery presents an opportunity to try to achieve that balance. The beauty of the lottery is that thousands of small groups—voluntary organisations that carry out important work in communities throughout the country—have benefited from small and sometimes significant grants. I hope that they will continue to do that as the lottery goes from strength to strength.

5.42 pm

Mr. Peter Duncan (Galloway and Upper Nithsdale): I want to bring to hon. Members' attention some aspects of the lottery that have been well publicised, especially north of the border, and that form an important part of the debate.

I am only too keen to advocate any Conservative policy that brings great benefit to Scotland. The lottery, a successful policy of John Major's Administration, resulted in 14,700 awards in Scotland and a total that now exceeds £1 billion for valued good causes north of the border. That is directly related to the £12 billion that has been raised throughout the United Kingdom. I received that information through a news release on one of my regular visits to the Scotland Office website, which apparently costs the taxpayer in Scotland a considerable amount. On the website, the Secretary of State for Scotland urges Scots to make a good response to the Government's consultation.

One inequity that I wish to raise results from the fair share programme. It is a laudable programme that has highlighted some imbalances in Scotland as well as the rest of the United Kingdom. It identifies Glasgow city, Dundee city, North Lanarkshire, Renfrewshire, South Lanarkshire and South Ayrshire as places that have received less than their fair share of lottery distributions. I shall discuss some of the reasons for their under-[illegible]tion later, but first, I want to consider a fair share matter that affects my constituency: rurality.

There is an inherent bias in lottery funding away from rural areas. I was delighted to receive notification recently of a grant to refurbish Rhonehouse village hall

[Mr. Peter Duncan]

near Castle Douglas in my constituency. That valued project would not have been realised without the national lottery. However, projects are analysed by constituency and, as was said earlier, that can hide inequities in the constituencies that merit investigation.

An anomaly to which I draw the House's attention involves an aspect of the new opportunities fund that has received considerable press coverage north of the border: the Scottish land fund. I am aware, as are many hon. Members, of a case that has been publicised in the papers, in which an award of more than £3 million was made to the residents of Gigha, to purchase their island. I have before me an advertisement dated 10 August 2001, which makes interesting reading. It advertises facilities on the island, including an airstrip and the "Award-winning Gigha Hotel" with

"13 letting bedrooms, Bar, Restaurant and 6 holiday cottages".

The matter drew considerable press comment at the time, and I thought it worthy of some investigation today.

I looked at the Scottish land fund website—which is administered through Scottish Enterprise and Highlands and Islands Enterprise—which sets out the objectives of the fund as:

"To improve opportunities and reduce disadvantage both for communities and individuals in rural areas;"—

I wholeheartedly agree with that—

"To encourage community involvement . . .

To enhance . . .environmental diversity . . .

To facilitate positive use of the land reform legislation . . .

To diversify the pattern of land ownership".

Nowhere in the objectives is the word "sustainable" to be found. It is causing concern in Scotland that such a substantial award was made to a small community of only 110 people. People are worried that the community may have got into an unsustainable situation, and we wonder whether it is part of the lottery's core objectives to create such situations.

Following the creation of the new opportunities fund—the "sixth good cause"—in 1998, I found myself with a dilemma. I have a personal interest to declare, in that my wife is the fundraising manager for Macmillan Cancer Relief in Dumfries and Galloway, and she and I are delighted that a new oncology unit is being built at the Dumfries and Galloway Royal Infirmary with the assistance of more than £1 million from the new opportunities fund. I am keen to make use of whatever guidance is in place relating to the new opportunities fund, and that project would not have happened at this point without NOF funding. Is it, however, the objective of the national lottery that key health projects should happen simply because people buy lottery tickets? Although people in Dumfries and Galloway have no access to chemotherapy, for example, and the unit will resolve the problem of people who are diagnosed with cancer having to undertake a two or three-hour drive to Edinburgh every day to undergo treatment, is it right that the Government should choose to solve that problem through the sale of lottery tickets?

I have a particular problem with that, because many analyses show that tickets are generally purchased by those with less-than-average earnings. Indeed, the Secretary of State pointed out earlier that it was often the most marginal income that was used for that purpose. Is it appropriate for marginal income from those who can least afford it to be the source of spending in key areas of health and education? I would advocate that it is not. It is the absolute opposite of the progressive taxation that would be seen as the most reasonable way to do this in a fair society.

The Minister for Tourism, Film and Broadcasting (Dr. Kim Howells): The hon. Gentleman raises an interesting question about one of the most difficult areas involved in this issue. However, is he saying that he would rather that the £1 million NOF money be held back until such time as the Scottish Executive decide that it is time to build a proper oncology unit in his area? The hon. Gentleman may be a new Member of the House, but he will know very well that politics is about choosing priorities. There is never an easy way of doing that, and never an easy moment at which to do it. I am sure that he would rather have the £1 million to build that oncology unit now than not have it.

Mr. Duncan: Absolutely. As I have said, these are the present guidelines. I am only too well aware that the problems in my area relating to cancer treatment deserve attention, but they deserve attention from the Government and the taxpayer, not from people who—as the Secretary of State herself said—are on marginal incomes. They do not deserve attention from those who can least afford it. Having said that, I must say I am delighted that the oncology unit has been opened in Dumfries and Galloway, because it is greatly needed.

Time rattles on, but I want to end by raising a couple of hot issues of my own. One is the need to make the process of applying for grants more straightforward. I recently addressed a conference organised by Stewartry Community Initiatives in Dalbeattie, in my constituency. Very small groups have told me time and again that applying for lottery funds was too complex and discriminated against voluntary organisations. The projects that are supported often involve existing full-time development workers. Such organisations do not need to engage in that complex process.

Finally, let me encourage the Minister to be ever more adventurous in regard to the community outlets programme, which is an incredibly important part of the lottery's expansion into the most rural areas in the United Kingdom. Those communities have not the turnover to justify outlets of their own. I have tried to convey the message that the lottery succeeds because of public confidence. When people in rural areas know that they can buy tickets locally, they will see the benefits of the projects that can be supported.

5.52 pm

Andy Burnham (Leigh): When the history books chronicling the events of the Major years are written—indeed, I believe that some have already been written—they will show that the first part of the Opposition motion is accurate. The national lottery was indeed a Conservative creation, and it has indeed raised welcome funds for communities throughout the country. There is no doubt that it provided temporary relief from VAT on fuel, negative equity, black Monday, record NHS waiting lists and the "back to basics" campaign. For that

reason, the lottery will go down in history as one of the two memorable achievements of the Major Administration: it will be right up there with the cones hotline.

So much is beyond dispute. From that point onwards, however, the motion descends rapidly into confusion. The substance involves two charges. The first is that the establishment of the new good cause for health, education and the environment was wrong; the second is that recent awards made by the community fund have undermined public confidence in the lottery.

In regard to the second charge, I remind Opposition Members that it was the Conservative Government who insisted on a strict arm's-length arrangement for lottery distributors. It was on precisely that basis that they defended grants for the Churchill papers—mentioned by my hon. Friend the Member for Don Valley (Caroline Flint)—and the Royal Opera House. The necessary consequence of an arm's-length arrangement is that sometimes funding decisions will be made with which the Government of the day do not agree.

Opposition Members need to be clear about whether they are abandoning their previously steadfast commitment to the arm's-length principle. That is what they are saying today. The truth is that they have not thought it through. Their main reason for calling the debate was not genuine concern for the lottery or the projects that it funds; it had more to do with a cynical attempt to gain quick, cheap headlines on the back of an unpleasant press campaign.

The motion talks of public trust being "destroyed". Is that not precisely what the motion and the debate seek to do? We have the party of the vulnerable undermining the lottery, reducing funds to good causes and thereby denying people who could otherwise benefit. That sounds more like the "nasty party" to me.

The first charge betrays a far more serious misunderstanding of the lottery and of what the public think about it. Lottery players strongly support the principle of lottery funds being used to support health, education and environmental projects. The truth is that Labour's introduction of such action helped to revive confidence in lottery good causes at a time when they had received sustained negative publicity. I hope that in retrospect the Opposition will accept that giving a full fifth of lottery proceeds to the millennium celebrations was a mistake. That was too much, and from the outset—when the lottery was first launched—people called for funding for health and education.

They were right to do so. In the next few weeks, as the hon. Member for Colchester (Bob Russell) knows, secondary schools in my constituency will receive funds via the new opportunities fund for brand-new sports facilities and floodlit Astroturf pitches that will be open to the whole community out of school hours. Such facilities are sorely lacking in the Leigh area. Surely giving young people the chance to engage in sport with decent facilities, and in the process helping to tackle crime and improve health, is one of the best uses for lottery money.

Mr. Greenway: Those projects were funded previously by Sport England. Why did we need the NOF to fund them?

Andy Burnham: I am afraid the hon. Gentleman is wrong. Those sports facilities in state secondary schools have never been funded by Sport England; they have been funded directly by central Government.

Mr. Greenway: I invite the hon. Gentleman to visit my constituency, where he will see such a facility at Huntington comprehensive school.

Andy Burnham: On the whole, Sport England does not fund state secondary school sports facilities. Lottery money is now funding them—and not just Leigh is benefiting: every constituency will receive some money.

I would like to know how many Opposition Members, like the hon. Member for Colchester, will be writing to their local papers to say that they oppose that funding for secondary schools. They certainly would not have the nerve to attend photocalls. Millbank may have gone, but we will be watching.

The motion suggests that the Opposition would scrap schemes such as this—and money for cancer equipment and treatment for coronary heart disease. That would be a sure-fire way of damaging public confidence in the lottery. It is not just the projects funded by the NOF that command support; the distribution mechanism has much to commend it. National programmes mean that no areas miss out on the free-for-all application process, and an impact is created that makes people link a national initiative to a local scheme. That too is likely to increase public confidence, and I would like more funds to be distributed in the same way.

Bob Spink (Castle Point): The distribution formula is not working very well. People in Essex are receiving very little per head compared with those in other areas. Does the hon. Gentleman want the Minister to try to resolve the problem?

Andy Burnham: That is a fair point. My constituency has not received enough from the lottery, and I think we should look at the reasons for that. Let me return the question to the hon. Gentleman, however. Does not the fact that areas such as mine and his—and that of my hon. Friend the Member for Don Valley—have not received their fair share of the lottery have something to do with the way in which his party set up the national lottery? An application-driven process and strict match-funding requirements were always bound to cause regional disparities in funding for good causes. That applies particularly to disadvantaged areas, where community groups do not have the resources possessed by those in more affluent parts.

There should be no surprise about the regional disparities. Leigh has had £3 million from the lottery, which is not a good return from the £13 billion raised so far and much less than the price of the tickets bought in my area. For Leigh, I could substitute many other deprived former coalfield and other communities. I am not against the idea of affluent areas doing well out of the lottery, but areas such as mine have found it difficult to obtain any funds at all. It sometimes seems that the "good causes" grants are as random as the prizes given to players.

One of the problems is that the lottery is intensely bureaucratic. "Awards for all" has been a good innovation, but it is not easy to obtain a significant

[Andy Burnham]

lottery grant—one of £50,000 or more. That, however, is what groups in my constituency need: they need bigger lottery grants that can make an impact on the ground.

I have tried to encourage groups in my constituency to apply, but the reaction tends to be the same. People roll their eyes and talk of the work involved. It is not worth taking the risk, because they have a huge expectation of failure. Sadly, that is the case for many people living in former coalfield areas; they will not take the risk, as they know they will have to put in many hours of work.

All that has distanced the lottery from some communities, as there is no ready connection between the work of the lottery and the projects that it funds. Part of the problem is that the public do not connect with the names of the lottery distributors. I know that distributors jealously guard their identities, but public awareness of them is very low indeed. The truth is that, apart from the in-crowd and the statutory sector, painfully few people are aware of the community fund, the heritage lottery fund and the new opportunities fund.

We all complain from time to time that our areas do not get enough out of the lottery. In my case, that is absolutely true: my constituency does not get enough. Under the rules set for them by the previous Conservative Government and later by our Government, the distributors have done a good job, making difficult decisions and getting funding to all parts of the country, but the time has now come to put institutional interests aside and take hard decisions for the future good of the lottery. It should be a simple business. Playing the lottery is a simple business, but there has never been a simple way of getting funds to good causes. The lottery needs to achieve that if it is to survive in the long term.

When I look around my constituency I see countless schemes that could benefit from funding, but I also feel frustrated when I think of the difficulty of cutting through the bureaucratic morass and getting to the point at which they would receive some funding. For too long there has been an assumption that people seeking lottery funding are trying to gain money for improper or unworthy schemes. They are treated as guilty until proved innocent. I would like the system to be turned around. Like the hon. Member for North-West Norfolk (Mr. Bellingham), I have slowly reached the conclusion that it would be better to have a single good causes organisation to distribute funds and a single lottery gateway with regional offices. However, I believe that we should maintain the shares for each of the current good causes; they would simply be administered by one overarching organisation. In my experience, projects rarely fall neatly into one box and we need rapidly to move to a more integrated system.

I would support the introduction of a two-page application form for all projects. It could be followed up by visits from development workers. That would be the best way of deciding whether a project should proceed. Finally, when projects are funded through one good causes organisation, we should always make sure that the lottery logo—the crossed fingers—is placed prominently on the project, as people recognise it as the sign of the lottery and it is owned by the public sector.

Of course the great risk in simplifying the system is that some projects may get through the net and some money may be spent unwisely, but that is the price for making it simpler and more accessible. I think that it is a price that the British public are now ready to pay.

6.2 pm

Andrew Selous (South-West Bedfordshire): On 2 July, like many hon. Members, I received a briefing note from the Library that listed lottery grants by constituency. I found that my constituency came 625th out of 659. It has received only £2.4 million since the lottery started, while the constituency average is £15.7 million. The disparity between our constituencies is absolutely enormous. I quite understand, and would defend the fact, that constituencies with national facilities should expect a larger share of lottery funding, as they are providing facilities for the whole country, but the figures clearly show that constituencies in the greatest need have not been treated fairly. The top three constituencies are Greenwich and Woolwich, which received £670 million, Cities of London and Westminster, which received £484 million and Manchester, Central, which received £296 million. Around the country, Birmingham, Ladywood received £183 million, Bristol, West received £142 million, Brent, South received £128 million, Norwich, South received £85 million, Cambridge received £70 million, Truro and St. Austell received £62 million and Nottingham, South received £60 million.

At the other end of the scale, Birmingham, Hall Green, which is clearly a constituency in great need, received only £912,000. Hayes and Harlington received only £671,000, Rayleigh in Essex received just over £1 million and Billericay received £863,000. Those variations in funding per constituency are simply not acceptable. People up and down the country play the lottery.

Mr. Bryant: Does that mean that the hon. Gentleman disagrees with the hon. Member for Bromsgrove (Miss Kirkbride), who said earlier that there should be less insistence on the geographical element?

Andrew Selous: I would advocate taking the average—£15 million per constituency, setting aside the national considerations, which we all understand—and introducing a 33 per cent. upper limit and a 33 per cent. lower limit around that average. There could always be exceptions. If one took the average as £15 million and allowed a variation of between £10 million and £20 million, distribution would be much fairer and we could justify it to our constituents.

Kevin Brennan (Cardiff, West): Is not that a rather silly point, particularly when it is applied to large cities? For example, the Millennium stadium in Cardiff is not in my constituency, but it could not have been built half in my constituency and half in the one next door.

Andrew Selous: Obviously there will be boundary differences and variations for national projects such as the Millennium stadium. I have already conceded that point and said that there should be exceptions for national facilities. However, I hope the Government

intend to address the existing variations in the review that they announced at the end of July and I would commend to them the sort of proposal that I have made.

Dr. Howells: I shall be very brief, as I know that the hon. Gentleman wants to get on. I can inform all hon. Members that, so far, the consultation has generated just four responses from hon. Members. If it were such a vital and burning issue, surely we would have received a lot more representations.

Andrew Selous: I hope that the Minister will take this speech as part of my own representation, but I will undertake to write to him specifically about this point so that he will have a fifth representation before long. I intend to contact the chief executive of South Bedfordshire district council and all the local voluntary groups and community organisations in my constituency that have made unsuccessful bids for lottery funding to see whether we can achieve more.

Huw Irranca-Davies: I thank the hon. Gentleman for his courtesy in giving way. Can he advise me about areas of my constituency that cannot apply for lottery funding? The stuffing was knocked out of them by 20-odd years of Conservative government and they do not have community leadership or community groups.

Andrew Selous: The hon. Gentleman makes a slightly cheap point. I drew attention to many constituencies in areas of great need that have been very poorly served. I have said that that is wrong and that I would like something to be done about it. I hope that he concedes that.

I should like to move on to look at the way in which the new opportunities fund intends to fund different constituency projects. I corresponded with the new opportunities fund in the east of England. I understand that funding is allocated according to the index of multiple deprivation for 2000. That sounds fair enough, but it has a grave drawback that applies across a range of Government projects. Constituencies such as mine, which overall are reasonably well-to-do but have significant areas that are less well off, lose out substantially. I understand from the reply that I received from the new opportunities fund in the east of England that this is of great concern throughout the area. The letter informs me that an OSEP—a multi-agency observatories social exclusion project—in the east of England area will be trying to drill down below ward level to apply lottery money to specific projects in the greatest need. In his reply to the debate, will the Minister clarify whether every region in the UK will be replicating this work, and, if so, is it really necessary or the best use of public funds? That would seem to be a slight waste of funds.

In my constituency, I have taken a great interest in homelessness and made my maiden speech in a debate on the subject. A local housing charity, First Place housing, was initially funded by the lottery for one or two years, after which the funding was stopped. That caused great difficulty; the centre it ran in Leighton Buzzard had to close and the centre that it still manages to run in Dunstable cannot do as much work as it would like. I feel extremely concerned about this matter.

We have heard about village, community and church halls, but this is not just a rural issue. There is a serious problem with regard to disability discrimination legislation. I will defend passionately the right of disabled people to have full access to all premises. My mother was in a wheelchair for much of her life and I have seen the difficulties that people with disabilities face when they want to be integrated fully.

Village, community and church halls are worried about legislation that is to come into force next year requiring them to provide full accessibility to disabled people. I do not want those facilities to close because they cannot, with the best will in the world, raise the funds to make the vital improvements. This is an extremely serious issue, and we do not have long to deal with it.

I understand that the charity, Action with Communities in Rural England, has said that a £50 million fund is urgently needed up and down the country to help halls to cope with the legislation. I commend that to the Minister so that progress can be made. I visited the Billington village hall committee in my constituency recently, so I know how desperately worried the local volunteers who run such centres are about this matter.

I have mentioned homeless charities that have had their money stopped and the desperate need among village and community halls. It is galling for causes that command widespread support, whose funds have been stopped or who cannot obtain them, to see causes with less widespread support being given money. I urge the Minister to consider the guidelines. I take the point about the arm's-length principle and about politicians not interfering, but one of the criteria in the guidelines should be that causes should command widespread support, so that we can increase the amount of giving from the public and ensure that funding stays at a high level to benefit good causes.

I urge those involved in the lottery to realise that they have a responsibility to help those who are addicted to the lottery and to scratch cards. There is a moral responsibility on the lottery in that regard. Projects funded by the lottery should be well advertised; the connection between funds going to the lottery and projects should be made clear. People will be encouraged to contribute to the lottery if they see the connection between the pound or two that they pay and the funding of a worthwhile project in their area.

Finally, I echo the point about application forms that has been made by several Members. It is not fair that the smaller community organisations, such as those to which the hon. Member for Ogmore (Huw Irranca-Davies) referred, cannot cope with the complexity of the very long forms. It is unfair that only charities with development officers are able to benefit.

6.13 pm

Mr. Colin Challen (Morley and Rothwell): I rise to speak as a founding member of a rather unfortunate cross-party group of Members of Parliament who represent the constituencies that have not received a great deal of lottery money. One of the regular attenders is the hon. Member for Rayleigh (Mr. Francois), who has paid great attention to the subject. It is a group that we would all like to escape from.

[Mr. Colin Challen]

Some twelve or so constituencies languish at the bottom of the league table, with less than 10 per cent. of the average given to constituencies nationally. These are sizeable communities, and we believe that more needs to be done to address the issues that are preventing local groups, charities, sports clubs and the like from applying for grants.

Only this morning, the hon. Member for Billericay (Mr. Baron) and myself—a cross-party delegation—went to the Department for Culture, Media and Sport for talks with the heads of the various distributing bodies. It was a constructive and positive discussion, and we are trying to ensure that more effort is made to provide our voluntary organisations with the capacity to submit more applications. Our group has also had two positive and helpful meetings with the Secretary of State. There is some momentum behind those unfortunate Members who wish to get out of our group.

The Opposition may want to consider why we have had to have those meetings. They talk about mismanagement, but it would be fair and objective to ask why some areas have done so much better than others. The explanation lies to a large extent in the fact that the early years of the lottery could be characterised as a free-for-all, when all-comers could bang in their applications and money flowed out of the distributors' hands without any clear strategy or sense as to how everybody, regardless of where they lived, could benefit.

We now have a situation where it will be impossible for some geographical areas to catch up, but at least the Government have recognised this and introduced the fair shares scheme, which seeks to ensure that more lottery money goes to areas that have had a low share in the past and which are also deprived. I have some queries about exactly how the fair shares scheme is designed, and I have some ideas about how it ought to be improved. My thoughts will be submitted to the consultation on the distribution of lottery funds, and I hope that, apart from the unfortunate group of Members to which I have referred, others will append their names to my proposal. The deadline is 30 October, a week away, so there is time to do it.

We cannot go on with a situation where some constituencies have received barely £1 million pounds for local good causes, when the average is nearly £16 million. I know that there are many complexities in how one might assess the true value of the lottery to the people who live in local areas; after all, many people will use facilities in city centres, such as football stadiums, which are paid for with lottery funds from the general public but are not based in their locality.

In my view, there is a clear injustice where local people have bought a disproportionate number of lottery tickets but have not seen much happening locally as a result. I expect that, by now, my constituency has bought nearly £50 million worth of lottery tickets. The average return to constituencies is nearly £16 million; in my case, the figure is just £2 million. If there is a need for any soul-searching over the lottery, it is about whether some people are buying more than their fair share of lottery tickets and are subsidising the activities of those who could well afford not to be subsidised. I should like to see research done on that. If people are to be encouraged to buy tickets, they should know that the money is fairly distributed.

As I have said, these are very complex questions, and no one knows this better than those who organise the distribution of the funds. I invited Lady Brittan to my constituency to press the case in person. She came up without delay and spent a considerable amount of time talking about the issues with an excellent local organisation, Morley Elderly Action. She was courteous and knowledgeable, and I am sorry that the Opposition have chosen implicitly to ally themselves with a newspaper attack on her and her staff; an attack that, in their usual mealy-mouthed way, the Opposition dissociate themselves from but are secretly content to see take place.

That sort of behaviour taints everything that the lottery does and it is not a rational way to analyse how the lottery is performing. It is not designed to bring about thought-through solutions. The net result of the Opposition's behaviour will be to harm the very thing that they say they want to defend. It is the politics of ethical delinquency. If the delinquents succeed, many organisations, particularly those in areas that have not, as yet, seen great benefits from the lottery, will never see any benefit.

Andrew Selous: I feel compelled to intervene on the hon. Gentleman. The reason why some Conservative Members have raised this matter is because we do care about the lottery. We raised it for no reason other than that we want the lottery to prosper and levels of giving to increase. I alluded to the distribution of certain lottery money only briefly in my speech, so please do not demean our motives in raising the matter.

Mr. Challen: I certainly do not want to demean the motives of the seven Opposition Members present; they are the ones who have not choked on their cornflakes, having read the *Daily Mail*, and at least they have attended today's debate.

Mr. Francois: I want to take this opportunity to commend the hon. Gentleman for all the work that he has done on behalf of those of us who—at the moment, at least—are at the very bottom of the pile in terms of payouts to our constituencies. Does he agree that there is a real problem in those constituencies? Is there not a danger that, because so many bids have been refused, people will begin to give up if they do not see some genuine return for their efforts?

Mr. Challen: That is exactly the point that I am making, and I am glad that there is cross-party consensus on it. For that reason, we should get down to the real issues, and avoid the headline-grabbing stuff and the kind of discussion that puts people off buying tickets. There may be many good reasons why they should not buy tickets, but the subject of this debate is not one of them.

6.21 pm

Mr. Gerald Howarth (Aldershot): The hon. Member for Morley and Rothwell (Mr. Challen) has shown precisely why it was so sensible of Her Majesty's loyal

Opposition to table a motion on the national lottery: so he could have his say, put his constituency interests before the House, and make a wider point on behalf of other constituencies that themselves have not done so well out of the lottery. I am therefore sorry that he has chosen to attack the Opposition, instead of thanking us for presenting him with the opportunity to make his case.

I agree entirely with the right hon. Member for Islington, South and Finsbury (Mr. Smith) when he says that there is a lot of common ground between us on the subject of the national lottery. Tribute has been paid to John Major for his Government's initiative in setting up the national lottery. I think that it was a good idea, and I myself am an investor. Indeed, if my wife is watching now, could she please make sure that she has purchased our ticket for tonight? *[Interruption.]* I have a very loyal wife, and I am sure that she is watching now. A ticket costs no more than £2.

As I said, there is a lot of common ground between us, and there is no doubt that the lottery has done great work, but the dome was an unmitigated disaster. The taking of £800 million of lottery players' money for that white elephant—now destroyed—was a tragedy. However, today is about having a perfectly legitimate debate on the priorities of the national lottery. Hon. Members have, in different ways, expressed their views about their sense of priorities. I remind the House that this issue came to light because Simon Weston, at the invitation of the Conservative party, came to our conference—not as a Conservative, but as a veteran—to explain how veterans feel about the way that they are dealt with not only by this Government, but by previous Governments. It was as a result of the impassioned plea of Simon Weston—formerly of the Welsh Guards, and one of the heroes of the Falklands campaign—that his comments came to public knowledge.

I commend the *Daily Mail* for running a campaign that highlighted, in essence, what I want to talk about tonight: the allocation of funds for one sector of our community—our ex-service men and the organisations that sustain them—that the entire House surely feels deserves a higher priority than it is currently accorded. There could not be a more appropriate day to discuss this, for it is today that we have marked in Westminster Abbey the 60th anniversary of the battle of El Alamein. Those of us who saw Jon Snow's television programme—made with the help of his son, Peter—at the weekend, had brought home to us the enormity of the horrendous nature of that campaign.

El Alamein was like many other campaigns of the second world war, but they are not the only ones. In the Falkland islands—part of the United Kingdom's territories—255 British service men lost their lives fighting for the freedom of the islanders. According to the Secretary of State, only £1 million out of £12 billion goes to service charities. That is unfortunate, but in fact she has slightly understated the situation. I can tell the Minister for Tourism, Film and Broadcasting, for whom I have much time—not that I wish to harm his prospects within his own party—that, according to the Library, there are 163 projects that are associated with ex-service charities, and so on. Funding totals £1.6 million, which equals about £10,000 per project. These are great projects, and I am not denying that work has been done for service charities. Many hon. Members will know from their constituency work that there is some activity in respect of the British Legion, the Normandy veterans and—as I discovered in my maternal home of the borders of Scotland—a number of pipe bands. Those are great causes, but there are very few large projects.

For example, as I mentioned in an intervention, it is unfortunate that a few years ago St. Dunstan's was unsuccessful in applying for a grant of £600,000—not a huge sum, in lottery terms—for a rehabilitation centre. As hon. Members will know, a young cadet went to the Territorial Army centre in Hammersmith, west London, a couple of years ago and picked up what he thought was a torch on the ground. It was an IRA bomb, and as a result he lost his sight. It is St. Dunstan's that picked him up, and that is what our service charities are doing every day of the week. They do not make a big fuss about it; they do it quietly, and they are a huge rock for those who have served their country, witnessed horrendous scenes, and sacrificed sight, limb or hearing for their country. I do not believe that, as currently constituted, the national lottery is giving those men and women—who deserve our support on their behalf—the proper priority that they deserve. That is what this debate is about.

The Royal Naval Benevolent Trust was told by a lottery official that it would not be worth its bothering to apply for a grant, since it has too much money in reserve already. The money that it has in reserve is used to generate income to pay current expenses. It was looking for some support for a capital project, but that was not forthcoming. The Government are not unwilling to give directions—or guidelines, as they are perhaps called—to those who distribute the funds. I want those guidelines firmly to encompass the service charities, which are not supported by the Ministry of Defence or by the Government. In fact, they are supported largely by the ex-service community itself and, of course, by the wider public at the time of the poppy appeal. I believe that some £19 million was given last year—a sum that reflects the priority that the public give to our ex-service men.

I hope that the Government will think very carefully about this issue. I hope that they will recognise that there is something wrong here, that they have the opportunity to put it right, and that they will do so as soon as possible. Simon Weston said that 20 per cent. of London's rough sleepers are ex-service men. We owe it to them to do more than we are doing; £1.6 million out of £12 billion simply does not reflect the duty that we owe. We have a chance to do something for them, and I hope that the Government will take it today without compromising the independence of the awarding authorities, but by pointing out to them the role that these people play in our society.

I am glad that the Government have agreed to ask Simon Weston to give evidence. He made an impassioned plea, which struck a chord. It was the *Daily Mail* that picked it up, and I hope that this House will listen to what has been said, and act on it.

6.30 pm

Mr. Chris Bryant (Rhondda): I am especially pleased to follow the hon. Member for Aldershot (Mr. Howarth), who spoke with great sincerity on behalf of his constituents and of the many people in the country who would agree wholeheartedly with much of

[Mr. Chris Bryant]

what he said. However, I am being similarly sincere when I remind the hon. Gentleman of the motion under debate. Many of us would have preferred to debate a motion on the principles that he has elucidated, but they are not what is under discussion.

It is not a question of the national lottery supporting only veterans, or only the organisations referred to this evening. It should support both. In my constituency, one is less likely to meet veterans at the various veterans' organisations than at the local community association or Labour club. Throughout the Rhondda, there are people in their 60s, 70s, 80s and 90s who fought for this country in the past.

Also, the best way to help veterans sleeping rough in London is not by helping veterans' organisations specifically but by helping rough sleepers organisations. That is what many funding bodies are trying to do.

My plea as MP for the Rhondda is similar to that made by the hon. Member for Aldershot on behalf of his own constituents. We also owe a duty to this country's miners, many of whom died trying to create and build this country's prosperity. Over the years, mining constituencies across the country have not received a fair share of the lottery allocations cake. That is a matter of regret. I am glad that, since 1997, the Government have sought to address that problem, but there is still a long way to go. The average mining constituency in Wales receives only 40 per cent. of the average UK lottery allocation. That problem affects many Labour Members and, despite the kind remarks made earlier by my right hon. Friend the Secretary of State, many of us still want to press the Government on it.

I confess that some contributions from Conservative Members to the debate have been depressing. The hon. Member for Maldon and East Chelmsford (Mr. Whittingdale) gave us the old, old story. I longed for the bright shoes of the hon. Member for Maidenhead (Mrs. May), and for a debate that revealed some of the colour of the supposedly nice party that the Conservative party has become. Yet we got a list of organisations—representing women, gays and foreigners—that should not receive money. That is the old Conservative party, just as nasty as ever.

I have shared many a pleasant Select Committee day with the hon. Member for Bromsgrove (Miss Kirkbride), but she seemed to argue that children and young people should no longer be a priority, and that we should not expressly consider their needs when it comes to lottery allocations. For her, it seemed to be a question of veterans in, children and young people out. I think that that is a false dichotomy.

Miss Kirkbride: Will the hon. Gentleman give way?

Mr. Bryant: No. The hon. Lady would not give way to me earlier. I told her she would regret it, and now she does.

The debate has been depressing for yet another reason. As my right hon. Friend the Secretary of State said, we have seen the bandwagon tendency in full and fine fettle. We thought that some of the wheels had fallen off the bandwagon, but it is clear that it is more of a fire brigade tender and that all its wheels are rolling.

There are important principles at stake. When we talk about lottery allocations and the performance of the lottery, we need to deal with three important matters.

The first matter is the arm's length principle, which has been discussed in some detail. It was curious to hear demands that politicians should ensure that certain organisations should not get grants, and at the same time arguments that there should be an arm's length principle. I used to be a councillor in Hackney, and I have seen the terrible complications that can arise when councillors must decide which organisations should receive grants. My experience leads me to believe passionately that politicians should draw up the broad guidelines for applications, but that it is quintessentially fundamental that they should not be involved in doling out grants.

The second matter that I want to raise has been skated over somewhat in the debate. It is the question whether charities should be able, or allowed, to engage in politics. I believe that charities play a vital role in bringing to the political world's attention many of the problems that affect the most marginalised groups in society. Taking away from Oxfam, Christian Aid, Help the Aged or any of the other charities that we know and love the ability to campaign would deprive the political world of an enormous resource.

Of course, charities should not be involved in party-political engagements, and the Charity Commissioners should provide robust guidelines on the political engagements in which it is appropriate for charities to be involved, but there should not be the blanket ban on political campaigning implied by the hon. Member for Maldon and East Chelmsford.

Thirdly, several hon. Members have mentioned the matter of fair shares. Geographical parity might be desirable, but it is not the end of the story. The lottery should first try to address need. Almost inevitably, allocations to the arts and to sports will go to centres of excellence, giving rise to the sort of list referred to earlier by the hon. Member for South-West Bedfordshire (Andrew Selous). However, I still want much greater focus on the needs of communities, and especially of those communities that are most deprived.I think that the hon. Gentleman made a strong argument for the Government's decision to establish the new opportunities fund and for changing the priorities of the community fund. He made the argument for the Government.

In my constituency, the new opportunities fund has meant that the Rhondda cardiac support group has received a grant, as have the Clydach vale community centre, which provides a breakfast club and a holiday club for children aged between three and 11, and the Pontygwaith community centre, which provides after-school places for three to 11-year-olds. The groups that I have mentioned are in three of the poorest wards in Europe. The new opportunities fund has therefore been invaluable in ensuring that more money goes to the most deprived communities in the country.

Andrew Selous: Does the hon. Gentleman agree with my point that constituencies around the country that have significant pockets of disadvantage are currently not accessing money from the new opportunities fund?

Mr. Bryant: There is a problem in that respect. I said earlier that if, as has been suggested, one uses local

authorities to decide which areas of the country are the most deprived, the result is that certain areas could be overlooked. Although I believe that drilling down into tiny communities in individual wards is trying too hard, and that, broadly speaking, we should deal with the matter at constituency level, I accept that it is a matter of legitimate dispute.

I turn now to the community fund, and two grants just made from that source. One grant, of £199,000, has gone to the Cwmparc community welfare association in my constituency. The other grant relates to a debate that was held yesterday in Westminster Hall. The Parent Project UK has just received £45,000 to help it provide support and understanding for people suffering from Duchesne muscular dystrophy. In that connection, I pay tribute to my hon. Friend the Member for Cardiff, West (Kevin Brennan), who has already made it known that he is in the Chamber. However, constituencies such as mine still only receive some 40 per cent. of the average allocation nationally.

I welcome the changes introduced by the Government, and devolution has made possible greater accountability on the part of the funding organisations. I support the specific measures for former mining constituencies and this summer's announcements, bearing in mind the difficulties in trying to ensure that genuinely deprived areas receive the most support.

Finally, there has been some talk from Conservative Members about political correctness. I am proud to be politically correct if that means treating everybody equally. Yes, I am politically correct if it means turning my back on the knee-jerk xenophobia and homophobia that we have seen this evening. Yes, I am politically correct if it means saying that charity does not begin and end at home and if it means supporting the most needy, even if they are not necessarily the most respectable. I am politically correct if that means thinking before believing everything that appears in the *Daily Mail.*

6.40 pm

Mr. John Greenway (Ryedale): It is entirely appropriate that the Conservative party, which created the national lottery, should use one of its supply days to debate one of the great successes of social policy of recent years and discuss what Parliament and the Government should do to ensure its continuing success. The Secretary of State described our debate as opportunistic, but without the debate we would not have had a statement on what many think is the worst crisis affecting the lottery during its eight years of existence, nor would we have been likely to have a debate on the Secretary of State's consultation papers.

When the lottery was launched eight years ago, no one dared predict the scale of success that has in fact been achieved. However, the march of success has now faltered—badly so in recent weeks. If we are to have any hope of halting and reversing the decline, we need to understand why fewer people are buying lottery tickets. I was astonished that the Secretary of State had nothing to say about the fall in lottery ticket sales. It was always obvious that some players would lose interest, but the recent drop in sales is due to more than player fatigue. The hon. Member for Watford (Claire Ward) was right—the adverse publicity attached to criticism of just a handful of grants has deeply damaged the public's trust in the lottery. However, it was the Home Secretary who first criticised the National Coalition of Anti-Deportation Campaigns, not the Conservative party. The criticism from the Home Secretary and others has created a perception that more deserving causes are losing out to the benefit of organisations that do not command widespread public support or respect.

In an effort to bring down the temperature a little, let me be the first to acknowledge that there have always been controversial grants, and probably always will be; when we were in government, I raised precisely that point with the then Prime Minister. That is part of the price of sticking to the arm's-length principle. Nevertheless, some of the beneficiaries of recent community fund grants should have come as no surprise to Ministers.

In 1999, the community fund guidelines were amended. That has been acknowledged. Ministers both promoted to Parliament and approved the community fund strategic plan, which included specific reference to targeting organisations supporting asylum seekers and refugees. That in itself was not the problem. What appears to have been lacking was a sufficiently robust regime for grant approvals to prevent any organisations that benefited from the programme supporting, for example, moves to prevent the deportation of criminals—the Home Secretary's criticism—or engaging in doctrinaire political campaigns way beyond what should be acceptable from an organisation in receipt of public money. As the Secretary of State has said, the community fund appears to recognise that. However, the solution is not to abolish the community fund or the other distributors. I welcome the timely reminder given by the former Secretary of State for Culture, Media and Sport, the right hon. Member for Islington, South and Finsbury (Mr. Smith), about the second licence promise to the distributor bodies. We need to improve internal procedures and reconsider the guidelines that the distributors are given by the Government.

I profoundly disagree with the Secretary of State's comment that there were flaws in the lottery structure. There was nothing seriously wrong with the structure of distribution established for the lottery at the outset, although its priorities were always bound to develop. What has happened since, under this Government, has undermined public confidence in the lottery. In particular, the creation of the new opportunities fund has corrupted the crucial principle of additionality. One needs only to talk to the other funding bodies to know how deeply that is resented in the country and throughout the lottery scene. If we want the lottery to support health and education in the form of schools and hospitals, we should not do so through an organisation that has such close ties to Government Departments, mandated to fund initiatives that are central to the Government's policy strategy. Government policy initiatives relating to school sport, for example, should be funded out of taxation, not the lottery. That is not the same as saying that schools should not benefit. As I said in an intervention on the hon. Member for Leigh (Andy Burnham), Sport England has funded school projects in my constituency, provided that they are for community use.

My hon. Friend the Member for Galloway and Upper Nithsdale (Mr. Duncan) was right—we are not against the projects. He rightly questioned the method of

[Mr. John Greenway]

funding. The Government seem to treat the new opportunities fund as an extension of the Exchequer. How often have we heard the Prime Minister announce public spending commitments, only to discover later that they will be largely funded by the lottery?

The public recognise that the lottery is increasingly being used as a means of delivering the Government's agenda rather than what schools or voluntary organisations have determined they want to achieve for their community. The lottery was established to provide an independent stream of money to support local action and self-help. In our view, it needs to return to that first principle.

Andy Burnham: Will the hon. Gentleman give way?

Mr. Greenway: No, I will not, because I have only a few minutes left.

The Secretary of State recognises that all is far from well. We agree that a review of lottery funding is appropriate, although we have different solutions to offer. We agree that we need at the very least to correct inequalities of funding between the funding bodies. The new opportunities fund receives one third, while the rest receives one sixth. That is perverse and unfair.

We agree, too, that there is a need to make the application process easier and more user friendly. Increasingly, however, the disappointment of rejection is due to a lack of money, for sport and charities especially. That is why we have said for some time that a way should be found to enable at least a part of the significant sum of unspent money to be released to boost spending. Lottery money is often earmarked by the Government for other projects, which reduces the amount of money available for local good causes. It is as if the lottery candle is being burned at both ends, and it cannot stand the reduction in ticket purchases.

Finally, we agree that local decision making should be enhanced. However, the consultation paper talks of establishing local awards committees, with more than a hint of local authority involvement.

The Secretary of State has said that we should keep politicians out of the grant decision process, and we agree, but that should apply to local councillors, regional development agencies and regional assemblies as well as Ministers. The lottery should not be seen as a community resource or slush fund for local authorities or assemblies as a substitute for public funds.

For the lottery to have a vibrant future, the twin core principles of arm's-length and additionality on which it was based but which have been corrupted under this Government must be reasserted. The Conservative party created the lottery, and we remain one of its staunchest champions. In a White Paper in 1997, new Labour promised a lottery for the people. With respect, it already was a lottery for the people, but it has increasingly become a lottery for the state. For us, any lottery worth having helps volunteers, charities and independent organisations, not public sector bodies, to improve the quality of life for our people and communities. It helps our athletes and our young musicians achieve their hopes and aspirations. It helps charities provide support for the weak and most vulnerable in our society. That was, and remains, central to the Conservative vision for the national lottery. It is a vision that we commend to the Secretary of State.

6.50 pm

The Minister for Tourism, Film and Broadcasting (Dr. Kim Howells): We have held an excellent debate, which was refreshingly free from some of the things that could have infected it. I am glad about that.

I am sure that many right hon. and hon. Members will join me in commending the hard work done for the lottery by the Minister for Sport, who owing to family difficulties cannot be at the Dispatch Box this evening. My right hon. Friend the Secretary of State, too, has done an enormous amount to make the lottery relevant to contemporary society.

We have heard many excellent contributions. The hon. Member for Ryedale (Mr. Greenway) made an important point about ticket sales and income from the lottery. We expect lottery sales to be well over £4.5 billion this year and to contribute well over £1.2 billion to good causes. That is a large amount by any reckoning and it is hugely important for good causes of every sort throughout the country. I hope that the hon. Gentleman will mark my words: it is extremely important that we help in every way we can to sustain that level of income. That point raises questions which have not been discussed today about the nature of the gains or how they should evolve. Those essential questions have been absent from the debate.

I thank the hon. Member for Colchester (Bob Russell) for making an important point about ensuring that many small outlets do not lose their lottery franchise. I am sure that he and other Members will want to know that Camelot introduced sales incentive schemes earlier this year to ensure that the money for good causes is maximised. Obviously, Camelot wants the maximum number of outlets. I understand that the company is spending time with every retailer who is experiencing difficulties and is in danger of losing their terminal. Camelot field executives have instituted a training period of more than 26 weeks to help such retailers to reach their weekly sales targets.

The hon. Gentleman's comments were important, because the last thing we need is for shops, often in vulnerable areas, to lose the attraction of the lottery. Ultimately, the decision for Camelot is commercial, as it should be. I am sure that the hon. Gentleman will be interested—I certainly was—to learn that more than 100,000 retail outlets are on a waiting list for a line terminal.

The hon. Member for Colchester and other Members asked whether sport was suffering. School sport alone will receive £750 million. That is a great achievement that, hopefully, will produce the goods in terms of winning teams. Most important, however, is the fact that so many young children will be involved in activities that they would never otherwise have taken part in. That is a great step forward. We should celebrate it, not knock it.

My right hon. Friend the Member for Islington, South and Finsbury (Mr. Smith) raised the issue of balances, which has been extremely important since the lottery began. I am sure that he knows that the Government are working with the distributing bodies to

ensure that lottery funds are not only committed to projects, but paid over to project operators as quickly as possible. We want lottery funds to give the greatest and fastest possible benefits on the ground.

My right hon. Friend was right to highlight the fact that the balance is enormous: about £3.6 billion. The lottery distributing bodies forecast that it will more than halve, to £1.6 billion, by March 2004. I assure him that the Government attach high priority to ensuring that that reduction takes place so that good causes will benefit to the greatest extent from the money raised by the lottery.

The hon. Member for Bromsgrove (Miss Kirkbride) reminded us of how the money can be used. She painted a vivid picture of the difference that it will make in her constituency, especially as regards health care. Quite properly, she referred to the accountability of quangos. I use the word "quango", as it would take too long to explain it. I feel strongly about quangos. Sometimes, they work extremely well; at other times, they do not work too well, but they should always be accountable. As I come from Wales—a country that seemed for a long time to be run by wholly unaccountable quangos, although we have changed that—I have a great deal of sympathy with the hon. Lady's comments.

My hon. Friend the Member for Watford (Claire Ward) described some of the splendid schemes in her constituency—for example, the out-of-school clubs that are such a boon. She asked the House to understand that we owe a duty to fund small but vital grants for organisations that will never receive publicity. Such organisations will certainly never be controversial like those that, through controversy, actually win funds. Lottery funds are the lifeblood of the organisations to which she referred and I support her observations.

The hon. Member for Galloway and Upper Nithsdale (Mr. Duncan) urged us to consider carefully the simplification of the application process. That is an important point. He and other Members will be pleased to learn that, as part of the current review of lottery funding, we are examining the application process. The review has resulted in several proposals to improve the process, including a single application form, electronic applications and one-stop shops. Those innovations could bring real advantages.

There were many contributions, and I cannot answer them all this evening. The hon. Member for South-West Bedfordshire (Andrew Selous) was right to refer to community halls—another important issue. He will be pleased to learn that we have been working with the Department of Environment, Food and Rural Affairs and taking a lead on a cross-cutting review of the funding for village halls, in liaison with all the stakeholders—if I may use that terrible word—including the Department for Culture, Media and Sport, to demonstrate the amount of funding needed to develop village halls. The review will also examine the funding process and other issues such as access for disabled people—to which the hon. Gentleman referred. Such access can be expensive but it should form part of the civil rights of disabled people. We shall certainly not try to get around that problem.

There were many contributions—

Bob Spink *rose—*

Dr. Howells: I cannot give way now. Indeed, I may have been about to answer the question that the hon. Gentleman wanted to ask.

Many Members referred to the need to ensure fair shares. My remarks may be a little controversial, but coming from a constituency that until recently was a coalmining constituency, I can say that the greatest poverty that we have suffered is a poverty of aspirations for ourselves—not necessarily for our children—and for our communities. We should start to forget the history involved; otherwise we could argue with each other from now until the end of time. If we do not raise that level of aspiration and start looking to the sky for the future of our communities, we will never achieve any of the improvement that is so important to us. That poverty of aspiration is at the heart of many of the problems that have been experienced with the lack of funding going to some constituencies. There could be many reasons for that, but we must tackle it quickly. I commend the work that my right hon. Friend the Secretary of State has done in trying to draw together such constituencies to discover how we can improve matters.

The hon. Member for Aldershot (Mr. Howarth) made an impassioned plea, and properly so. We owe those people who defeated fascism, the Nazis and the rest of those scum a debt of gratitude that can never be repaid. We must take care of those people and I hope that the hon. Gentleman's words will be heard outside the House. They have certainly been heard inside the House—

David Maclean (Penrith and The Border) *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put accordingly, That the original words stand part of the Question:—

The House divided: Ayes 138, Noes 391.

Division No. 328] **[7:00 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, rh Michael
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baldry, Tony
Barker, Gregory
Baron, John *(Billericay)*
Beggs, Roy *(E Antrim)*
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brazier, Julian
Browning, Mrs Angela
Burns, Simon
Burnside, David
Burt, Alistair
Butterfill, John
Cameron, David
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Curry, rh David
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Evans, Nigel
Fabricant, Michael

Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Gale, Roger *(N Thanet)*
Garnier, hon. Edward
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Hammond, Philip
Hayes, John *(S Holland)*
Heald, Oliver
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Loughton, Tim
McIntosh, Miss Anne
MacKay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, rh Francis
May, Mrs Theresa
Moss, Malcolm
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Prisk, Mark *(Hertford)*
Randall, John
Redwood, rh John
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Sayeed, Jonathan
Selous, Andrew
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Soames, Nicholas
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Willetts, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Ayes:
Mr. David Wilshire and Mr. Mark Francois

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Baker, Norman
Banks, Tony
Barnes, Harry
Barrett, John
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Bell, Stuart
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blunkett, rh David
Boateng, rh Paul
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Breed, Colin
Brennan, Kevin
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burnham, Andy
Burstow, Paul
Cable, Dr. Vincent
Cairns, David
Calton, Mrs Patsy
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, rh Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Carmichael, Alistair
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, hon. Dr. Lynda *(Edinburgh Pentlands)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corbyn, Jeremy
Corston, Jean
Cotter, Brian
Cousins, Jim
Cranston, hon. Ross
Crausby, David
Cruddas, Jon
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, rh Alistair
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Ewing, Annabelle
Field, rh Frank *(Birkenhead)*
Fitzpatrick, Jim
Flint, Caroline
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Galloway, George
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, Andrew *(St. Ives)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Heath, David
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Holmes, Paul
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David

Jenkins, Brian
Johnson, Alan *(Hull W)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Keetch, Paul
Kelly, Ruth *(Bolton W)*
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
King, Andy *(Rugby)*
Kirkwood, Archy
Ladyman, Dr. Stephen
Lamb, Norman
Lammy, David
Laws, David *(Yeovil)*
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury & Atcham)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Merron, Gillian
Michael, rh Alun
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moore, Michael
Moran, Margaret
Morgan, Julie
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
Oaten, Mark *(Winchester)*
O'Brien, Bill *(Normanton)*
Öpik, Lembit
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Price, Adam *(E Carmarthen & Dinefwr)*
Primarolo, rh Dawn
Prosser, Gwyn
Pugh, Dr. John
Purnell, James
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, Alan *(Argyll & Bute)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Rendel, David
Robertson, Angus *(Moray)*
Robertson, John *(Glasgow Anniesland)*
Rooney, Terry
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salmond, Alex
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Straw, rh Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Thomas, Gareth *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Thurso, John
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
Webb, Steve *(Northavon)*
Weir, Michael
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wishart, Pete
Wood, Mike *(Batley)*
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek
Younger-Ross, Richard

Tellers for the Noes:
Mr. Phil Woolas and
Mr. Fraser Kemp

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments), and agreed to.*

MR DEPUTY SPEAKER forthwith declared the main Question, as amended, to be agreed to.

Resolved,

That this House welcomes the fact that the Lottery has so far generated over £12 billion for investment in good causes and has brought much needed support for sport, the arts and heritage, charities, and organisations dealing with health, education and the environment; notes that the Lottery has created funds for projects to mark the new millennium; also notes that the typical constituency has received millions of pounds of Lottery funding, often transforming local communities and their economies; welcomes the contribution that Lottery funding has made throughout the United Kingdom; believes that Lottery players can have full confidence in the Lottery and in Lottery fund distribution; and welcomes the current review being undertaken by the Department of Culture, Media and Sport to ensure that the Lottery continues to make the fullest possible contribution to the nation.

Mersey Tunnels Bill

Order read for resuming adjourned debate on Question,

That the promoters of the Mersey Tunnels Bill shall have leave to suspend proceedings thereon in order to proceed with it, if they think fit, in the next session of Parliament, provided that notice of their intention to do so is lodged in the Private Bill Office not later than the day before the close of the present session and that all fees due up to that date have been paid;

That on the fifth sitting day in the next session the bill shall be presented to the House by deposit in the Private Bill Office;

That a declaration signed by the agent shall be annexed to the bill, stating that it is the same in every respect as the bill presented in this House in the present session;

That on the next sitting day following presentation, the Clerk in the Private Bill Office shall lay the bill on the Table of the House;

That in the next session the bill shall be deemed to have passed through every stage through which it has passed in the present session, and shall be recorded in the Journal of the House as having passed those stages;

That no further fees shall be charged to such stages;

That all petitions relating to the bill which stand referred to the committee on the bill, shall stand referred to the committee on the bill in the next session;

That no petitioners shall be heard before the committee unless their petition has been presented within the time provided for petitioning or has been deposited pursuant to Private Business Standing Order 126(b);

That, in relation to the bill, Private Business Standing Order 127 shall have effect as if the words "under Standing Order 126 (Reference to committee of petitions against bill)" were omitted.—*[The First Deputy Chairman of Ways and Means.]*

Question again proposed.

7.15 pm

Mrs. Claire Curtis-Thomas (Crosby): As the sponsor of the Bill, I wish to speak in support of the motion, which is procedural and not about the Bill's merits.

The Bill is promoted by the Merseyside Passenger Transport Authority, which together with its passenger transport executive is known as Merseytravel. The PTA comprises councillors from the five local authorities on Merseyside: Knowsley, Liverpool city, Sefton—

Mr. Peter Pike (Burnley): On a point of order, Mr. Deputy Speaker. The sound system does not seem to be working—none of us at this end can hear a word my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) is saying.

Mr. Deputy Speaker (Sir Alan Haselhurst): I will ask for that to be investigated. I could hear the hon. Lady perfectly well, but perhaps that could be examined. May I appeal to the hon. Lady to raise her voice in the meantime?

Mr. Robert N. Wareing (Liverpool, West Derby): On a point of order, Mr. Deputy Speaker. It is a matter of clarification. If the motion were passed this evening, would there be no further Second Reading of the Bill in the next Session of Parliament?

Mr. Deputy Speaker: If the motion were passed, the Bill would resume in the next Session at the position that it has reached up to now. Second Reading has been obtained.

Mr. Andrew Miller (Ellesmere Port and Neston): On a point of order, Mr. Deputy Speaker. In your capacity as Chairman of Ways and Means, you tabled this motion, which, as I understand it, has the carry-over effect. Is it right to presume that the promoters of the Bill made representations to you that there should be a carry-over, as distinct from a revival? I understand that that would have been an alternative possibility.

Mr. Deputy Speaker: The motion would not have been on the Order Paper had I not received representations.

Mr. Miller: Further to that point of order, Mr. Deputy Speaker. Are those representations in the public domain? I just ask as a matter of inquiry.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Further to that point of order, Mr. Deputy Speaker. Is it not clear that this is part of a perfectly proper procedure? There has been a very long debate about the Bill, which has implications for a lot of local authorities. We are not doing anything revolutionary. Is this not the same procedure as normally happens under carry-over procedure?

Mr. Deputy Speaker: I am grateful to the hon. Lady. We are operating perfectly in accordance with precedent. Nothing unusual has taken place.

Mrs. Curtis-Thomas: The passenger transport authority comprises councillors from the five local authorities on Merseyside: Knowsley, Liverpool city, Sefton, my own authority, St. Helens and Wirral. All those authorities support the Bill, as does Halton borough council, which is responsible for the Runcorn crossing of the Mersey.

The promoters have placed a statement in support of the motion in the Vote Office. As we are debating a procedural motion, this is not the occasion on which to discuss the Bill in detail. However, it may be helpful to remind hon. Members about the purpose of the Bill and its progress through the House.

Mr. Christopher Chope (Christchurch): Will the hon. Lady look at paragraph 12 of the promoter's statement in support of the carry-over motion, which asserts,

"The Bill has all party support within Merseytravel"?

Is she aware that Councillor Jacquie McKelvie, the Conservative representative on Merseytravel, is against the Bill and voted against it on 25 July?

Mrs. Curtis-Thomas: I thank the hon. Gentleman for his observation. I am afraid that I was not aware of that fact, and I will seek further details after the conclusion of the debate.

The Bill was introduced in January and received its Second Reading on 9 July, after which it was committed to an Opposed Bill Committee. That Committee was due to consider the Bill earlier this month, but it had to be cancelled because one of the petitioners could not attend, unfortunately.

The Bill would amend the County of Merseyside Act 1980. First, it would replace the present tunnels' toll revision procedure, which is complex, lengthy, costly and always involves a public inquiry, with an index-linking mechanism, which would end the need for

Merseyside's council tax payers to fund the operating deficits that the current procedures almost invariably produce. Secondly, it would provide that any real-terms increase in tolls would need to be approved by the Secretary of State.

Stephen Hesford (Wirral, West): My hon. Friend is doing her best to put her case before the House, but does she accept that, in fact, the current figures do not show a deficit? The toll produces a break-even state of affairs and has done so for some years.

Mrs. Curtis-Thomas: That inquiry would have been better made on Second Reading. I wish to speak to the motion, which is procedural.

Stephen Hesford: On a point of order, Mr. Deputy Speaker. I adhere to the ruling that the motion is narrow, but surely, if an hon. Member raises a matter—the hon. Lady raised the substantive issue of the toll deficit—other hon. Members can respond.

Mr. Deputy Speaker: I do not wish to hear a detailed debate about the substance of the Bill. If the motion is carried and there are further debates on the Bill, there will be opportunities for the House to consider detail. I am allowing the hon. Lady, in support of the motion that she is moving, to make a summation of the general purport of the motion to advance the Bill, but I shall not expect her to dilate too much on that either.

Mrs. Curtis-Thomas: Thank you, Mr. Deputy Speaker.

The Bill would allow any surplus income to be used for local public transport services on Merseyside. It would remove the requirement for tolls to be reduced when the tunnel debts have been repaid. Lastly, it would permit Merseytravel to carry out noise insulation work on the properties near the tunnel approach roads on the Wirral.

Mrs. Dunwoody: It is important to make it clear that we are not debating the Bill's content, the charges, or the rights and wrongs of who does and does not support it; we are talking about whether it should be allowed to proceed, which would give hon. Members of all political persuasions the opportunity to comment on many of those matters later. Attempts to stop the right to discuss that procedure would be unhelpful.

Mrs. Curtis-Thomas: I thank my hon. Friend for that significant contribution. She is a distinguished hon. Member, and she has adequately and generously identified the reason why we are here this evening, which is to discuss not the Bill's merits, but a procedural motion.

The House has already committed the Bill to an Opposed Bill Committee, and the motion will allow proper scrutiny of the Bill to take place in that Committee. As a precursor to that scrutiny, the Government have reported on the Bill and made it clear that they have no objection to its key provisions. Promoters and petitioners are entitled to expect Parliament to give careful and reasoned consideration to private Bills on their merits and, by convention, the House allows such Bills to be carried over to enable that to happen. I therefore commend the motion to the House.

7.24 pm

Mr. Frank Field (Birkenhead): Two almost unique circumstances come together in the Bill, which warrants more than a debate on a simple procedural motion. The Bill would delegate tax-making powers from the House to a transport authority, and linked with those powers is this procedural motion to carry over the Bill into the next Session. Over the years, Mr. Deputy Speaker, some hon. Members have tried to catch your eye to try to ensure the success of our own measures, which have fallen at the end of a parliamentary Session. Although such a motion is not unique, it would be wrong to suggest that it is a common occurrence.

As my hon. Friend the Member for Wirral, South (Mr. Chapman) has rightly said in the past, many aspects of the measure have support throughout the House. It is wrong for a transport authority to have to return to the House every time that it wishes to make the smallest change to a toll. It is clearly important that the transport authority can raise funds to manage the tunnels safely in Merseyside. It is important that the toll helps to pay off debts that have accumulated in the past.

It is also important that the measure gives the power to protect those tenants at the mouth of the Wallasey tunnel who do not gain financial support to install double glazing so that they are not disturbed by the noise emitted from the vehicles of those who use the tunnel. On all those fronts, there is general agreement in the House that this is a sensible measure. However, under the measure, the House would delegate tax-making powers to the authority, and I wish to speak about that briefly.

Stephen Hesford: Is my right hon. Friend aware that some of the problems involved in the cumbersome procedure under which we labour tonight have been dealt with in public Bills? In the past, original legislation was amended by public Bills, not necessarily by this type of legislation. The benefit of that is that the entire House takes part in debating the legislation in the normal way. Does my right hon. Friend agree that that would be a better procedure for dealing with the issues that he properly raises?

Mr. Field: That intervention shows that my hon. Friend knows much more about the procedures of the House than I do. I am certainly persuaded by his argument, but I am not sure whether it helps me to make my substantive point.

Mrs. Dunwoody: I am grateful to my right hon. Friend for giving way; there is always a frightening element in any intervention by a Cheshire Member in a Liverpool fight. However, I should point out to him that the advice that he has been given is not totally accurate. Of course it is almost accurate, but not totally accurate. The motion is not unusual or unique, and it has implications for all local authorities on both sides of the Mersey. I hope that hon. Members will not confuse the content of the Bill with what is a procedural motion. I would be

[Mrs. Dunwoody]

very sorry if any Labour Member were to seek to stop debate or hinder the progress of a Bill not on what is actually happening, but on the content of the Bill.

Mr. Field: That brings me to the substantive point: if the Bill were to proceed and be successful, it would give an authority in Merseyside tax-making powers. We all know that, if we do not want a measure to proceed, we use whatever means we can to prevent that from happening.

I have lobbied the transport authority to say which aspects of the Bill I support and which I do not, and I have asked it whether it will accept the amendments that I have tabled. It has successfully drafted a letter back saying that it would say whether it supports those amendments after tonight's vote. In those circumstances, although I support much of the Bill and said in a brief intervention in the long speech made by my hon. Friend the Member for Wirral, South that I would vote for the Bill on Second Reading, I will vote against the carry-over motion tonight.

7.29 pm

Dr. John Pugh (Southport): I shall try to be brief and to stick to the procedure. I am conscious that the hon. Member for Wirral, South (Mr. Chapman) may wish to contribute in his usual laconic way, and I would hate him to have to hurry.

Here we are again, debating a piece of legislation and trying to keep it alive. I would like to refresh hon. Members' memories of the reasons why we find ourselves in this position. Parliament has a procedure for private Bills, which we can all identify but which makes it virtually impossible for a private Bill of this nature to proceed. Such a Bill is in danger of being killed by circumstance rather than by a decision of Parliament. This is almost a textbook illustration.

Stephen Hesford: Does the hon. Gentleman accept that a Bill can be killed by incompetence? Is that not the case in relation to this Bill and its promoters?

Dr. Pugh: That has yet to be demonstrated. What was demonstrated last July was how easy it was for a Bill to be killed simply by the contribution of one Member—one Member had the power and capacity to talk it out and decide its fate. It would not have mattered whether that Member were backed by millions, by himself or by the press; he had the capacity, the potential and the ability to do so alone. Some may be unhappy with a majority decision in this place, but many more are unhappy with what is effectively a minority decision. No one in the country, the media, the Chamber or anywhere else would be prepared to stand up, not for opposition to the tunnels Bill, but for the principle that a serious issue for the House might have been decided by the filibustering of one Member. That procedure is antique.

Mr. Miller: If the hon. Gentleman is such a purist in terms of democratic procedure, does he agree that the Bill's promoters should find a mechanism to negotiate and to raise the issues with people in my constituency who suffer the tunnel tolls on a daily basis?

Dr. Pugh: I was coming to that point. As a relative newcomer to the House, however, I must say that deciding a matter of principal public importance in the way that we do is about as sensible as making public policy by examining chicken entrails. I daresay that if there were mention of chicken entrails' in "Erskine May", there would still be some staunch opponents of that procedure, too.

Mr. Field: I disagreed strongly with the line taken by my hon. Friend the Member for Wirral, South (Mr. Chapman) on Second Reading, as I thought that we should advance and see whether the transport authority would be reasonable in accepting amendments. In relation to the hon. Gentleman presenting such a line against my hon. Friend, however, most of the successes of Back Benchers in the House have resulted from employing the very technique that my hon. Friend employed—they denied time to the rest of the House to get a measure through.

Dr. Pugh: The fact that Back Benchers have to employ that technique is a criticism of the procedures of the House. If the opponents of the Bill believed that something was amiss democratically, it would be possible and conceivable for them to recommend another procedure. They could, for example, suggest that the decision should not be made in the House but should be devolved to the local authorities of the area. They will not do that, and they will not urge the Government to do that, because they know what the result will be.

Stephen Hesford: Will the hon. Gentleman give way?

Dr. Pugh: If I may, I shall proceed with my point.

If the majority of the councillors, elected by the majority of the people on Merseyside, were asked how they would vote on this recommendation, they would unquestionably say that the Bill should proceed and not that it should be blocked by the filibustering of one individual. I am amenable to all suggestions on procedure, and if there were a wish to do it another way, we could have a vote—

Mrs. Dunwoody: I hope that the hon. Gentleman will not continue to use the word "filibuster", as it is forbidden by the rules of the House. I also remind him that it can be difficult to know whether some of his colleagues in the Liberal party are making their normal speeches or filibustering.

Dr. Pugh: With due respect, in this case, two wrongs do not make a right. I shall use whatever word the hon. Lady suggests is appropriate to describe such a performance, but it is not an elegant or attractive performance for the public at large. It does not indicate that this is proper democratic establishment. We need a procedure that allows us to make adequate progress with a private Bill, and we do not have such a procedure.

Mr. Miller: I am attracted by the hon. Gentleman's suggestion, but he still has not answered the point. As he is a member of a minority party, surely he understands the need to protect the rights of minorities. My constituents have no say in this matter, yet they suffer

daily the penalties of tunnel tolls. Under his mechanism, how would my constituents get a say in the decision-making process?

Dr. Pugh: May I suggest that there are individuals in the hon. Gentleman's constituency called councillors? Some of them will be called Labour councillors, and some of them will be asked questions about what they stand for—I presume that they could be asked about the Mersey Tunnels Bill and lobbied by their constituents. A set of arrangements exists. The hon. Gentleman would not, however, agree with the procedure that I recommended a moment ago—letting the councils decide.

Mr. Miller: The hon. Gentleman must understand—perhaps it is a question of geography—that while Southport is in Merseyside, Ellesmere Port and Neston, although it is on the side of the Mersey, is not in Merseyside but in Cheshire. My constituents, therefore, are not covered by the promoters of the Bill. They are substantial users of the facility but have no say under the mechanisms that he suggests.

Dr. Pugh: Clearly, the mechanism can be perfected. I have had no indication that the opponents of the Bill are interested in making the process more democratic. They are simply interested in getting their way, as they have supported a procedure that I regard as arcane and unworthy of the House.

Stephen Hesford: I am grateful to the hon. Gentleman, as I agree with the direction of his argument. Does he accept that there is a democratic deficit in using this procedure? Is it not therefore inherently likely that there will be a deficit in representation, as my hon. Friend the Member for Ellesmere Port and Neston (Mr. Miller) suggests, in the determination of what is, in effect, a tax-raising power?

Mr. Deputy Speaker: Order. Let me try to assist the hon. Member for Southport (Dr. Pugh). I remind him that this is not a debate about the generality of the procedure on private business before the House. It is about whether this particular Bill should be granted a carry-over.

Dr. Pugh: The principal thrust of my argument is that we have had a debate before on the merits of the proposed legislation. The net effect was that a majority of Members attending at the time voted that it should be continued. Owing to circumstance—that is all—we have not advanced to the next stage. We must now repeat the performance, and the same pitfalls may arise with the Bill's promoters. A majority vote of the House should be decisive. If it is not decisive, and if, for some reason, not enough Members are present tonight and the Bill falls, that will prove—I am forbidden to use the word "filibuster" but I will use whatever appropriate word I am guided to use—that such a fundamentally undemocratic procedure will carry the day. Any Member with an interest in democracy and in carrying forward the views of the House and of the people of Merseyside—rather than allowing matters to be determined simply by the fact that a Member is capable of speaking at length—should vote for the continuation of the Bill.

7.38 pm

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): A load of rubbish is being talked tonight. I only want to make a small contribution to the debate, but it is important to make a few things clear.

The House will decide whether the Bill is good on the basis of the debates that take place. Not only is it a fact that Members use procedural methods known to all of us to hold up or to progress legislation, but I regard it as one of the few minor rights left to Back-Bench Members, most of which are being rapidly taken away from them by a Government who ought to know better. Tonight's debate has been very narrowly based, and I have tried to keep out of it as I think that it is finely balanced. The various interests in the Bill must be considered, and I do not intend to cross the line by discussing that this evening. What is important, however, is that if there has been a long debate—it has continued over several months—the least that we can do is allow the Bill to proceed. It is not the end of the debate on the Bill, as there will be other points at which other aspects can be debated. Amendments can be tabled and the legislation can be altered. Therefore, the motion will not close off debate on issues that concern both sides of the House.

It is clear that the Bill concerns Members with constituencies on both sides of the river. My involvement in the issue is simply the result of my interest in transport. I know the implications and difficulties that will arise if the Bill does not go forward, but I am prepared to accept that those with a constituency interest take a different view. However, my point is slightly different. I am not surprised when Members of Parliament use procedural methods to try to hold up private Bills or when people say, "If the Bill does not go forward, it will cost the ratepayers on Merseyside a great deal of money." I understand why they do that.

Given the opportunity, I will cast a vote tonight and my decision will be determined by the fact that I believe that we should continue this debate. It would be an imposition on the ratepayers to return to square one and start again. That is my only concern, but it is important. The House of Commons has a responsibility to think in those terms before it commits local authorities to a great deal of extra expenditure.

7.41 pm

Bob Spink (Castle Point): I take issue with the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), who said that carry-over would not frustrate debate on the Bill. That is not my understanding, and I seek explanation from someone as to what the actual procedure would be. I want not to discuss the Bill's merits but simply to explore the procedure. If the Bill is carried over, the motion states:

> "That in the next session the bill shall be deemed to have passed through every stage through which it has passed in the present session and shall be recorded in the Journal of the House as having passed through those stages."

The Bill will then simply proceed to a Committee of four Members of Parliament and they will take evidence, discuss the Bill and think carefully whether to accept the Bill as it stands or to reject it as a whole. They will consider whether any amendments might make it

[Bob Spink]

acceptable, and their decision will be reported back to the House. It would be very unusual for their decision to be varied by the House. The precedent is that their decision should simply be accepted.

The Bill's promoter and the hon. Member for Knowsley, North and Sefton, East (Mr. Howarth) are nodding to suggest that my understanding is correct but, if I am wrong, the House will have the ability to debate and discuss the detail of the Bill again. However, I believe that my comments on the procedure to be adopted are accurate.

7.43 pm

Stephen Hesford (Wirral, West): In an intervention on the hon. Member for Southport (Dr. Pugh), I explained the reason for this debate. We are here to discuss the Bill because of the ineptitude of its promoters and the decrepitude of the system under which it has been proposed.

Hon. Members may know that this is not the first Bill to have come from these promoters. They started the process in 2000. It is their fault that they withdrew the first Bill and then came up with a second one. Although I accept what you say about the procedure, Mr. Deputy Speaker, why should the House be asked to agree to a procedure that is rarely used just to save the promoters time and effort, when it is their fault that they found themselves in this position? Why should the House assist them when their own goal caused us to be here?

The promoters have been dilatory. When they first introduced the Bill, the office of Ways and Means offered the Bill a slot before the one that they eventually accepted. They declined that offer, thereby losing at least a month, if not two, of the legislative cycle. It is their fault that the Committee to which the Bill should have gone after Second Reading could not, for administrative reasons, be set up in September. Why should the House have any sympathy for the promoters, given that this problem is their fault? I shall discuss the decrepitude of our procedure more fully later.

Mr. George Howarth (Knowsley, North and Sefton, East): If the hon. Gentleman had listened carefully to my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas), he would have discerned that the delay did not result from a request made by the Bill's promoters. The request came from elsewhere.

Stephen Hesford: I hear what my hon. Friend says, and I absolutely accept that he believes that. None the less, I take issue with him. The problem is entirely due to the promoters ducking out when they had the opportunity to take the Bill up in May or June instead of in July. That is my understanding.

Mrs. Curtis-Thomas: I have to disagree with my hon. Friend. What evidence would he require, and be comfortable with, for us to prove our position?

Stephen Hesford: This is not a court of law; it is the mother of Parliaments. I am afraid that I cannot take up that intervention.

Sadly, the two Bills have had a bad history. The first Bill contained a different formulation of schemes from the second one. The various schemes are misplaced and they are as misplaced as the position that their advocate in this place took on an earlier occasion. We are where we are because of thorough incompetence.

I am grateful to my hon. Friend the Member for Ellesmere Port and Neston (Mr. Miller) for raising an interesting point in an intervention. This motion is not the only procedure available that would enable such a Bill to survive. I am not sure if this is the right term, but there can be a resurrection motion.

Mr. Miller: A revival motion.

Stephen Hesford: I am grateful to my hon. Friend. There can be a revival motion in the following Session, and that is better than the motion before us. No matter how many mistakes the Bill's promoters make or how many further opportunities to further the Bill they fluff, they carry on in what psychologists might describe as a dissociative state in their approach to legislation. They seem to be stuck in their own tunnel—one from which they cannot get out.

The motion raises a constitutional issue for my constituents. You, Mr. Deputy Speaker, would rule me out of order if I rehashed the debate on Second Reading.

Mr. Wareing: I know that my hon. Friend does not want to repeat what was said in the previous debate. However, has he read the edition of the *Liverpool Echo* that appeared on the Saturday after that debate? A huge article on the front of the newspaper and a column inside tore to shreds the argument of my hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth) that persuaded many Members. If people had been made aware of those views—

Mr. Deputy Speaker: Order. We are not returning to that debate, and I shall certainly rule it out of order if any further attempt is made to do so.

Stephen Hesford: I understand my hon. Friend's point.

It is clear to me, as I hope it is to other hon. Members, that despite badly losing the debate on Second Reading, when we heard an incomparable speech by my hon. Friend the Member for Wirral, South (Mr. Chapman), the House was deprived of an opportunity to tackle this serious issue in a comprehensive and useful manner. The arcane procedures under which we labour prevent us from doing that, which was the very point made by the hon. Member for Southport.

Mr. Deputy Speaker: Order. In giving advice to the hon. Member for Southport, I ruled that the debate is not about the procedures that affect private Bills. If the hon. Gentleman wants to debate the subject, I am sure he will find a means of doing so, but it will not be in the debate tonight.

Stephen Hesford: With respect, Mr. Deputy Speaker, I shall pursue that for a moment. The procedure is unusual. Private Bills do not come before the House

every day. Some understanding of the stage that we have reached is vital for the House when it decides whether this is the—

Mr. Deputy Speaker: Order. The procedure might not come before the House frequently, but it is a normal and familiar procedure. The Bill has obtained a Second Reading. The only question tonight is whether we allow it to be carried over into the next Session.

Stephen Hesford: Well—

Mr. Frank Field: Although it is proper that we are guided towards the fact that the procedure is normal, does my hon. Friend agree that it is abnormal to have a Bill that gives tax-making powers to a transport authority? No one is against people paying to use the tunnel and for its upkeep. No one is against people who use it paying off the debt that has accumulated. No one who uses the tunnel and pays the toll is against repaying the local authorities that, out of the goodness of the taxpayers' heart, bailed out the project many years ago. No one who uses it is against those tenants and residents who live around the Wallasey tunnel being properly protected. What is at stake, however, is a Bill that allows a transport authority to raise money that can be spent on things that have nothing to do with the tunnel—

Mr. Deputy Speaker: Order. The right hon. Gentleman has spoken once. He cannot speak a second time.

Stephen Hesford: I agree with my right hon. Friend.

Mr. George Howarth: I believe that my hon. Friend, who is an hon. Member of the House, inadvertently misled us. He said that delays in the procedure were brought about entirely as a consequence of the actions of the promoters. I have checked the facts. Second Reading could have taken place in May. As that would have been in the middle of local elections, it was decided that that was not an appropriate time to debate the Bill in the House. The Committee had the opportunity to meet in October. The request for that not to proceed came not from the promoter, but from one of the Bill's opponents, the north-west Trades Union Congress.

Stephen Hesford: I am happy to go round in circles, if my hon. Friend so wishes.

Mr. Howarth: I am not asking my hon. Friend to go round in circles. For the purposes of accuracy, I am merely asking him to amend the impression he wrongfully and, I am sure, inadvertently created.

Stephen Hesford: We have to agree to differ. My hon. Friend is not right.

Bob Spink: I did not intend to intervene, but I have a duty to inform the House, as an independent person, that the facts set out by the hon. Member for Knowsley, North and Sefton, East (Mr. Howarth) are absolutely accurate. I assure the hon. Gentleman of that and hope he accepts it.

Stephen Hesford: The House must reach its own conclusion on who is right. I do not resile from my position. I genuinely believe that I am right; others may have a different view.

Dr. Pugh: As the hon. Gentleman is in a position to review his errors, I remind him of what the right hon. Member for Birkenhead (Mr. Field) said about the uniqueness of the Bill, which will enable funds to be used for purposes not directly related to the tunnel. I am sure that the Minister will tell him that in many transport schemes, including pay and display schemes, funds are used for a variety of transport purposes. So the use of such funds for those purposes is neither unique nor improper.

Stephen Hesford: I am not sure where that takes us. The House heard my right hon. Friend make his point, which he made well.

Mr. Frank Field: I claimed that the Bill was unique not on the grounds set out by the hon. Member for Southport (Dr. Pugh) but because we will never discuss the power again if we delegate it to the transport authority.

Stephen Hesford: The House should grasp that point, if no other.

The Bill was last debated on Second Reading, when only about 130 Members took part. It was 7 pm on a Wednesday evening and the decision was based on a free vote, so it was not unlike tonight. Three out of four right hon. and hon. Members do not participate in such procedures and we are deprived of their experience and wisdom simply because this is private business.

Mr. Deputy Speaker: Order. I have already told the hon. Gentleman not to talk about that in general. We are talking about a specific motion that relates to a specific Bill.

Stephen Hesford: I apologise. I shall do my best to confine myself to the narrow motion before us.

Mr. Deputy Speaker: Order. And I shall do my best to apply the Standing Orders of the House as fairly and objectively as possible. If the hon. Gentleman is not careful, they may be to his prejudice.

Stephen Hesford: The serious issues raised by the Bill, especially whether there should be a carry-over, never get the discussion or scrutiny that they deserve. The procedure arises from an historical accident. The House has not prescribed the procedure in a modern sense—

Mr. Deputy Speaker: Order. The hon. Gentleman almost anticipates my ruling. He continues to talk about the procedures of the House on private business. That is not in order.

Stephen Hesford: Once again, I apologise, Mr. Deputy Speaker.

[Stephen Hesford]

I want to put on the record what the motion says. *[Interruption.]* I hear an hon. Member say from a sedentary position that we have been there. Frankly, we have not. We heard some of the motion, but not all of it.

Mr. Deputy Speaker: Order. I assure the hon. Gentleman that the motion will be in the *Official Report*. I do not expect it to be repeated now.

Stephen Hesford: Of course I will entirely abide by your ruling, Mr. Deputy Speaker, which I accept.

I shall summarise the motion for the purposes of my argument, so that hon. Members have the benefit of understanding my remarks in the context of the words on the Order Paper: the promoters of the Mersey Tunnels Bill shall have leave to suspend proceedings. As I understand it, that means that the Bill will be held in abeyance, and if the procedure is not followed, the Bill will fall on Prorogation. If the carry-over is allowed, the Bill will continue its life. I submit to the House that the motion has a serious constitutional consequence, and I question whether this procedure is the appropriate vehicle for this Bill, considering its substance.Although the private Bill system may be familiar to the House, it is not best suited to legislation such as this, which contains tax-raising powers. I understood that to be the point made by my right hon. Friend the Member for Birkenhead (Mr. Field).

Mr. Field: My point, furthermore, was that unlike the Chancellor of the Exchequer, to whom we give tax-raising powers for a year, the authorities in question will be given tax-raising powers for ever, unless we later decide to withdraw those powers.

Stephen Hesford: That is a point well made, and it returns me to my intervention during the speech of my right hon. Friend. I was slightly criticised by my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) for being almost right when I said that if tax-raising powers are given and problems arise with certain undertakings, those problems can be cured by a public Bill. Problems arising from private Bills sponsored by railway companies, which regularly came before the House in the 19th century, and local authority undertakings, have been cured over time. The House found that the procedure was so unsatisfactory—

Mr. Deputy Speaker: Order. The hon. Gentleman is ignoring the ruling that I have given, and I shall take an increasingly serious view of that. He must talk about the particular motion before the House and not the generality.

Stephen Hesford: May I then turn to the issue of suspension, which is in order?

Normally, if a motion such as this is not before the House, every Bill that does not complete its passage through the House is quashed as a direct result of Prorogation. *[Interruption.]* I do not know, Mr. Deputy Speaker, whether the hon. Members for Tatton (Mr. Osborne) or for Eddisbury (Mr. O'Brien) want to make a constructive contribution to the debate or whether they have just had a good dinner.

Mr. Deputy Speaker: Order. I hope that the hon. Gentleman will leave it to me to maintain the order of the House. I suggest that he get on with his speech.

Stephen Hesford: "Erskine May" observes:

"Just as Parliament can commence its deliberations only at the time appointed by the Queen, so it cannot continue them any longer than she pleases."

That means that the suspension seeks to nullify the effect of Prorogation. I submit that the Bill does not deserve the benefit of that procedure. The effect of Prorogation is to suspend all business at once. Every Bill—

Mr. Deputy Speaker: Order. The hon. Gentleman is now repeating himself, and there are Standing Orders that cover that. I hope therefore that he will not go on committing that error.

Stephen Hesford: Every Bill in the normal way must therefore be introduced afresh at the beginning of a new Session. That is, of course, other than private Bills or hybrid Bills.

Mr. Stephen O'Brien (Eddisbury): On a point of order, Mr. Deputy Speaker. It has just come to my notice and, I dare say, that of a few colleagues that the Secretary of State for Education and Skills, the right hon. Member for Birmingham, Yardley (Estelle Morris), has resigned. Have you had any intimation that a Minister will be coming to the House forthwith to explain why that has taken place? As a former member of the then Education and Employment Committee, I think that the House and all those involved in education are owed an explanation, in the House, as soon as possible.

Mr. Deputy Speaker: I have had no such intimation. This is time-limited private business that cannot be interrupted by any extraneous matter of that kind.

Stephen Hesford: I was making the point that all Bills, other than private Bills such as this, must fall on Prorogation. The inability to carry over Bills from one Session to another involves constitutional considerations and is not governed by Standing Orders. It is, in effect, a convention of the House that a Bill is not carried over from one Session to another. I know that the convention has recently been considered by the Modernisation Committee.

Dr. Pugh: I am trying very hard to follow the hon. Gentleman's point. He is saying either that this motion is allowed by the procedures of the House, but it ought not to be, or that it is not allowed for some reason. If it were not allowed, you, Mr. Deputy Speaker, would have given us a ruling by now. Is the hon. Gentleman's argument therefore that this motion is allowed, but in his view it ought not to be? If that is the case, he is

making a substantial point about the procedures of the House which has already been ruled out of order by you, Mr. Deputy Speaker.

Stephen Hesford: My point is that this is not simply a case of a Bill going through on the nod. The House is being asked to make a substantial derogation from the normal procedures for a Bill.

Dr. Pugh: If that is the hon. Gentleman's point, we might as well concede it and say that he is stating the obvious. This procedure is within the legitimate remit of the House. I do not think that the hon. Gentleman is arguing that it ought never to be used, so he does not seem to have an argument at all.

Stephen Hesford: The argument is—

Mr. Ben Chapman (Wirral, South): Is my hon. Friend suggesting that the Bill has implications for an area far wider than Merseyside, including Cheshire, north Wales, east Lancashire and areas beyond and that its promoters can purport to represent only Merseyside? Is he suggesting that the precedents set by the Bill will have an impact on other ports, tunnels and crossings? Is he suggesting that—

Mr. Deputy Speaker: Order. The hon. Gentleman cannot make a speech on an intervention, and the content of his intervention has very little to do with the motion before us.

Stephen Hesford: Being ever mindful of the narrow point that is under discussion, but trying to do justice to the constitutional position as I see it, I must say that some of what my hon. Friend was saying is relevant to the matter under consideration.

Mr. George Howarth: On a point of order, Mr. Deputy Speaker. Can you confirm that the procedure that we are using is perfectly proper and that the procedures undergone by the Bill so far, namely the fact that it has had a Second Reading, are all perfectly in order?

Mr. Deputy Speaker: I can confirm that. We just have one matter to decide tonight: whether the Bill should be allowed to continue into another Session so that its merits can be further considered in that Session.

Mrs. Dunwoody: Further to that point of order, Mr. Deputy Speaker. Is not it true that the subsequent passage of the Bill would not preclude amendments and that it could be scrutinised at various stages if it progressed after tonight?

Mr. Deputy Speaker: The hon. Lady is right. She knows her procedure well and I am sure that the hon. Member for Wirral, West (Stephen Hesford) could benefit from that.

Stephen Hesford: I believe that my hon. Friend the Member for Wirral, South was making the point that private Bills are designed to deal with narrow matters such as railway companies or a matter that affects a specific locality. My hon. Friend nods, and I believe that the point is relevant. I am trying to distinguish between what could legitimately be passed by means of a public Bill and what should be tackled through private Bill procedure.

Mr. Deputy Speaker: Order. Our business tonight is not to decide the Bill's merits and implications; we are considering a procedure for carry-over. The Chair has accepted the motion for debate by the House, and it is therefore perfectly proper and in order. The hon. Member should direct his attention to it.

Stephen Hesford: I am obliged, Mr. Deputy Speaker. I want simply to present the case that because the Bill applies to the region of Merseyside and contiguous parts of Cheshire and other areas in the north-west, the locality that it covers is wider than normal.

Mr. Deputy Speaker: Order. The hon. Gentleman is simply repeating himself. I remind him that I have Standing Orders at my disposal to control that. I advise him to move on.

Stephen Hesford: I shall move on. Part of my prepared speech involved considering the way in which the private Bill procedure came about. However, I cannot do that and I shall therefore conclude.

Hansard for the week of 15 to 23 December 1919 shows that the House debated a carry-over matter. I should like to read out some of the debate because it illustrates the reasoning behind the carry-over procedure.

Mr. Deputy Speaker: Order. The hon. Member is in serious danger of abusing the procedures of the House. We are considering a specific motion, which deals with whether the Mersey Tunnels Bill should be carried over. I have said more than once that our debate is not about the generality of private Bill procedure and whether it is appropriate. The hon. Member has only one question to tackle tonight. If he strays outside its limits again, I shall apply Standing Orders and cause him to desist.

Stephen Hesford: The Leader of the House in December 1919 tried to bring before the House—

Mr. Deputy Speaker: Order. I have just ruled on that. I shall apply Standing Order No. 42, which will cause the hon. Member to resume his seat if he does not conclude his speech within the proper terms of the motion.

Stephen Hesford: In conclusion, and bearing in mind your ruling, Mr. Deputy Speaker, I ask hon. Members to appreciate that the Bill is a bad measure, which is bad for the people of Merseyside. Its promoters have previously benefited to some extent from having a pause for thought. Hon. Members would assist the promoters if they allowed them a further pause.

Mrs. Curtis-Thomas: My hon. Friend may consider the Bill a bad measure that is bad for Merseyside, but I thoroughly disagree. It is a good Bill, which is exceptionally good for most of the people of Merseyside who stand to gain considerably from it.

Stephen Hesford: On a previous occasion, the Bill's promoters benefited from a pause for thought. They lost

[Stephen Hesford]

the first version of the measure and, in the intervening period between the first and second Bills, they reconsidered. They subsequently presented another Bill that was substantially different from the first version. If hon. Members reject the suspension, it will give the promoters further time for consideration. It is therefore in the interests of the House and my constituents to give the promoters that time. We can do that only if the Bill is stopped in the current Session.

I therefore ask hon. Members to reject the suspension, allow the Bill to fall in the normal way, and let the promoters present another Bill if they want to change the regime. If hon. Members agree to the motion to suspend without understanding the implications, the promoters will rush ahead. After acting in haste, they will repent at leisure.

8.17 pm

Mr. Stephen O'Brien (Eddisbury): I am a little disappointed that the Minister had to leave the Chamber, but in the light of recent events, he may have had to rush out to take a telephone call. We shall have to await the outcome. Perhaps he will not hold the same position when he returns.

I apologise that I was unable to be present for the first few minutes of the debate; I was otherwise detained on parliamentary business. We are considering an important matter within the narrow limits of the motion. It pertains to my constituents, and I echo the wise counsel of the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), who said that those of us in Cheshire must tread carefully in dealing with an internecine dispute between those who represent Liverpool. However, as other Cheshire Members have said, we have a genuine constituency interest in so far as many of our constituents use the tunnels daily. They bring jobs and prosperity to Liverpool and therefore have a genuine connection with the city.

I decided to make a short contribution to tonight's debate because I am the Conservative Member whose constituency is closest to the tunnels. The motion has given me the opportunity to reflect on the way in which the process is being handled.

Stephen Hesford: Will the hon. Gentleman give way?

Mr. O'Brien: Yes. I thought that the hon. Gentleman had an adequate opportunity to develop his points, but I shall listen to him again.

Stephen Hesford: Does the hon. Gentleman accept that his constituency is not very close to the tunnels?

Mr. O'Brien: I am sure that no hon. Member needs a geography lesson. The motor car is an amazing invention; perhaps the hon. Gentleman has come across it. It makes us very close to the tunnels.

Mrs. Dunwoody: Is the hon. Gentleman aware that many Cheshire people not only travel rapidly through the tunnels but frequently take the wrong one?

Mr. O'Brien: Given the personal point that the hon. Lady raises, I shall declare an interest, having done just that myself.

There is a genuine reason to look carefully at whether the motion should be passed tonight. I listened carefully to my neighbouring MP from the constituency of Crewe and Nantwich. I was nearly persuaded by her approach, but not quite. I also have to say that the hon. Member for Wirral, West (Stephen Hesford) did not advance the cause of encouraging those who might vote against the continuation of the Bill into the next Session. He did his cause no favours, particularly as he based so much of his argument on the competence of the promoters of the Bill. I did not feel that competence was a highlight of his contribution this evening, when it came to the use of the procedures of the House, so there was a slight irony in that. Luckily, *Hansard* tends not to record irony, so there may be some mercy in the way in which his efforts are recorded for posterity.

The most important point is that my constituents have a right to feel aggrieved by the promoters of the Bill, who have approached this matter in a very narrow, Liverpool way, rather than consulting widely among all the potential users of the tunnel. I do not just mean users from Cheshire. I mean users from Ireland and users of the great transport links that combine with our motorway network to facilitate trade. Such consultation seems neither to have been effective nor genuinely to have taken place.

Mrs. Curtis-Thomas: I appreciate the point that the hon. Gentleman is making, but is he also arguing that his constituents might be prepared to fund the deficit that might arise unless the Bill is allowed to proceed this evening?

Mr. O'Brien: I am grateful to the hon. Lady for raising that point. I want to be careful not to stray into the substance of the Bill—which is a matter for a future occasion, however it arises—but the right hon. Member for Birkenhead (Mr. Field) made it perfectly clear that at heart of the matter is the issue of local tax-raising powers. Without going into that, may I say that it has a genuine connection with the reason why my constituents feel aggrieved? In relation to that, is it better for the Bill to be allowed to continue into the next Session, with the possibility of amendments being tabled, to reflect the concerns that my constituents have increasingly been presenting to me and to other MPs from Cheshire and other counties, or to give the promoters—given the record to date—a chance to think again about the process and the way in which the Bill is constructed to take into account all the interested parties, including those who would not be caught in the net in terms of the tax being raised?

Dr. Pugh: I understand the hon. Gentleman's point that consultation on the Bill has been somewhat imperfect. He mentioned Ireland, which is quite a way away from the tunnels. Eddisbury is possibly a little bit nearer. How far would he cast the net in this case? As I understand it, Members of Parliament in all parts of England have been informed about this. Will the hon. Gentleman give the House some idea of where exactly he would draw the line—how far south, how far east? Is he including Ireland?

Mr. O'Brien: As my name has an "O'" at the beginning, I do have a certain partiality to the Irish.

That said, given that the Chairman of the Transport Committee is in her place, I must say that it is critical to the consideration of the Mersey Tunnels Bill to recognise that this matter is integral to our national transport network. It has not only a transport element but a national competitiveness element which must be considered. That involves all user groups, which could include those from this country engaged in trade to Ireland, and those coming from Ireland. My view is that we should not look at this geographically, but engage in consultation with user groups and those who will be affected by anything that takes place that pertains to the tunnels. I hope that that answers the point raised by the hon. Member for Southport (Dr. Pugh).

Mr. Ben Chapman *rose—*

Mr. O'Brien: I would like to present to the House the balance of judgment that I have had to make, but I shall do so after I have given way to the hon. Member for Wirral, South (Mr. Chapman).

Mr. Chapman: Does the hon. Gentleman agree that there is a particular Irish dimension to this matter, in that we now have a new Irish ferry going from Birkenhead to various points in Ireland? It is a roll on/roll off service that has just commenced operations, and to reach it, vehicles will have to travel from various parts of the United Kingdom to Birkenhead through the tunnel. Does the hon. Gentleman accept that that represents a very particular Irish dimension, and that the commercial dimension also has a national dimension?

Mr. O'Brien: The hon. Gentleman makes an important point, which illustrates the need to ensure that all the user groups affected by whatever may take place in the tunnels should be incorporated in the process of the Bill, which has hitherto been very narrowly focused by the promoters on the needs of the areas on the north side of the Mersey which they, quite rightly, seek to represent.

Mrs. Dunwoody: I am sure that the hon. Gentleman is aware that if the Bill were carried forward, the points that he is making could easily be encompassed in amendments. There would be no difficulty at all in that, because what we are talking about is the finance to be made available for a major transport infrastructure that—like some of us—is not as young as it once was.

Mr. O'Brien: I hope that I made it clear earlier that I was very persuaded by what the hon. Lady had to say in her speech, and I accept that the Bill would be amendable if it were carried over into the next Session. If that were allowed, it would, subject to the Orders of the House, appear in the next Session. I believe, however, that that would give insufficient time for the consultation of user groups and others with an interest in the matter that has so far failed to take place effectively. Otherwise, I might well be minded to agree with the hon. Lady. Although we have already had four years, they have been four missed years in terms of consultation at a level that I think is necessary to incorporate all those interests.

Dr. Pugh: May I take the hon. Gentleman back for a moment to the Irish dimension? He is perhaps not a veteran of these debates, as some of us have been, but after the last debate, a good number of Ulster Unionist MPs voted in favour of the Bill, and those who opposed the Bill actually complained that they had expressed an opinion. Is the hon. Gentleman aware of that?

Mr. O'Brien: On the contrary, my view is that the House survives—just—by being the representative House of the United Kingdom, and I am delighted that any Member from any part of the United Kingdom has the opportunity to express their views, both on behalf of their constituents and in the national interest. I therefore make no complaint about that whatever.

We need to consider the time needed to consult at a level necessary to encompass all those who have a genuine interest in this matter, including my constituents, and to adopt a more imaginative approach than the more narrowly based one taken by the promoters. Such consultation would need to incorporate many of those from whom the Chairman of the Transport Committee takes evidence in her Committee. It would need to include the various hauliers and associations. They have taken a view, but I would like to see something more overarching in terms of our national transport policy.

I do not wish to stray beyond the indulgence of the Chair, but I think that, for instance, it would take longer than a carry-over would permit to negotiate a deal involving heavy goods vehicles that would enable the Bill to become law and enable the tax-raising powers to be established. An ever-increasing number of HGVs use the tunnel. They often travel down the Wirral and then do not leave the motorway network because of the difficulties in the Birmingham area. Instead, they go down the trunk roads, often using my constituency and my neighbour's to the great detriment of those constituencies, despite the fact that a motorway network is available.

As I have said, a large overarching deal would be needed but would take longer than a carry-over would allow. I do not support the carry-over, because I think the promoter should have a chance to think again and start the consultation again.

Mr. Chope: Surely this is an issue not just of consultation, but of whether the promoter responds to the consultation meaningfully. I understand that 67 per cent. of respondents to the earlier consultation did not agree to the cross-subsidy from the tolls being used in the way proposed.

Mr. O'Brien: My hon. Friend is right.

Mr. Miller: It is unusual for me to agree with the hon. Gentleman, but he will note from the proceedings of the court of referees that the promoter sought to dismiss a petition from the Federation of Small Businesses on the grounds that its area of activity was too wide. That underlines what he has been saying.

Mr. O'Brien: I thank the hon. Gentleman for that important example. If small business men, of all people, do not see the benefit, I think they must be right—as are my constituents. Not only do they derive jobs from Liverpool, and need to travel there; many of them—

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commuters who choose to live in my part of the world but to work in Liverpool—are bringing jobs and prosperity to the city. They should be taken fully into account. The narrow view of the promoter has done this whole process a disservice.

Mr. Ben Chapman: As the hon. Gentleman will know, this is the second Mersey Tunnels Bill. Obviously, the legislation has already been through various stages. The hon. Gentleman may also know that, contrary to the assertion of the hon. Member for Southport (Dr. Pugh), the vast majority of people on Merseyside—according to any measure I would use—do not support the Bill. The press do not support it, businesses do not support it, users do not support it and the unions do not support it. As far as I can detect, only Merseytravel supports it.

Is the hon. Gentleman confident that, in the event of a carry-over, the Bill's opponents would rethink their position? They have had ample opportunity to do so, but have shown no sign of movement.

Mr. O'Brien: That has been something of a problem. It is a matter of personal regret to me that I could not take part in earlier deliberations because I was dealing with other parliamentary business or, indeed, other matters generally. Nevertheless, I have followed developments carefully and—like the hon. Gentleman, no doubt—have received many representations. Indeed, my fax and e-mail machines seem to have been whirring overactively today, as, no doubt, have his. I have been unable to detect any support for the Bill other than that cited by him.

Mrs. Dunwoody: The hon. Gentleman may wish to make it clear whether, if the Bill falls and there is another period of some years before legislation is brought back to us, he would be prepared to suggest to the voters of Cheshire that they offer a transport subsidy to Merseytravel.

Mr. O'Brien: It would be highly presumptuous of me even to contemplate such an offer without consultation. Especially given the hon. Lady's important and respected role as Chairman of the Transport Committee, I suggest that part of the consultation should involve viewing the tunnels, as a crucial element of the national network—which is why I think that the consultation will require a longer process than a carry-over would provide. I respect the hon. Lady, of course, but I do not think she would rapidly join me in urging Cheshire voters to put their hands in their pockets. In any case, I do not think they have had an opportunity to examine the issues.

Mrs. Dunwoody: I did not say that I would do it; I said that the hon. Gentleman would.

Mr. O'Brien: I would be seeking as much consensus as possible, as I always do. That might include a discussion between the hon. Lady and me to establish whether we shared a view.

Mrs. Curtis-Thomas: Will the hon. Gentleman give way?

Mr. O'Brien: I do not want to prolong my speech. Others want to speak, including the hon. Member for Knowsley, North and Sefton, East (Mr. Howarth).

I think that the proposal should go back to the drawing board. The consultation needs to be more widespread and more encompassing. The Bill should be looked at in a strategic way.

I am glad that the Minister has resumed his seat. I hope he did not have to rush out to take a telephone call, but if he did I hope I am the first to congratulate him.

8.35 pm

Mr. George Howarth (Knowsley, North and Sefton, East): Any impartial observer of today's proceedings may well have been entertained, but will not have been particularly well informed. The hon. Member for Eddisbury (Mr. O'Brien), entertaining though he was, added nothing whatever to the debate. His first suggestion was that the people of Ireland should be consulted about the Bill. I have been thinking about that and the only Irish connection that I can come up with is that the speech by my hon. Friend the Member for Wirral, West (Stephen Hesford) had something of the Parnellites about it, although it was far less successful.

The second suggestion from the hon. Member for Eddisbury was that the employees of Merseytravel should be sent patrolling the highways and byways of the midlands trying to elicit the opinions of drivers of heavy goods vehicles who at some point in their perambulations around these islands may have found their way through the Mersey tunnel. Entertaining though that is, it hardly takes the debate any further.

The substance of the debate is whether or not the Bill, which has received a Second Reading, should be allowed to progress. In effect, that means that it will go into Committee. Every time my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) tries to leave the Chamber, someone refers to her. As she put it in her first intervention in the debate, we are here to decide only whether or not the Bill, which has received a Second Reading, should go into Committee. I do not know why some of my hon. Friends, and seemingly the hon. Member for Eddisbury, have this appalling fear of the Bill being considered in Committee. It would be subject to a particular Committee procedure, not that which would apply to a public Bill. I fail to understand this great fear that something terrible will happen when the Bill goes into Committee. Although I understand that four hon. Members have been appointed to the Committee, I have not taken the trouble to find out who they are. I am sure that they will deal with it sensibly as hon. Members always do when dealing with these matters. It would then return to the House on Report, when there would be ample opportunity to amend it. What is so fearful about that procedure is a matter of mystification.

Mr. Wareing: My hon. Friend mentioned an important point. If this were a public Bill, it would fall at prorogation. Many of us believe that enough time has been given to Mersey tunnel legislation since just after the general election. There is no justification for giving priority to this private Bill, as would be the case were it a public Bill, and I think that it should fall.

Mr. Howarth: I thank my hon. Friend for giving us the benefit of his many years' experience in the House, but he knows as well as anyone else that there is a world

of difference between the private Bill procedure and the public Bill procedure. If the Government want to get a public Bill through the House, they can find the time to do so through the House authorities and the usual channels, so my hon. Friend is making a bogus point. He knows that I hold him in great affection and we agree about many issues, but on this occasion I do not think that he was making a serious point.

Mrs. Dunwoody: Will my hon. Friend also note that the Government are seeking to change the rules of the House so that public Bills can be carried over? Many of us think that that is also an interesting idea.

Madam Deputy Speaker (Sylvia Heal): Order. I hope that the hon. Gentleman will not be tempted too far down that road in reply.

Mr. Howarth: As I hold my hon. Friend in such regard, I am always open to travel on any road down which she wants to tempt me. However, on this occasion I accept your strictures, Madam Deputy Speaker, and will not go in that direction.

The House should allow the Bill to proceed, and we must ask what the consequences will be if we do not. My hon. Friend the Member for Wirral, West adopted the novel concept that we should always reject Bills on the grounds that the next time they come back, they will always be better. If we adopted his approach, it would be rather like Trotsky's theory of permanent revolution: if we keep it going long enough, we will eventually reach some kind of perfect constitutional state. That is a fascinating concept. *[Interruption.]* At this point, my hon. Friend has walked out. I cannot think why. Perhaps he has gone to consult Lenin on what is to be done.

Mr. Miller: John?

Mr. Howarth: Lenin, not Lennon.

While fascinating, the concept of my hon. Friend the Member for Wirral, West is one that the House should consider with trepidation. If the principle is that the Bill should be constantly rejected because the next one will be better, it means that, round about the year 2050, it might be possible to get a Mersey Tunnels Bill through the House.

Mr. Miller: My hon. Friend agrees with me.

Mr. Howarth: Clearly my hon. Friend thinks that that is a good idea, which gives us a measure by which we can judge the length of his vision, but not necessarily the strength of his arguments.

I wish to refer to the possible consequences if we do not allow the Bill to go forward. My right hon. Friend the Member for Birkenhead (Mr. Field) said that, at the moment, the tunnels are not in deficit. He is right, so to some extent, that blunts the argument that there is any urgency. But for argument's sake, if there were a huge safety issue and the tunnel authorities had to spend money in a hurry on improving the safety of the tunnel, or on some other aspect of the tunnel management, it is possible that the tunnels could go into deficit.

If that were to happen, the House—particularly Cheshire Members, including my hon. Friend the Member for Crewe and Nantwich, who understands the issue—should know that what will happen will be, as in 1992, that the council tax payers in my constituency and those of my hon. Friends the Members for Crosby (Mrs. Curtis-Thomas) and for Bootle (Mr. Benton) and others will have to find the money.

Mr. Ben Chapman: This is a nice hypothetical argument, but does my hon. Friend accept that the tunnels are making an operating surplus, that the forecast is that they will make an operating surplus for some time to come, and that the scenario that he describes is an unlikely one in the foreseeable future?

Mr. Howarth: I have the highest regard for my hon. Friend, whose forecasting powers are legendary across the Wirral peninsula. On this occasion, he is making a prediction that may or may not be right. However, I hope that he will concede that we cannot see into the future; it is perfectly possible that something may go wrong that will acquire additional expenditure. If that took the tunnel authorities into deficit, there could be only one place they could go—the council tax payers. That may be a matter of some concern to my hon. Friend, just as it is to me. However, as I understand it, between 3 and 5 per cent. of my constituents—

Mr. Wareing: Will my hon. Friend give way?

Mr. Howarth: I will, but I should tell my hon. Friend that I am trying to make a serious speech; I am not in any way trying to prolong the debate.

Mr. Wareing: I thank my hon. Friend; this is a serious intervention. He claimed that the Mersey tunnels authority would have recourse to an increase in council tax only if a catastrophe or unforeseen circumstance occurred, but in such a situation it could apply to the Secretary of State for an increase in the tolls. There would be a public inquiry, and if the inquiry found in the authority's favour, it would be allowed to increase the tolls.

Mr. Howarth: I did not bait a trap for my hon. Friend, but had I done so, it would have been a perfect one. The truth of the matter is that it would take at least 22 months between the authority's discovering that it was in deficit and going to the Secretary of State for approval, and having a public inquiry, the funding of which would probably involve shelling out some half a million pounds. In the meantime, who would pay for it? Not this House or the Secretary of State, but council tax payers in my constituency and that of my hon. Friend. All five Merseyside boroughs would have to pick up the tab. My hon. Friend's intervention was helpful, although not, I think, in the way that he intended.

Dr. Pugh: Does the hon. Gentleman accept that what is being suggested is that the principle that council tax payers throughout Merseyside should be liable is good and sound?

Mr. Howarth: The hon. Gentleman makes a good point, but I do not intend to go down that road, as I

[Mr. Howarth]

suspect that to do so would incur your censure, Madam Deputy Speaker. However, it is legitimate for me to ask whether, if we kill the Bill tonight, the House would feel comfortable with the tunnels going into deficit and my constituents having to pick up the bill in perhaps 12 or 18 months' time. The House has the constitutional right to take such a decision, but I do not think it proper for the House to say, "We're not worried about that. If it ever happens, the constituents concerned will have to bear the consequences."

Such a situation is not entirely hypothetical; it happened exactly as I described in 1992, when the council tax payer had to pick up the tab.

Mr. Chope: The hon. Gentleman's argument is very interesting, but in what way is it consistent with that deployed in the letter—copies of which were sent to all hon. Members—from the general secretary of the Associated Society of Locomotive Engineers and Firemen? It states that, if implemented, Merseytravel's proposals would

"generate an additional £2.5M in revenue for local public transport per year—and an additional borrowing source, for the Merseyrail network, local bus services and the Mersey Ferries."

The general secretary's view of the Bill's effect seems rather different from that of the hon. Gentleman's.

Mr. Howarth: I am sure that the hon. Gentleman has been listening carefully, so perhaps there has been some inadequacy in the way in which I have expressed myself. I am talking about what will happen if the Bill is not passed, but the hon. Gentleman is describing what might happen if it is. I do not blame him for misunderstanding me; it is clear that, on this occasion, my powers of expression were not up to it. There is a world of difference between what he and I are describing.

I do not want to take up any more time. I am anxious that progress be made and that all hon. Members with something to say are able to say it. All we are asking is that decisions about the level of tolls should be made by the Merseyside PTA. Any change in the level would be index-linked to inflation. What is wrong with that? Why should the House prevent the PTA from having the power to make such decisions? Why is it so attached to the idea that the appropriate way to determine tolls involves the Secretary of State and a public inquiry?

I do not think that the House should be attached to that idea. I hope that the Bill is allowed to go forward and that the motion will be agreed tonight.

8.50 pm

Mr. Robert N. Wareing (Liverpool, West Derby): I have decided to contribute to the debate for two reasons. The first is that the Bill is generally unpopular, as is borne out by correspondence that I have received from the trade unions, including Amicus, that represent workers in the Mersey tunnels. However, I shall not develop that theme, as that will require that I deal with the details of the Bill.

My second reason for rising to speak is that I believe that the Bill's promoters have wasted enough of the House's time since the last general election. The House will recall the earlier Bill on this subject, which contained an element of privatisation. The Chairman of Ways and Means kindly made available a slot for discussion of that Bill, but my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) was not in her place at the time, and the Bill fell. The result was that the House finished early that night. Many hon. Members rejoice at having an early night, but the three-hour period allotted for the debate could have been used for some of the other important matters that the House has to address.

The earlier Bill on this subject was dropped because of its clear unpopularity. The element of privatisation was removed, and a new Bill—the subject of this motion—was introduced. A slot for debate was allocated, but the Bill's promoters did not take it up, using local elections as an excuse. However, anyone with a knowledge of Merseyside district councils would have known that those elections would not lead to a tremendous transformation, as only a third of the total number of councillors were up for re-election. There was therefore not going to be an earthquake that would make a difference to the feelings of those district councils in favour of the Bill.

A second slot for debate was allocated, and the promoters achieved a Second Reading for the Bill—narrowly, as they had only just enough supporters present to allow a vote to take place. Unfortunately, most hon. Members are unaware of the Bill's contents, as was the case with its predecessor. As a result, they have taken no part in the debate.

Misleading remarks have been made, especially in the previous debate on this Bill. A misleading letter was sent to hon. Members before the Second Reading vote, with the result that many were incorrectly led to believe that the trade unions were in favour of the Bill.

I have already mentioned the article in the *Liverpool Echo* on the Saturday following the debate, which analysed some of the claims that had influenced right hon. and hon. Members.

Mrs. Curtis-Thomas: My hon. Friend made some observations about the Bill's promoters delaying its discussion in the House at or around the time of the local elections. In fact, as a consequence of those elections, the PTA changed from a hung authority to a Labour-controlled authority.

My hon. Friend also referred to the unions' mass objection to the Bill. I remind him that the Bill is supported by all the district councils on Merseyside, ASLEF, Unison, Transport 2000, Friends of the Earth and the Liverpool chamber of commerce.

Mr. Wareing: I am grateful for my hon. Friend's intervention, but I was referring to the Merseyside TUC and all the trade unions mentioned in the *Liverpool Echo* article, which showed that the information given to the House on the Bill's Second Reading was misleading.

The promoters have asked us to consider the Bill during the next Session of Parliament without another Second Reading. If we oppose the motion this evening, they will still have the right to petition for a private Bill during the next Session of Parliament. So what are they afraid of? Many arguments have been put forward in the press and elsewhere since the last Second Reading.

Dr. Pugh: The hon. Gentleman began his speech by saying that the proponents of the Bill had delayed it and

wasted time. He now appears to be recommending that the people who support the Bill put up with another delay by going away today and coming back another time. What is he saying? Is he in favour of delaying the Bill or not?

Mr. Wareing: I am in favour of delaying the Bill now for a very simple reason: I believe that enough time has been taken up in considering the matter since the election. The House will have important issues to deal with during the next Session of Parliament. Giving the Bill more time in the next Session will preclude debate on other important issues. That is bound to happen. There is no reason why this private Bill should be given a preference that is not given to a public Bill. It is not that important, simply because the Mersey tunnels are not in deficit. They are in profit at the moment, and are likely to be for some considerable time. I acknowledge the possibility that things might change by 2050, but I suggest that neither my hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth) nor I will be in this House by then, although we might be in the other place—and I do not mean the other place in the Houses of Parliament.

It is ludicrous that we are being asked to consider the Bill yet again on a preferential basis. Let the Bill's promoters consider what has been said over the past months and, if they want, they can come back with another private Bill. I believe that around 22 November, people will be allowed to petition for a private Bill. Let them do so. I do not think that the people of Merseyside will be put out by that because, frankly, all the correspondence that I have had suggests that I should oppose tonight's motion to allow the Bill to make further progress on a preferential basis.

The current Session, which will finish on 6 November, began just after the general election in June 2001, so there has been adequate time for discussion of, and consultation about, the proposed legislation. After such a long Session, there is no reason why the Bill's promoters should have the privilege of taking the measure into Committee in the next Session without depositing another Bill. I urge them not to introduce another Bill, however, as the present Bill has already cost the taxpayers of Merseyside enough, and I do not believe that they think it is useful expenditure. Such expenditure is certainly not urgent; that is why the motion should be opposed.

After all, under "Future Business" in the Order Paper, we can see streams of private Members' Bills, many of which deal with serious issues, but they fall at Prorogation. There is no reason whatever—

Madam Deputy Speaker: Order. I hope that the hon. Gentleman will not continue down that route. He is straying rather wide of the motion under discussion.

Mr. Wareing: I accept your guidance, Madam Deputy Speaker, but the House should consider what will be displaced if we allow the motion to proceed and the Bill is carried over to the next Session. As you know, Madam Deputy Speaker, we have little enough time to discuss many things, such as private Members' Bills or the reports of Select Committees, so why on earth should this ludicrous Bill, which does not have support in Merseyside, let alone the rest of the country, go ahead of all those other matters?

Early-day motions go undebated. My hon. Friend the Member for Nottingham, North (Mr. Allen) has tabled one on the parliamentary approval—

Madam Deputy Speaker: Order. Again, may I bring the hon. Gentleman to order and remind him to confine his remarks to the motion before the House?

Mr. Wareing: I take your guidance again, Madam Deputy Speaker. However, I was explaining what would be precluded by allowing this private Bill to be carried over into the next Session. It would displace much more serious measures, which may be of national relevance.

Dr. Pugh: Earlier in the hon. Gentleman's speech, he recommended that if the proponents of the Bill are beaten today, they should return with another measure in the future. I am at a loss to understand how, if they followed his good advice, they would not displace even more measures than if they had carried on with the present Bill.

Mr. Wareing: I have faith in the good sense of hon. Members. When the House has considered the arguments and realised that many misleading comments were made on Second Reading, I am confident that if another private Bill were introduced, we would have the sense to defeat it on Second Reading. We should not have to set up a Committee of four. We should not have to discuss the measure on Report. There would not be a Third Reading debate. If we accept the motion, however, the next stage of the Bill will take place in the next Session and it will be the Committee stage. The Committee will then report to the House. I assure hon. Members that the Report stage will not be made easy for the promoters of the Bill because a considerable number of amendments will be moved. The chances are that, on Third Reading, the Bill will be very different from what the promoters want.

Mrs. Dunwoody: I am grateful to my hon. Friend for making that point. In other words, there is no reason why the Bill should not be allowed to continue, because it can be amended at any stage. On Third Reading, the Bill may be totally different, and agreeing to the motion tonight would not change that.

Mr. Wareing: I am grateful for that comment from my hon. Friend, who is well respected in the House, but I am trying to save time. We shall have enough important work to do. We do not know what the Queen's Speech will contain, but we can guarantee that it will contain a considerable amount of legislation. That will be far more important for my constituents, and people generally, than this miserable Bill, which is so unpopular that the people of Merseyside expect their representatives to oppose it. Only a minority would concede the case for pursuing the Bill through the next Session. I hope that it will receive even greater opposition than on Second Reading, so that we may prevent this measure from wasting our time further in the next Session.

9.6 pm

Mr. Christopher Chope (Christchurch): It is a pleasure to follow the hon. Member for Liverpool, West Derby (Mr. Wareing), who told us on Second Reading that he was a pedestrian in 1934 when the Queensway tunnel was opened and he walked right through it. He has considerable knowledge of the issue.

I am concerned that the statement by the promoters in support of the motion to carry over is inaccurate, as I pointed out in my intervention in the speech by the hon. Member for Crosby (Mrs. Curtis-Thomas). Paragraph 12 states:

"The Bill has all party support within Merseytravel."

It does not. It does not have the support of the Conservatives on Merseytravel and, on 25 July at the Merseytravel PTA meeting, Jacquie McKelvie spoke and voted against the proposal. The promoters might think that that is an irrelevance, but I suggest that that is indicative of a somewhat casual approach to accuracy, which has been apparent from several of the speeches that we have heard tonight. The hon. Lady said that we could sort that problem out after tonight's debate, but that will be a bit late. The promoters have made that statement and expect us to vote tonight on the basis of its accuracy. It is certainly inaccurate in respect of paragraph 12.

The hon. Member for Liverpool, West Derby made the point that a carry-over is not routine, but a privilege. I submit that special circumstances are needed to justify a carry-over.

Mrs. Curtis-Thomas: I understand that no vote was held at the meeting on 25 July, so while the hon Gentleman's colleague may have dissented, there was no formal procedure by which that dissent could have been recorded.

Mr. Chope: Notwithstanding what the hon. Lady says, I am sure that if the councillor in question dissented, it is inaccurate to suggest that she supports the Bill. The fact that no formal vote was held does not mean that everyone supported it, especially as one councillor spoke against it. I am not sure that the hon. Lady's intervention alters the principle.

Mr. Ben Chapman: Given the suggestion that the Bill passed its Second Reading because of misinformation about the support of the unions and the number of hon. Members who support it, it is especially important that we are provided with accurate information. Is the hon. Gentleman disturbed that a letter from the chairman states that it has all-party support when—however it is expressed—it patently has not?

Mr. Chope: I hear what the hon. Gentleman says. I think that he is supporting the point that I have made, and I am grateful to him for that.

In order to justify a carry-over, there must be a set of special circumstances. Obviously, we as hon. Members take into account a number of different circumstances: for example, how far a Bill has already progressed. If we were having a carry-over motion debate when the Bill had almost finished its Committee stage or was well into Report stage, the arguments in favour of carrying it over would be much stronger. The Bill has merely had a Second Reading; the rest of the procedure has yet to be completed. That is the first relevant consideration.

The second issue that is relevant is the extent to which the Bill is controversial. I do not think that anyone can dispute that it is an extremely controversial Bill. Labour and Conservative Members oppose it; I am not sure whether any Liberal Democrats do so. It is opposed by a number of trade unions and councillors. It is highly contentious in Merseyside.

The third issue that is relevant to whether we support the carry-over motion was raised by the right hon. Member for Birkenhead (Mr. Field)—the extent to which the promoters have taken on board the criticisms made on Second Reading. I was disturbed when he said that he had not been able to get any clear indication from the promoters of whether they were going to meet in whole or in part the concerns that were expressed by hon. Members on Second Reading.

The hon. Member for Knowsley, North and Sefton, East (Mr. Howarth), who is not in his place at the moment, said that the right hon. Member for Birkenhead was arguing for Trotskyite permanent revolution. I do not think that he was asking for that. He was saying that, in the context of the pressure on parliamentary time, it is relevant for hon. Members to take into account the extent to which the promoters are prepared to compromise and to remove from the Bill those powers that are causing the most controversy.

Dr. Pugh: Does the hon. Gentleman accept that the appropriate time for further consultation and a response is in Committee?

Mr. Chope: If we were not at the end of the Session, considering whether the Bill in its present form should be carried through to Committee, the hon. Gentleman's point would be valid, but if the carry-over motion is not passed this evening the promoters will have to go back to the drawing board, and I suspect that they will come back with a Bill that is much more in line with the consensus that can be achieved on it, particularly on the issue of whether surplus toll income should be used to cross-subsidise other activities.

Mrs. Dunwoody: The hon. Gentleman has been a Member of the House for some considerable time and must have sat through many occasions rather similar to this, on which private Bills sought to have the right to carry on. Will not he bear it in mind that this is not a private company with a very large income? In effect, it is the taxpayers of Merseyside, who have been asked whether they wish to recommence or to continue with an existing Bill that has a direct effect both on ratepayers and those who are responsible for providing a proper transport system.

Mr. Chope: The hon. Lady makes an important point. My experience goes back to a Bill that was promoted by Southampton city council, called the Southampton Rapid Transit Bill. She may remember it. I advised the council strongly that if it proceeded with a Bill that did not enjoy the support of local Members of Parliament, let alone the people of Southampton, it had a very poor prospect of success. An enormous sum was spent, but that Bill was lost.

I suggest that, if the carry-over motion is not passed, the promoters will introduce a much less controversial Bill and there will be much less scope for amendment on Report. As a result, that Bill could well cost the promoters much less money than the present Bill is likely to cost them. The prospect is that the Bill will go through an extremely prolonged process if it proceeds in the teeth of so much opposition. That will cost the people of Merseyside an enormous amount of money. I suspect that it might be better for the promoters to cut their losses now, return to the drawing board and introduce a simpler and shorter Bill.

Dr. Pugh: Is the hon. Gentleman making the counter-intuitive proposal that two Bills are, in fact, cheaper than one?

Mr. Chope: I am suggesting that a Bill that passes swiftly is much less expansive than one that takes an enormous amount of time. It must be obvious to the hon. Gentleman that, if the Bill proceeds, it will take an enormous amount of time and cost the promoter an enormous sum because it is so controversial. The most controversial parts of the Bill should be removed and the essential part of it should be allowed to proceed.

In 1995, the then Government issued a consultation paper on estuarial crossings, which included quite strong criticism of the bureaucratic arrangements that relate to setting Mersey tunnel tolls. We have not yet had a Government response to that consultation. I do not know whether the Minister will respond to that paper, which was issued seven years ago, but I hope that the Government will declare their policy because, sadly, we were unable to gain the benefit of the Government's view of the Bill as a result of the way in which the Second Reading debate proceeded.

Mr. Miller: The hon. Gentleman makes a fair point. The motion states that

"in the next session the bill shall be deemed to have passed through every stage through which it has passed in the present session."

Those of us who had legitimate interests were not even able to express them because of the procedure adopted on Second Reading.

Mr. Chope: The hon. Gentleman is absolutely right. My point is that a simpler Bill should concentrate on some of the key issues.

One of the other relevant things that we should consider tonight is the extent to which what the promoters seek should be achieved through other means. Paragraph 11 of the promoter's original statement refers to the Transport Act 2000. Under that Act, it is perfectly within the powers of the Merseyside passenger transport authority to set up a charging regime to fund some of the public activities that it wants to fund under its transport plan, but if it did that, it would probably be obliged to charge more than 3 per cent. of Merseyside's population. I understand that that percentage of Merseyside's population uses the tunnels. The Bill proposes charging those travellers, whereas the authority already the power, under the Act, to charge a wider range of car users, if it so wishes, to achieve the public transport benefits that it seeks.

Mr. Ben Chapman: The hon. Gentleman mentions the fact that only 3 per cent. of the people of Merseyside use the tunnels. Irrespective of whether that figure is correct, does he accept that the proportion of people—

Madam Deputy Speaker: Order. Once again, hon. Members are going wide of the motion and are going more into the Bill's merits.

Mr. Chope: There are strong views about the Bill's merits. All I seek to argue is that if the promoter could achieve part of what the Bill seeks to achieve by putting in hand local arrangements using the powers given to it under the Transport Act, the justification for that part of the Bill would be removed, as would the argument in favour of carrying it forward to the next Session.

My final point relates to my previous exchange with the hon. Member for Knowsley, North and Sefton, East. I asked why Mick Rix, the General Secretary of ASLEF, had sent us a letter saying that, if implemented, the proposals would generate an additional £2.5 million in revenue for local public transport per year? Surely the argument that has been put forward is that the debt should be reduced first. The argument of the Bill's promoters and their supporters about the small proportion of people who use the tunnels being burdened with paying for the wider public transport agenda of the passenger transport authority is a relevant issue that we should consider this evening.

I am disappointed that the Bill's promoters have not indicated any willingness to compromise or listen to reason. It is not too late for the hon. Member for Crosby (Mrs. Curtis-Thomas) to indicate that they will make amendments in the light of the concerns expressed, but, up to now, they have seemed keen to steamroller this highly controversial Bill through the House. Members have the opportunity tonight to pass judgment on that.

9.22 pm

The Minister for Transport (Mr. John Spellar): I want to take this opportunity to make clear the position of the Government.

First, I congratulate my hon. Friend the Member for Corby (Claire Curtis-Thomas) on the able way in which she proposed the motion for the Bill to be carried over. I also commend all the other hon. Members who have taken part in this interesting debate. As hon. Members will know, it is traditional that the Government take a neutral stance on private Bills that do not contradict stated Government policy, and that is the approach that the Government intend to take with this Bill. That being said, the Government are not opposed to the Bill being carried over.

The Bill includes a number of provisions. First, it would permit Merseytravel to increase tolls at the tunnels based on a retail prices index formula without having to seek permission from my right hon. Friend the Secretary of State for Transport, and to use some of the proceeds from toll revenues for wider transport objectives in Merseyside. That latter point is, of course, broadly in line with the broader options currently

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available to local authorities through congestion charging. The Government are not, therefore, opposed in principle to Merseytravel's proposals to use some of the additional toll revenue for local transport purposes.

The Bill would permit increases to toll charges in line with the RPI. The Government are not opposed to this principle, especially as the tunnels are owned and operated by a local authority, and, as such, subject to democratic accountability. In addition, the Bill would give Merseytravel the ability to undertake and finance noise insulation work to properties on the Kingsway tunnel approach roads on the Wirral. The Government welcome the introduction of those new powers, as we understand that they respond to long-standing concerns voiced by local residents.

However, the Government are also conscious of the strength of local feeling about allowing Merseytravel to increase tolls by the RPI without any check. My hon. Friend the Member for Wirral, South (Mr. Chapman) has previously expressed concerns about levels of efficiency at the tunnel and about the pressures that higher tolls would place on his constituents. In addition, the Government are concerned that some of the Bill's proposals for using revenue derived from heavy goods vehicles for purposes not related to the costs of the tunnels' construction, maintenance and operation could be seen to be in breach of EU directive 99/62.

The Government's views on this Bill have been brought to the attention of the Committee in a report, a copy of which has been placed in the Library. I am confident that the Committee will fully examine all the objections and concerns raised by the various petitioners.

Mr. Miller: So that there is no ambiguity, will my right hon. Friend make it clear that this is not whipped business as far as the Government are concerned?

Mr. Spellar: As I made clear earlier, the Government take a neutral stance. There will be a free vote on the Government side.I do not wish to take further time, as I understand that other Members wish to take part in this time-limited debate.

9.25 pm

Mr. Ben Chapman (Wirral, South): I welcome my right hon. Friend the Minister's statement in parts. I certainly welcome the point about the EU directive and the caution about retail prices index increases without check. However, I take slight exception to his point that the passenger transport authority is a local authority with democratic accountability. It is not a local authority and does not have direct democratic accountability. Its members are nominated by councils, but they are not elected and have no democratic accountability.

Mrs. Dunwoody: My hon. Friend seems to be enunciating an interesting theory for passenger transport executives. The money involved is much more closely monitored—because they are run by local authorities and must produce accurate returns—than it could possibly be if they were private companies. The fact that local authorities nominate to the bodies that control the money does not make the system anti-democratic. The executives make more disclosure of more information simply because they are local authorities. He is getting into a slight difficulty by suggesting that PTEs are not responsible for what they do with public money.

Mr. Chapman: As my hon. Friend knows, no one could hold her in higher regard than I do, but I absolutely disagree with her on those points. If you, Madam Deputy Speaker, were to permit me, I would elaborate why. However, I am not sure whether you would allow me to do that.

I shall spend as little time as possible in considering the Bill. Like my hon. Friend the Member for Liverpool, West Derby (Mr. Wareing), I believe that we have spent enough time on it already. However, if you were to indulge me, Madam Deputy Speaker, I would consider the need for a carry-over motion, and my point applies irrespective of whether it is a private or public Bill. I also want to examine some of the paragraphs in the motion in detail.

If I believe what I read in the Liverpool newspapers, we have been overtaken by events. The press tells me that, notwithstanding the provisions in the Bill for automatic annual increases, Merseytravel now intends to apply to raise tunnel tolls anyhow through the existing public inquiry mechanism. That suggests two things to me, and partly provides a response to my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody). First, notwithstanding the views of the vast majority of people on Merseyside, the body—which, in my view, has no direct accountability—intends to fly in the face of public opinion whether or not the Bill is carried over. Secondly, the Merseyside passenger transport authority recognises that it already has a mechanism for raising tunnel tolls provided that it can justify them. The Bill asks for something other than that.

Mrs. Curtis-Thomas: I am sure that my hon. Friend is aware that that mechanism exists at the expense of council tax payers on Merseyside. The tunnel tolls have to go into deficit to trigger a public inquiry and that inquiry takes a minimum of 22 months to report. In the interim, a deficit is built up and my hon. Friend's constituents and mine have to pay for it. The Bill seeks to remove that charge on our constituents.

Mr. Chapman: My point is that Merseytravel should justify any need for increases and not rely merely on the fact that the cost of living has gone up.

Madam Deputy Speaker: Order. May I remind the hon. Gentleman to confine his remarks to the motion rather than to the merits of the charges involved?

Mr. Chapman: I was trying to do that. If the Mersey passenger transport authority has a mechanism that it accepts and can use, why do we need a carry-over motion? The House has better things to do than consider the Bill further. We have much legislation to discuss which covers many issues and places demands on our meagre time. The carry-over is not a high priority for my constituents, who do not want it. They would be

happier for the House to discuss a host of other issues—the ban on hunting with hounds, the control of leylandii hedges and military action against Iraq, for instance. They would prefer almost anything to be discussed other than the Bill's carry-over. We have limited time at our disposal and much to discuss. We should not be wasting our time on the motion. Sufficient time has been spent on the Bill already.

The motion is simple and clear cut: to carry over or not to carry over. I do not want the Bill to be carried over into the next Session. Instead, I want it to be rejected and to fail because it is foolhardy. I have assiduously studied examples of other carry-over motions. I am not sure that I have the hang of it, but I shall try to stick within the limited scope of the debate. However, I hope you understand, Madam Deputy Speaker, that although we are considering the form of the carry-over, it is difficult not to stray into its substance.

I do not understand why the Bill should be carried over. Although I think that it should not be a private Bill, I contend, as others have, that Merseytravel has not made good use of the time available to it. My hon. Friend the Member for Liverpool, West Derby highlighted various ways in which time was misspent. No one has explained, however, that Merseytravel wasted time by trying to deny a voice to the unions representing tunnel workers and users of the tunnel, and to the employees and business people of Merseyside, all of whom are against the Bill. Rather than listening to their concerns, the passenger transport authority preferred to gag their representatives and continue on its chosen course by proceeding via the Court of Referees. It did not succeed because it had no case, but that did not stop it wasting time and a great deal of money. It is normal for a Bill's promoters to engage parliamentary agents. They are required to do so and there is no problem with that, but the Bill has had more agents employed in its promotion and passage than the people of Merseyside would expect.

I want to examine the motion in detail. Paragraph 6 provides that no further fees will be charged. That must be wrong. The Private Bill Office is funded by the fees paid by the promoters of Bills. Assuming that the Bill passes all its stages, the cost will be £16,000. I do not think that the Private Bill Office can survive for long on that. It is a good deal by anyone's standards.

Let us consider the real cost. How much does it cost for us to be here tonight? I am sure you know, Madam Deputy Speaker, that in 2000–01, the operating costs of the Office of the Speaker were £635,000. The department of the Clerk of the House and the Speaker's Counsel cost £20 million; the department of the Serjeant at Arms cost £21.5 million; and the Library cost £7 million.

Mrs. Dunwoody: Is my hon. Friend suggesting that we should not have the right to debate private Bills?

Mr. Chapman: No, I am just dealing with the idea that no extra fees should be charged, as contained in paragraph 6. Given the costs involved, it is unreasonable that no extra fees should be charged.

If one broke down the costs that I have set out, one would find that the process is costing a great deal. It is unreasonable that no extra fees are to be charged. It is not that Merseytravel does not have the money, and it is not that it shows an unwillingness to spend. Indeed, had Merseytravel been a model of financial rectitude, we might have had to be cautious in seeking more money. You are giving me a particular look, Madam Deputy Speaker, which is telling me not to proceed with that point. Merseytravel is, as it claims in defence of some of its expenditure, a £250 million organisation. It spends profligately and we need to consider the sixth paragraph of the motion.

Mrs. Curtis-Thomas: Given that my hon. Friend's remarks are straying on to the merits of the Bill, will he identify which costs he would like to cut—perhaps those associated with health and safety or with the police who operate in the tunnel?

Mr. Chapman: I was thinking more of the hundreds of thousands of pounds that have been spent on the Bill. I was thinking of the large sums spent on the politically correct but foolish measure of changing all the signs on the tollbooths from "manned" to "staffed". I was thinking of the fact that Merseytravel is reported to have sent 20 people to a Court of Referees process in which none of them could have taken any part. Merseytravel has an inbuilt propensity to spend because it has a lot of money and because of the structure of the passenger transport authority.

Mr. George Howarth: I apologise for not being present at the beginning of what I am sure has been a fascinating odyssey through the whys and wherefores of the Bill. Now I, too, am getting a look from you, Madam Deputy Speaker. On Second Reading, my hon. Friend said that he thought that the number of police officers in the tunnel could be cut. Does he still—

Madam Deputy Speaker: Order. Clearly the look was not sufficient.

Mr. Chapman: Merseytravel has a propensity to spend because it has money, and it is wholly unreasonable to charge no further fees.

The seventh paragraph of the motion deals with petitions. Reference has been made to a letter from the chairman of Merseytravel which points out that the motion has all-party support. It also refers to the fact that petitions have been submitted by ASLEF, which to the best of my knowledge has no direct connection with the tunnel, and Transport 2000, whose submission was expressed in terms curiously similar to those used by Merseytravel. Those petitions were submitted after the due date, so I hope that they will not be substantially considered at any further stage of our deliberations.

The third paragraph says:

> "A declaration signed by the agent shall be annexed to the bill, stating that it is the same in every respect as the bill presented in this House in the present session".

I have had a nagging doubt about that paragraph since the motion was first announced. In substance, the Bill will, on its reintroduction, remain the same as it has been throughout its parliamentary journey thus far. In its consequences however, it has changed.

I draw attention to the provision that permits Merseytravel to use surplus tunnel tolls income to improve public transport services in Merseyside. I have

[Mr. Chapman]

never liked that. I believe that surpluses should be reinvested to pay off outstanding debts on the tunnels. That relates to the point that my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) made.

Merseytravel now claims that toll increases would fund safety improvements that relate to the European safety report of 2002. We are told that that will cost £14.2 million, to be financed through tunnel tolls. Safety is of paramount importance, and one would have believed that Merseytravel would take account of all safety considerations. However, although the text of the Bill remains the same, its intent appears to have altered. The report on which Merseytravel ultimately chose to act was by no means unanticipated.

Mrs. Curtis-Thomas: On a point of order, Madam Deputy Speaker. In opening the debate, I said nothing about the merits of the Bill because I understood that the discussion covered only procedural matters. I therefore note with regret that my hon. Friend is considering the Bill's merits. I ask for your advice on that.

Madam Deputy Speaker: Throughout my time in the Chair, I have reminded hon. Members of the limited scope of the motion. I urge all hon. Members who have yet to contribute to be mindful of that.

Mr. Chapman: I believed that I was dealing with the paragraphs of the motion; that was my intention. As I said earlier, there is a danger of straying into the substance of the Bill. That is almost inevitable.

The fifth paragraph states:

"That in the next session the bill shall be deemed to have passed through every stage through which it has passed in the present session, and shall be recorded in the Journal of the House as having passed those stages".

I shall not repeat the points that my colleagues have made. However, Second Reading was obtained on information that many would have perceived as misinformation. I shall not go into that.

Madam Deputy Speaker, you would consider much of the remainder of my speech to be about the substance of the Bill. I therefore conclude by simply saying that it is my hope, and that of the trade unions, the users of the tunnel and the people of Merseyside that the Bill and the carry-over motion will be rejected. I believe that if the Bill is allowed to proceed, no matter how it is amended, it will be detrimental to the economy of Merseyside, which is already disadvantaged when compared with other regions. The tunnels are the main arteries and conduits of its business. They affect everybody, not only 3 per cent. of people. The carry-over motion should be rejected.

9.43 pm

Mr. Andrew Miller (Ellesmere Port and Neston): I want to concentrate on two principal points in making my case for opposing the motion. First, I want to consider the motion in the context of changing circumstances and, secondly, as a constituency Member of Parliament, I want to present my constituents' best interests.

Earlier, there was confusion in the exchange between the hon. Member for Southport (Dr. Pugh) and me. I want to reinforce my comments that my constituency falls immediately south of the boundaries of Merseyside. It is geographically in Cheshire but does not comprise any of the five authorities that make up the passenger transport authority. That is a function of history, and goes back to the days when the metropolitan county was created and subsequently abolished. It would be wrong to dwell on that.

I simply stress that although my constituency is immediately south of the area covered by the passenger transport authority, many of my constituents use the tunnel. The Bill's sponsor acknowledged that. Bearing that in mind, I find it extraordinary that there is no mechanism in the motion to enable me to put my arguments in the context of the Second Reading debate that would normally have taken place. In fact, that possibility is precluded—

Mr. Don Foster (Bath): In Committee?

Mr. Miller: It cannot be done in Committee, as the hon. Gentleman knows, because the Committee would be a special Committee on which I could not sit. Perhaps he does not understand that about private Bills.

The motion states that

"in the next session the bill shall be deemed to have passed through every stage through which it has passed in the present session"

which means that we shall bypass Second Reading. The substantive points that I have before me here—which I shall not stray into, Madam Deputy Speaker, as you would call me to order—cannot, therefore, be made. My constituents are, however, entitled to have their point of view aired on such a controversial matter.

Dr. Pugh: There is one distinction between the constituencies of the hon. Gentleman, the hon. Member for Crosby (Mrs. Curtis-Thomas) and me. They may all contain people who use the tunnel, but if the tunnel incurs any debts or deficits, your constituents will definitely not be liable, whereas mine will.

Mr. Miller: I am sure that your constituents will be far enough removed not to have an interest in this, Madam Deputy Speaker.

I understand the hon. Gentleman's point about debts. The hon. Gentleman is tempting me down the road that he followed in his speech. My principal argument about the unfairness of the procedure in terms of my constituents' interests is that I cannot set out the case to answer the hon. Gentleman's valid point and stay in order. Of course he has a valid point. His constituents pay for the debts.

Mr. George Howarth: On a point of order, Madam Deputy Speaker. Will you confirm that, if the Bill goes through the special arrangements for a Committee for a private Bill and comes back on Report, amendments can

then be tabled? Could those amendments, which might encompass the principles that my hon. Friend is talking about, then be debated?

Madam Deputy Speaker: The answer to the hon. Gentleman is yes, provided that the amendments are within the scope of the Bill.

Mr. Miller: That leads me neatly on to my second point, but I shall just complete the point I was making in response to the hon. Member for Southport, who is right to say that his constituents pay for the current deficits through their council tax. My constituents, who are omitted from consideration, pay the fees and are locked into a formula in relation to which they have no rights, despite—if I may remind the Government Front Bench of this—the duty set out in this Administration's best-value legislation. That is why I strongly oppose the central thrust of the motion, which proposes that we should jump over and skip the Second Reading debate.

On that theme, the first sentence of the motion states that

"the promoters of the Mersey Tunnels Bill shall have leave to suspend proceedings thereon in order to proceed with it, if they think fit".

If they think fit? Again, there is no consideration for anyone else—certainly not for my constituents who pay the toll day in and day out. I do not underestimate the seriousness of the problem faced by the passenger transport authority, although I shall not develop that argument now. But the authority must also recognise that other people have rights in this matter. The wording here, though, is, "if they think fit," not "after consultation with relevant people who may also be affected by the Bill". The motion before us does not, therefore, appeal to me one jot.

Of course there are difficult issues. I think many could have been dealt with through a more sophisticated form of negotiation between interested parties throughout the region. There is a sub-regional interest—

Madam Deputy Speaker: Order. There may well be a sub-regional interest, but it is not appropriate for it to be debated tonight.

Mr. Miller: I am arguing the case—if I may—that the word "they", in the phrase "they think fit", is too narrow. I merely suggest that the motion should have incorporated a phrase allowing for consultation with other relevant bodies within the sub-region.

Mrs. Curtis-Thomas: "They" are the members of the passenger transport authority, representing nearly half a million people on Merseyside. Does my hon. Friend not agree that that would constitute adequate consultation?

Mr. Miller: It would put the minority at a great disadvantage. My 70,000 constituents also have rights, and I appeal to the House to protect those rights.

Mr. Colin Pickthall (West Lancashire): Does my hon. Friend accept that West Lancashire's citizens are in precisely the same position? Although I concede that not quite so many people move through the tunnel from the north of Merseyside to the south, a substantial number do.

Mr. Miller: But minorities are not considered in the context of the Bill. If we add all the minorities together, it surely becomes clear that the argument that the great Merseyside interests should take precedence over those of the rest of the people in the greater Merseyside area is grossly unfair.

Mr. Don Foster: My local authority, Bath and North East Somerset council, recently introduced a highly controversial priority access point that has restricted the movement of vehicles through certain parts of the city. No doubt many of the hon. Gentleman's constituents visit Bath from time to time. Does he believe that they should have been consulted about that decision?

Mr. Miller: I visited Bath the other day—

Madam Deputy Speaker: Order. Once again we are in danger of wandering wide of the scope of the debate.

Mr. Miller: I appreciate that, Madam Deputy Speaker, and I was going to confine myself to a quip about Bath. Your interventions, however, underline the concern felt by my constituents. We have no opportunity to set out, in a structured way, arguments relating to the Bill, as we would if the Bill were re-presented in the normal way, or—as my hon. Friend the Member for Wirral, West (Stephen Hesford) suggested—if a revival motion were introduced in the new session.

Stephen Hesford: Or a resurrection motion.

Mr. Miller: I think "revival motion" is the appropriate term. I understand that that would, by definition, incorporate stages that are missing as a result of the motion.

I am open to suggestions about solutions to the problems of the passenger transport authority, but I cannot become involved in discussion of that tonight. I strongly urge the House to reconsider its position, and support those of us who oppose the motion.

Mr. George Howarth: Between Second Reading and now, has my hon. Friend made any approach to the passenger transport authority to discuss the matters that he has raised?

Mr. Miller: That is interesting because a letter was sent to hon. Members. I accept that my office occasionally makes an error, and so do I, but to the best of my knowledge the letter of 17 October that was sent to all hon. Members was not sent to my office. That letter sets out some important considerations in respect of tonight's proceedings.

Mr. Howarth: I am grateful to my hon. Friend for giving way, but that was not the question that I asked him. Has he personally made any efforts to contact Merseytravel to raise these concerns?

Mr. Miller: Not since the Bill received its Second Reading as I was unaware of tonight's motion,

[Mr. Miller]

not having received the letter of 17 October, which was kindly given to me by a colleague. The issue spins both ways. I accept my hon. Friend's point, but there must be negotiations to resolve the problem.

Mrs. Dunwoody: If my hon. Friend will allow me, I shall put the same question to him as I put to the hon. Member for Eddisbury (Mr. O'Brien). Is he likely to suggest to his constituents that they fund some of the expense of running the Mersey tunnel?

Mr. Miller: My hon. Friend, who is also a dear friend, knows full well that my constituents do fund it. They contribute huge sums of money. We heard from the passenger transport authority that non-Merseysiders put in 97 per cent. of the income. I suspect that a lot of that comes from my constituents who are locked into proceedings covered by the tonight's order in which the phrase "they think fit" refers entirely to one part of the equation. The other part refers to people who pay tolls on a regular basis and who must also be considered.

Stephen Hesford: Can I run down a hare that has been constantly set running tonight? My hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) repeatedly asks my hon. Friend the Member for Ellesmere Port and Neston (Mr. Miller) and others to put it to their constituents that they should pay the deficit. There is no deficit. Does my hon. Friend—

Madam Deputy Speaker: Order. I repeat that we are now getting into the detail of the Bill rather than the motion on the Order Paper.

Mr. Miller: That is why I shall not answer my hon. Friend's question, which underlines my point about the unfairness of the procedure that we are considering whereby my constituents, among others, will not have the right to have their point of view aired in this House on such a controversial matter—*[Interruption.]* The hon. Member for Bath (Mr. Foster) says from a sedentary position that I am doing it, but that could not be the case as I would certainly be ruled out of order.

My second principal reason for opposing the motion relates to changing circumstances. As has already been said, this is the second attempt at a Mersey Tunnels Bill. Changing circumstances were referred to in the Second Reading debate, but they have not been developed fully and the Bill does not cover their full financial implications. My hon. Friend the Member for Crewe and Nantwich would no doubt jump up and say that that could be dealt with by amendment. The changing circumstances are referred to in the statement presented by the passenger transport authority. I believe that those changing circumstances, together with the interests of my constituents, cannot be met by amendments to the Bill. I suspect that that would be extremely difficult to achieve. Reference is made to the additional burden that will fall on the authority, stemming from changing fire safety regulations after some tragic tunnel incidents throughout Europe. These substantial changes have altered the way in which the House should view the matter and, on that basis, we need to find an alternate mechanism.

My constituents fully recognise that, one way or another, they will contribute to the costs of the tunnel, and that is right. But the mechanism in the Bill that we are being asked to carry over is wrong and excludes the rights of my constituents.

I would question some of the technical procedures set out in the motion—for example, that

"on the fifth sitting day in the next session the bill shall be presented to the House by deposit in the Private Bill Office."

That may well be standard procedure, but given some of the issues about which there ought to be local negotiations, the motion does not give us the kind of time—

Mr. George Howarth: On a point of order, Madam Deputy Speaker. Could you again confirm, first, that if the Bill proceeds tonight, it is amendable, and secondly, that the procedures for amending the Bill are those that have been used in the past and will be perfectly open to my hon. Friend and others to use?

Madam Deputy Speaker: I am certainly prepared to confirm that that is absolutely right.

Mr. Miller: I do not doubt that point.

Mr. Howarth: Can I take it then that my hon. Friend feels so inadequate that he would not feel capable of using the procedures of the House to table suitable amendments?

Mr. Miller: My hon. Friend's sarcasm does not do him any justice; he usually makes far more intelligent comments than that. I have said that the provision would preclude a contribution at Second Reading and because of the costs that—

Madam Deputy Speaker: Order. The hon. Gentleman is repeating some of the arguments that he has already made. Is he able to move on with regard to the motion?

Mr. Miller: My hon. Friend the Member for Wirral, South (Mr. Chapman) referred to the costs involved. Because of those costs, there is a need for sensible negotiations on whether a resolution can be found. That is not possible within the time available to us.

My arguments in summary—*[Interruption.]* My arguments in summary are that my constituents' rights are being abused by the motion.

John Robertson (Glasgow, Anniesland): Aww!

Mr. Miller: I believe that we are here to represent our constituents and I hope that the House will give my constituents their rights when dealing with the matter. My second point concerns the changing circumstances and my third is that, as a result of the need for a sensible way forward, it would be inappropriate to squeeze the time for any potential negotiations on the content of the Bill into the tight time between now and the fifth sitting day.

Question put:—

The House divided: Ayes 164, Noes 64.

Division No. 329] **[10:05 pm**

AYES

Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Armstrong, rh Ms Hilary
Atkins, Charlotte
Bailey, Adrian
Barrett, John
Bayley, Hugh
Beckett, rh Margaret
Benn, Hilary
Berry, Roger
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Brennan, Kevin
Brown, Russell *(Dumfries)*
Bruce, Malcolm
Burnett, John
Burnham, Andy
Cable, Dr. Vincent
Calton, Mrs Patsy
Campbell, Mrs Anne *(C'bridge)*
Campbell, rh Menzies *(NE Fife)*
Caplin, Ivor
Carmichael, Alistair
Cawsey, Ian *(Brigg)*
Chidgey, David
Clark, hon. Dr. Lynda *(Edinburgh Pentlands)*
Coaker, Vernon
Coffey, Ms Ann
Colman, Tony
Connarty, Michael
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Cotter, Brian
Cunningham, Jim *(Coventry S)*
Curtis-Thomas, Mrs Claire
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Fabricant, Michael
Flint, Caroline
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Gardiner, Barry
George, Andrew *(St. Ives)*
Gilroy, Linda
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Hain, rh Peter
Hamilton, David *(Midlothian)*
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harris, Tom *(Glasgow Cathcart)*
Healey, John
Heath, David
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Heppell, John
Hermon, Lady
Hill, Keith *(Streatham)*
Holmes, Paul
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Simon *(Southwark N)*
Ingram, rh Adam
Jenkins, Brian
Johnson, Alan *(Hull W)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Kemp, Fraser
Kidney, David
King, Andy *(Rugby)*
Kirkwood, Archy
Laws, David *(Yeovil)*
Laxton, Bob *(Derby N)*
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lyons, John *(Strathkelvin)*
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
MacShane, Denis
Mactaggart, Fiona
Mallaber, Judy
Marsden, Paul *(Shrewsbury & Atcham)*
Michael, rh Alun
Miliband, David
Moonie, Dr. Lewis
Moore, Michael
Moran, Margaret
Mountford, Kali
Mudie, George
Munn, Ms Meg
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Norris, Dan *(Wansdyke)*
O'Neill, Martin
Picking, Anne
Pike, Peter *(Burnley)*
Pond, Chris *(Gravesham)*
Portillo, rh Michael
Prentice, Ms Bridget *(Lewisham E)*
Prescott, rh John
Pugh, Dr. John
Purnell, James
Quinn, Lawrie
Rammell, Bill
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, John *(Glasgow Anniesland)*
Rooney, Terry
Ruane, Chris
Russell, Bob *(Colchester)*
Ryan, Joan *(Enfield N)*
Sheerman, Barry
Sheridan, Jim
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soley, Clive
Starkey, Dr. Phyllis
Stoate, Dr. Howard
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Dari *(Stockton S)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Tonge, Dr. Jenny
Touhig, Don *(Islwyn)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Ward, Claire
Watson, Tom *(W Bromwich E)*
Watts, David
Webb, Steve *(Northavon)*
White, Brian
Wicks, Malcolm
Williams, Roger *(Brecon)*
Winterton, Ms Rosie *(Doncaster C)*
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Joe Benton and Tony Cunningham

NOES

Amess, David
Atkinson, Peter *(Hexham)*
Barnes, Harry
Beggs, Roy *(E Antrim)*
Bercow, John
Boswell, Tim
Burnside, David
Cash, William
Chapman, Ben *(Wirral S)*
Chope, Christopher
Clifton-Brown, Geoffrey
Djanogly, Jonathan
Dodds, Nigel
Drew, David *(Stroud)*
Field, rh Frank *(Birkenhead)*
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Gerrard, Neil
Gibson, Dr. Ian
Gillan, Mrs Cheryl
Gray, James *(N Wilts)*
Hall, Mike *(Weaver Vale)*
Hanson, David
Hayes, John *(S Holland)*
Heald, Oliver
Hinchliffe, David
Iddon, Dr. Brian
Illsley, Eric
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Lidington, David
Llwyd, Elfyn
McAvoy, Thomas
McDonnell, John
McIntosh, Miss Anne
Mackinlay, Andrew
McLoughlin, Patrick
McWilliam, John
Mahon, Mrs Alice
Mann, John *(Bassetlaw)*
Martlew, Eric
Moran, Margaret
O'Brien, Mike *(N Warks)*
O'Brien, Stephen *(Eddisbury)*
Picking, Anne
Pickthall, Colin
Rapson, Syd *(Portsmouth N)*
Robertson, Laurence *(Tewk'b'ry)*
Rosindell, Andrew
Selous, Andrew
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Spink, Bob *(Castle Point)*
Spring, Richard
Stewart, Ian *(Eccles)*
Syms, Robert
Tami, Mark *(Alyn)*
Turner, Andrew *(Isle of Wight)*
Wareing, Robert N.
Widdecombe, rh Miss Ann
Williams, Hywel *(Caernarfon)*
Young, rh Sir George

Tellers for the Noes:
Mr. Andrew Miller and Stephen Hesford

Question accordingly agreed to.

Ordered,

That the promoters of the Mersey Tunnels Bill shall have leave to suspend proceedings thereon in order to proceed with it, if they think fit, in the next session of Parliament, provided that notice of their intention to do so is lodged in the Private Bill Office not later than the day before the close of the present session and that all fees due up to that date have been paid;

That on the fifth sitting day in the next session the bill shall be presented to the House by deposit in the Private Bill Office;

That a declaration signed by the agent shall be annexed to the bill, stating that it is the same in every respect as the bill presented in this House in the present session;

That on the next sitting day following presentation, the Clerk in the Private Bill Office shall lay the bill on the Table of the House;

That in the next session the bill shall be deemed to have passed through every stage through which it has passed in the present session, and shall be recorded in the Journal of the House as having passed those stages;

That no further fees shall be charged to such stages;

That all petitions relating to the bill which stand referred to the committee on the bill, shall stand referred to the committee on the bill in the next session;

That no petitioners shall be heard before the committee unless their petition has been presented within the time provided for petitioning or has been deposited pursuant to Private Business Standing Order 126(b);

That, in relation to the bill, Private Business Standing Order 127 shall have effect as if the words "under Standing Order 126 (Reference to committee of petitions against bill)" were omitted.

PETITIONS

Employment relations

10.16 pm

Hywel Williams (Caernarfon): This petition relates to the "eight week rule" whereby workers taking part in a legal strike are no longer protected by the law from dismissal after eight weeks. It arises from the recent dispute between Friction Dynamics Ltd of Caernarfon and members of the Transport and General Workers Union who were sacked after being on a legal strike for eight weeks and who are still awaiting the result of an industrial tribunal 18 months later. The petition has been signed by some 3,081 people, mainly from Caernarfon but also from Wales and the rest of the United Kingdom, who state:

Workers have a right not to suffer detriment as a result of taking legal industrial action and that this is not a qualified right and the UK Government should not make it so.

The petitioners request therefore that the House of Commons urge the Secretary of State for Trade and Industry to introduce legislative proposals to amend the Employment Relations Act 1999 and remove the eight-week limit on protection for striking workers.

And the petitioners remain etc.

To lie upon the Table.

Michaela Scott

10.18 pm

Hugh Bayley (City of York): I rise to present a petition on behalf of Michaela Scott of York and 1,246 other people.

The petition

Declares that people have for many years maintained good health by taking vitamin and mineral supplements and herbal remedies.

Fears that the European food supplement directive and the proposed European directive on traditional herbal medicine products will restrict the range of such products on sale.

Requests the House of Commons to require the Secretary of State for Health to protect consumers of these products by ensuring that such European legislation does not unnecessarily and unacceptably restrict the availability of natural health products.

To lie upon the Table.

Westminster Coroner

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Caplin.]*

10.19 pm

Mr. Chris Pond (Gravesham): I am grateful for the opportunity to place before the House the concerns about the conduct of the Westminster coroner felt by people who have come into contact with him following the loss of loved ones.

I thought carefully before seeking this debate. No Member should lightly raise in the House criticisms of an individual, especially when that individual is a judicial officer responsible for such high profile investigations as the Marchioness disaster and the Clapham and Paddington rail inquiries. However, I consider that the concerns about the conduct of the Westminster coroner, expressed over a long period, raise questions not only about his own record but about the trust that the public can place in the coroner system more generally.

The Westminster coroner, Dr. Paul Knapman, is no stranger to criticism. I first came across him through my involvement with the families and friends of those who had lost their lives in the sinking of the Marchioness pleasure boat in 1989. I worked with those families to press for a full public inquiry into the tragedy, which my right hon. Friend the Deputy Prime Minister, granted in 1999. I know those people as determined and courageous, struggling to come to terms with the tragic loss of their loved ones—a task made more difficult, I have to say, by the behaviour of the coroner, Dr. Knapman, at the first inquest. Yet in a letter of 22 May 1991, Dr. Knapman described the bereaved as

"a number of mentally unwell relatives and survivors who mutually support each other".

In 1994, the Court of Appeal found that his comment to the *Daily Mail,* when he described the mother of one of the Marchioness victims as "unhinged", was not merely injudicious and insensitive but bound to be interpreted as a gratuitous insult. Lord Justice Simon Brown said that the coroner's "apparent bias" towards the victims' families may have been a factor in his refusal to grant a second inquest.

The Westminster coroner attracted further criticism when it became known that he had authorised the removal of the hands of 25 of the Marchioness victims for identification purposes. Lord Justice Clarke, in the public inquiry into the Marchioness disaster and river safety, was especially critical of the decision to mutilate the bodies of the victims when other means of identification were readily available. Lord Justice Clarke put the matter effectively in his report:

"The important point is that hands were not being removed as a last resort, but were being removed in all cases. As a result, hands were removed notwithstanding that dental records were being obtained or had been obtained or possibly in one case just after a dental match had been made."

In one case, a victim's hands were removed even though the belt he was wearing contained a photograph of him, a blood donor card and the keys to his flat. Inevitably, that caused distress to the relatives of the deceased—once they were informed. However, that was not until two years later. Information about the victims' hands having been withheld, it is perhaps not surprising that

relatives were refused the opportunity to see their loved ones to pay their last respects. Some never again saw the people they had lost.

It was some years after that event, and following criticism from Lord Justice Clarke, that Dr. Knapman expressed his regret at that decision. He said:

"I did not fully recognise the distress that further disfigurement of the bodies might cause."

That reveals a remarkable lack of imagination in a man responsible over many years for dealing with bereaved relatives, and it underlines the importance of training for coroners and their staff in basic human skills.

To add insult to injury, a pair of hands was found in the bottom of the coroner's freezer, not months but three years after they had been removed. It may be that they were never used for identification purposes. Without consulting the relatives, the hands were incinerated, without the option of being reunited with the body.

All that is public knowledge. The public inquiry report was especially critical of the fact that human tissue had been treated so casually. At the very end of his inquiry, Lord Justice Clarke learned that tissue samples taken at the post-mortem examinations of four of the Marchioness victims had been overlooked until they were discovered at Westminster mortuary in December 2000. That was more than 11 years after the individuals concerned had died. Hearing that news, the families made arrangements for the interment of that human tissue, including the choice of a remembrance plaque. However, today, I was told that the items referred to could no longer be found.

Mr. Michael Portillo (Kensington and Chelsea): I am most grateful to the hon. Gentleman for his courtesy in giving me a moment of his time. He may recall that I was Minister of State for Transport at the time of the Marchioness disaster. The terrible morning when we learned that so many people had been lost in that tragic accident is one of the most abiding memories of my life, and I have tremendous sympathy for the relatives of those who died. However, Paul Knapman is my constituent and I know that the Lord Chancellor wrote to him to admonish him for some of the events connected with the Marchioness disaster. Paul Knapman wrote back to the Lord Chancellor to express his contrition. I believe that the Lord Chancellor is of the view that the matter should be allowed to rest there, and I appeal to the hon. Gentleman to accept that also.

Mr. Pond: I thank the right hon. Gentleman for that contribution and I know that he knows well the circumstances of the Marchioness tragedy. I have welcomed the admonishment by the Lord Chancellor, to which I shall refer later, and also the response from Dr. Knapman. However, as I hope to show, several other concerns need to be taken into consideration. It may be that the unfortunate circumstances of Dr. Knapman's conduct in the Marchioness tragedy and subsequent events have been reflected in other cases.

One such was the case of Susan Annis, whose parents have contacted me and my hon. Friend the Member for Crawley (Laura Moffatt), who is unable to contribute to this debate because she has other duties this evening. Miss Annis was a 31-year-old nurse who was the first of a series of victims of one of her colleagues, Kevin Cobb, who attacked women sexually, having administered midazolam, a sedative since dubbed a date-rape drug. Although Dr. Knapman detected midazolam in Susan's body, he attributed no significance to it, even though four deaths due to the drug had already been reported to the Committee on Safety of Medicines. A colleague of Susan Annis, Dr. John Parsley, wrote to Dr. Knapman to raise doubts about the open verdict, in view of the presence of the drug. In a letter dated 26 March 1997, Dr. Parsley warned:

"I believe that drugs in the same class as midazolam have been used in assaults."

Dr. Knapman wrote back saying:

"It takes us no farther",

and

"I am taking matters no farther".

He later dismissed Dr. Parsley's warning as a "red herring". He also did not report Dr. Parsley's concerns to the police.

New information suggests that Dr. Knapman may well have known that midazolam was in the same class as a drug banned in America as a date-rape drug. At present, that evidence is confidential and I am passing it to the Minister after the debate for her to consider whether she or her ministerial colleagues wish to take the matter further.

It was only when Dr. Parsley went to the police two years later, having heard that Kevin Cobb had been arrested for rape, that it became clear that Susan had died at the hands of a serial rapist, rather than from unexplained but unsuspicious causes. The tragic conclusion must be that if the coroner had taken more heed of the warnings raised by a medical colleague and had referred those to the police, Kevin Cobb might have been apprehended sooner and other women would not have been subjected to sexual assaults.

Susan Annis's parents submitted a complaint to the Home Office about the way in which their daughter's death was treated by the coroner. The Home Office replied that the Home Secretary had no powers to investigate or comment on the conduct of individual inquests, because

"coroners are independent judicial officers".

However, the Home Office passed on Dr. Knapman's response to the complaint. It included a somewhat chilling statement that

"in his district, several times a year relatively young people (under 30) die where there is no cause of death found".

No cause of death was found by Dr. Knapman in the case of Susan Annis, but we know now that she was unlawfully killed. In how many of the several other unexplained deaths every year in the district covered by Dr. Knapman is the cause of death not found because the proper questions are not asked, or evidence is overlooked? I ask the Minister to consider whether her Department or the Home Office should look again at those cases in which the Westminster coroner has recorded an open verdict, to see whether the verdict is a secure conclusion in each case.

The hurt and humiliation because of the treatment of their loved ones' remains were not confined to the Marchioness families. In August 2000, Dr. Knapman wrote to the parents of Susan Annis refusing their

[Mr. Pond]

request to see the file on their daughter's inquest and telling them that they would have to ask the police if they wanted to see post-mortem photographs. Astonishingly, in the same letter, written almost four years after Susan's death, the Westminster coroner added a paragraph that concluded:

"the brain is still in storage at the Maudsley Hospital. I therefore have to ask you whether you would be content for it now to be incinerated in the usual way?"

That was the first that the parents had heard that the brain of their daughter had been removed and that she had been laid to rest without it.

I have referred to the concerns expressed to me about the conduct of Dr. Knapman in two particularly high-profile cases. Some of it will have been new but most of it will not. In answer to a parliamentary question tabled by me, my hon. Friend the Parliamentary Secretary, Lord Chancellor's Department reported that, following Lord Justice Clarke's inquiry, the Lord Chancellor concluded, as the right hon. Member for Kensington and Chelsea (Mr. Portillo) has reminded us, that

"the Westminster coroner's actions on this occasion fell below the standard to be expected of a judicial officer",

and that

"he issued a formal admonishment."—[*Official Report*, 6 November 2001; Vol. 374, c. 200W.]

The Westminster coroner has been shown the yellow card. I ask the Minister to review the conduct of Dr. Knapman over time, not only following the Marchioness tragedy but in other cases, to judge whether it might now be time to show the red card.

There are wider lessons to be learned about the role of coroners. I welcome the current review of coroners and death certification, which was partly stimulated by the conduct of the coroner in the Marchioness inquiry. A basic requirement is for the careful recording of information, not—as in the case of the Marchioness post mortems—notes collected in an A5 notepad. Without that careful recording of information, it is very difficult for relatives or other concerned parties to know whether an inquiry has been properly carried out.

I have already referred to the need for training of coroners and their staff to enhance the social skills needed to deal with the bereaved sensitively. In that context, I welcome the review's early identification of a defect in the system—failing to establish clear participation rights for bereaved people, including the provision of information. Most important, relatives must have a right to see the bodies of their loved ones. Whether they decide to exercise that right is up to them.

No families should ever again be treated as the Marchioness bereaved clearly were: as a troublesome nuisance. The coroner's review gives us an opportunity to learn the lessons of the past. If it does, it will be a lasting tribute to the work of those bereaved families who have fought so hard to ensure that in future no families find that they have to cope with humiliation as well as grief.

10.33 pm

The Parliamentary Secretary, Lord Chancellor's Department (Ms Rosie Winterton): I congratulate my hon. Friend the Member for Gravesham (Mr. Pond) on securing this debate. It is a matter on which he has campaigned for some years and I know how strongly he feels about it. He has made extremely important points. The right hon. Member for Kensington and Chelsea (Mr. Portillo) also contributed as the constituency Member of Parliament for the Westminster coroner.

My hon. Friend spoke extremely movingly about the distress of the families and friends of those who died in the Marchioness disaster. I am sure that everyone in the House would join me in expressing our sympathy for the families of those who died. The passing of time can never erase their grief.

My hon. Friend drew particular attention to the concerns expressed about the conduct of the Westminster coroner, Dr. Paul Knapman, in the exercise of his duties. As right hon. and hon. Members will know, Lord Justice Clarke's inquiry into the identification of victims was established and his report was published on 23 March 2001. As Lord Justice Clarke emphasised at the outset of his report, the most important aim of the inquiry was to ensure that all the necessary lessons were learned for the future. Nevertheless, that report contained criticisms of the Westminster coroner.

It might assist right hon. and hon. Members if I explain the Lord Chancellor's powers in relation to coroners. Under section 3(4) of the Coroners Act 1988, the Lord Chancellor has the power to remove a coroner for misbehaviour or inability in the course of his duties. The Lord Chancellor can also take a lesser form of disciplinary action, such as suspension or admonishment. I should stress, however, that the Lord Chancellor cannot comment on, or intervene in, complaints received about judicial decisions, the process of reasoning underlying those decisions or any matter involving the exercise of judicial functions.

To return to Lord Justice Clarke's report, although he accepted that Dr. Knapman acted with the best of intentions and at all times in good faith, he concluded that Dr. Knapman could, and should, have acted differently in a number of respects. Lord Justice Clarke did not find that Dr. Knapman had been reckless, as was suggested by some at the time of the inquiry, but he considered that Dr. Knapman failed to give sufficient consideration to the likely feelings of the families in what was a most distressing situation.

Following Lord Justice Clarke's report, the Lord Chancellor gave careful consideration to the criticisms of Dr. Knapman to determine whether disciplinary action was appropriate. Taking particular account of Lord Justice Clarke's conclusion that Dr. Knapman acted at all times in good faith, the Lord Chancellor was not satisfied that there was evidence of misbehaviour or inability, which would warrant the exercise of his powers under the Coroners Act 1988.

However, the Lord Chancellor concluded that Dr. Knapman's conduct on that occasion fell below the standard properly expected of a holder of judicial office. In consequence, he determined that disciplinary action was appropriate and issued Dr. Knapman with a formal admonishment, as the right hon. Member for Kensington and Chelsea said. As my hon. Friend said, that was made known to Parliament in my written response of 6 November 2001 to the parliamentary question that he tabled.

The Lord Chancellor now considers that the case regarding Dr. Knapman's position as a result of actions taken in the aftermath of the Marchioness tragedy is closed. The Lord Chancellor deeply sympathises with the continuing distress of survivors and families of victims of the Marchioness disaster. None of us can imagine what it must be like to carry that burden of grief. However, it has to be said that Dr. Knapman's conduct has been examined in detail and at length by an independent inquiry. The criticisms made against him by that inquiry were considered most carefully by the Lord Chancellor, and appropriate disciplinary action was taken. The Lord Chancellor believes that we must now regard Dr. Knapman's conduct in respect of the Marchioness tragedy to be a closed issue.

My hon. Friend referred to tissue samples, and some of his comments also apply to the later case to which he referred. Lord Justice Clarke referred to that issue in his report, but he decided not to delay concluding the report, as it was felt that that matter fitted more properly into considerations of recommendations following the Bristol and Alder Hey inquiries. The Department of Health and the Welsh Assembly are consulting on changes to the law in this area. As hon. Members may know, the issue is also raised in the recent consultation paper from Tom Luce as part of the coroners review. I understand that Tom Luce is keeping in touch with the retained organs commission with regard to the progress of, and thinking behind, the review.

As I said, my hon. Friend has also spoken this evening about Dr. Knapman's handling of the inquest into the death of Susan Annis, which, as he mentioned, my hon. Friend the Member for Crawley (Laura Moffatt) has also raised with me. The Lord Chancellor was advised last year of a complaint about Dr. Knapman's handling of the inquest into the death of Susan Annis. However, that complaint turned on the exercise by Dr. Knapman of his judicial discretion. As I stated earlier, the Lord Chancellor has no power to intervene about decisions of this nature made by coroners in particular inquests. The appropriate remedy is an application for judicial review or an application under section 13 of the Coroners Act. Section 13 provides for an application to be made to the High Court for an order to hold another inquest when that is necessary or desirable, whether by reason of fraud, rejection of evidence, irregularity of proceedings, insufficiency of inquiry or discovery of new facts, evidence or otherwise. I note that my hon. Friend referred to certain factors that he believes have come to light, which may fall into that category.

I turn now to the review of the coroner system, to which my hon. Friend the Member for Gravesham referred. In summer 2001, the Government appointed Tom Luce to chair a review of the death certification processes in England, Wales and Northern Ireland. The review is sponsored by the Home Office and the Northern Ireland court service, but is independent of Government. Tom Luce and his team published a consultation document on 30 August this year, having spent time with all the key professional bodies whose members work within the death certification and coroner system, as well as with voluntary bodies, support groups and private individuals who have experience of the system. To assist with its work, the review team has set up a reference group; among its members are two representatives from the Marchioness contact group. I know that Tom Luce plans to keep in touch with the group until the review is complete, and it is expected that a final report will be published next spring.

In view of the points made by my hon. Friend this evening, which are extremely important, I undertake to write personally to Tom Luce to draw his attention to those points and the comments that have been made about the coronial system. Therefore, before he begins the next stage of his work, he will be aware of my hon. Friend's concerns and the concerns of others that he has reflected.

This debate has highlighted very important concerns expressed by families in these most tragic circumstances. I hope that I have been able not only to highlight the powers that the Lord Chancellor has in such circumstances and the action that he has previously taken, but to emphasise the fact that lessons can be learned. We must do that.

I thank my hon. Friend and the right hon. Member for Kensington and Chelsea for their contributions. My hon. Friend has clearly expressed the concerns of those involved in this tragic case. We all pay tribute to them for continuing to campaign for what they think is right and for changes to be made. We can learn many lessons and I trust that he will accept that my writing to the review will, I hope, enable us to take forward many of the ideas that have been expressed.

Question put and agreed to.

Adjourned accordingly at fifteen minutes to Eleven o'clock.

House of Commons

Thursday 24 October 2002

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

COMMITTEE OF SELECTION

Order read for resuming adjourned debate on Question [16 October],

That Mr. John Hayes be discharged from the Committee of Selection and Mr. Peter Luff be added to the Committee.—*[Mr. Jim Murphy.]*

Hon. Members: Object.

Debate to be resumed on Monday next.

Oral Answers to Questions

EDUCATION AND SKILLS

The Secretary of State was asked—

Specialist Academy (Ramsgate)

1. **Dr. Stephen Ladyman** (South Thanet): What provision he has set aside for the creation of a specialist academy in Ramsgate. [75264]

The Minister for School Standards (Mr. David Miliband): Before I answer that question, it is right that I put on record the deep shock and sadness felt throughout the education world at the resignation yesterday of my right hon. Friend the Member for Birmingham, Yardley (Estelle Morris). Her contribution to education over the last five years has been immense. Pupils are taught better, in smaller classes, by better-paid, better-trained, better-supported teachers, thanks to her outstanding efforts. That is her legacy. She pioneered important reforms in our education system, but she did more that that. She acted at all times with complete integrity, total dedication and one goal—not her advancement but the advancement and achievement of pupils. Everybody with an interest in education will deeply regret her departure, and the world of politics is a much lesser place as a result of her absence from the top table. Politics needs people like my right hon. Friend.

The House will also have gathered, from the presence of my right hon. Friend the Member for Norwich, South (Mr. Clarke), that the Prime Minister has appointed him Secretary of State for Education and Skills. My right hon. Friend is not known as a quiet man, and the House will have many opportunities to question him in his new role. For the next hour, however, he will leave the questions to me and my more experienced ministerial colleagues.

As for the question tabled by my hon. Friend the Member for South Thanet (Dr. Ladyman), the Department has offered development funding to a partnership between Roger De Haan and Kent local education authority to draw up detailed plans for a proposed academy to replace Ramsgate school in Kent. We are determined to do all that we can to help deeply disadvantaged pupils in that area. All local interests will be fully consulted on the proposals.

Dr. Ladyman: May I say that I very much share the sentiments expressed about my right hon. Friend the Member for Birmingham, Yardley (Estelle Morris)? In view of the personal nature of her statement last night, may I ask on behalf of hon. Members, certainly on the Labour Benches, that our love and best wishes be passed on to her? I also congratulate my right hon. Friend the Member for Norwich, South (Mr. Clarke) on his appointment; it is an excellent choice.

As for the Ramsgate school, the announcement by my hon. Friend the Minister for School Standards is potentially the most exciting prospect for education in my constituency in a generation. I say that not just as a Member of Parliament but as a father of a young girl who is keen—

Mr. Speaker: Order. The hon. Gentleman must ask a supplementary question.

Dr. Ladyman: Will my hon. Friend assure me that the creation of this new school will not simply displace the problems currently experienced by the Ramsgate school elsewhere in the constituency?

Mr. Miliband: I can certainly assure my hon. Friend that the proposed academy is designed to be of benefit to many pupils in the area. The development funding is offered on the basis that the LEA and the sponsor will come forward with a proposal to help raise standards across the area with coherent provision across selective and non-selective schools in his constituency.

Mr. Roger Gale (North Thanet): I, too, welcome the involvement of Roger de Haan in local education in Thanet. Will the Minister assure me, however, that the proposal will not in any way be allowed to override his Department's duty to meet the needs of my constituents living in Cliftonville, Dane Valley and other areas of North Thanet, for whom the Ramsgate school might as well be on the moon?

Mr. Miliband: We are determined to do all that we can for all pupils in Kent. As the hon. Gentleman knows, funding has risen substantially in the area, which will lead to the provision of more teachers and more equipment. The academy initiative is designed to raise standards across the board.

Refugee Children (Mainstream Schools)

2. **Alan Simpson** (Nottingham, South): What assessment he has made of the impact of inclusion of refugee children in mainstream schools. [75265]

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Stephen Twigg): The Office for Standards in Education published a report in October 2001 entitled "Managing Support for the Attainment of Pupils from Minority Ethnic Groups", which included information on the impact and inclusion of refugee children in mainstream schools. Its main findings were that many needed extensive support to help them to acquire English, and some required additional home-school liaison and pastoral care support. Evidence exists, however, that once new bilingual learners overcome their lack of fluency in English, many go on to achieve high grades at school.

Alan Simpson: May I add my regrets at the forced departure of the Secretary of State for Education and Skills yesterday? It is a sad day for Parliament when someone of transparent honesty and integrity is required to stand down.

In respect of the education of refugee children, will the Minister bear in mind the overwhelming view of head teachers in my constituency who are the recipients of refugee children that they add enormously to the quality of education in schools? They have a hunger to learn and an enthusiasm to integrate, and that enthusiasm reflects the comments in the Department's joint document with the National Union of Teachers that

"the acquisition of English will be most rapid if new pupils engage and work with other children in the class . . . The host children are central to this solution".

If that is the case, can we reflect on the importance of integration in mainstream schools rather than on the creation of separate schools in accommodation centres?

Mr. Twigg: I am grateful to my hon. Friend, and I certainly agree with him. It is my experience that, once settled, refugee children play a positive part in many of our schools. I see that in my constituency.

The accommodation centres seek to deal with the turnover of new arrivals in schools. We are carefully considering our position following the vote in the other place, but we will seek to overturn the defeat that took place there. Nevertheless, there are great benefits from having in school children who have English as an additional language. Many of them do well and benefit the wider school community.

Mr. Roy Beggs (East Antrim): I genuinely regret the fact that the previous Secretary of State is no longer in her place, but I welcome her successor.

Does the Minister agree that, when refugee children or their parents have no command of English, the priority should be to provide individual tuition so that those children readily integrate into schools and their parents integrate into society?

Mr. Twigg: I am grateful to the hon. Gentleman, and very much agree with him. Our Department is working on the plans for education services for the children in accommodation centres. Learning English will be an absolutely top priority, as will delivering the rest of the national curriculum.

Secondary Schools (Normanton)

3. **Mr. Bill O'Brien** (Normanton): What steps are being taken to ensure best value in educational standards in secondary schools in the Normanton constituency; and if he will make a statement. [75266]

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Stephen Twigg): Wakefield local education authority's educational development plan sets out the steps being taken to ensure best value in educational standards in the secondary schools in the Normanton constituency. In addition, the Ofsted inspection system also ensures that all LEAs and schools provide best value in educational standards.

Mr. O'Brien: Does my hon. Friend accept that, for more than two years, I have been pressing the Department to consider the quality of secondary school buildings in Normanton and, particularly, the quality of buildings at Freeston high school? Does he accept that those buildings are dangerous, with falling masonry, narrow corridors and a lack of natural light? Their general condition is appalling. I have requested funding to help to rebuild the Freeston high school, and have also asked Ministers to visit it. The previous Under-Secretary of State for Education and Skills, my hon. Friend the Member for Wentworth (John Healey), agreed at column 453 on 25 April 2002 to visit the school. He gave that assurance to me as the Member of Parliament for Normanton and to the House. Will the Minister agree to follow up the promise and arrange for a visit to the school, and will he make arrangements to ensure that this dangerous building is replaced?

Mr. Twigg: I am aware that my hon. Friend has made representations to my hon. Friend the Minister for School Standards as well as to previous Ministers. I am happy to give an undertaking that we are prepared to meet representatives from his consistituency and, if possible, will arrange for one of the ministerial team to visit that secondary school.

Teacher Work load

4. **Linda Perham** (Ilford, North): What plans he has to reduce teacher work load in secondary schools. [75267]

The Minister for School Standards (Mr. David Miliband): On Tuesday, the Department announced a series of far-reaching proposals, on which I am now seeking agreement with national partners, designed to create more time for teachers to teach. This includes proposals for contractual changes, reform of the role of support staff and a concerted attack on unnecessary bureaucracy. This will contribute both to reducing teacher work load and to raising standards for pupils.

Linda Perham: I thank my hon. Friend for that reply, and I declare at the outset that I am married to a secondary school teacher. I welcome the package of

measures announced by my right hon. Friend the Member for Birmingham, Yardley (Estelle Morris), and join in the tributes paid to her.

Given the importance of classroom assistants in reducing teacher work load, is my hon. Friend aware of a survey conducted by my union, Unison? It found that 80 per cent. of classroom assistants earn less than £8,000. Does my hon. Friend agree that they and other staff supporting the excellent teachers in my borough of Redbridge and throughout the country deserve better recognition in their pay and training for the work that they do?

Mr. Miliband: I am happy to pay tribute to the excellent work that is done not just by teachers but by the support staff in Redbridge and elsewhere. Pay and conditions are a local matter and are negotiated locally, but I assure my hon. Friend that, as part of the package announced on Tuesday, the Government made it clear that a qualifications and training framework that recognises higher-level tasks will now be developed in partnership with the relevant authorities. That will recognise the higher-level tasks classroom assistants will now be asked to perform.

Sir Patrick Cormack (South Staffordshire): In paying tribute to the frank, open and honest statement made by the former Secretary of State last night—a refreshing contrast to many other statements made by Ministers on both sides of the House in recent years—may I stress how essential it is that the paper load placed on teachers is reduced? Does the Minister agree that the amount of paperwork that teachers are expected to absorb and master is incompatible with devoting proper time to their teaching duties?

Mr. Miliband: I think it is worth recording my thanks to the hon. Gentleman for his remarks, which some people may contrast with the comments made by other Conservative Members in the past 24 hours.

I agree that we need a concerted attack on unnecessary bureaucracy. That is why on Tuesday we announced that a panel of 12 serving head teachers will have a unit of their own, reporting annually in public, with the power to summon Ministers and quango heads, to ensure that we tackle the processes as well as the symptoms of unnecessary bureaucracy.

Mr. Barry Sheerman (Huddersfield): As Chairman of the Education and Skills Committee, I associate myself with the tribute to the former Secretary of State. Public life will be poorer for the exit of that young lady from the office. I also welcome my right hon. Friend the Member for Norwich, South (Mr. Clarke) to the Dispatch Box.

Will my hon. Friend look closely at the Select Committee's report on early years education which tackles the problem of support staff? Those talented people come into schools to work and should be encouraged to train and upskill so that they become a new talented resource that allows teachers to teach and the quality of education to grow in the classroom.

Mr. Miliband: My hon. Friend makes a good point. The importance of a career path for classroom assistants so that they move up the ladder in schools, perhaps to become qualified teachers if they want to, is an important part of the proposals that we are developing. I assure him that we will take on board the comments in his Select Committee report.

Mr. Damian Green (Ashford): First, may I welcome the new Secretary of State to his post? I understand his uncharacteristic silence and look forward to a constructive exchange of views in future.

I agree with the Minister for School Standards that the former Secretary of State has many admirable personal qualities. Policy failures caused her resignation and changing those policies is a key task for her successor. The root cause of that failure is set out on page 11 of the Government's document on teacher work load. It states:

"high levels of prescription and intense scrutiny can create bureaucracy, stress and increased workloads."

That is exactly right and a precise description of the Government's policy. Will the Minister admit that his Government have spent years tying teachers up in red tape and that until they stop that, the failures that caused the right hon. Lady to resign will continue under her successor?

Mr. Miliband: Many parents and teachers watching today may draw a contrast between the dignified way in which my right hon. Friend spoke last night and the hon. Gentleman's churlish comments this morning. They may even ask themselves whether the right person ended up resigning.

The hon. Gentleman knows that the amount of money delegated directly to the hands of head teachers has risen substantially under the Government by between 8 to 10 per cent. That stands in stark contrast to the position under the last Government. I am pleased that teachers and head teachers now have more power in their own hands, and we are going to add to that in the months ahead.

Mr. Green: After that performance, the hon. Gentleman should learn not to write his answers before he hears the questions. If he does not agree that pointless form filling annoys teachers, perhaps he will agree with the remark later in the report that

"Poor pupil behaviour is a major cause of teacher workload".

In the spirit of generosity, I commend to the new Secretary of State our policies on home-school discipline contracts and the abolition of independent appeals panels. They would give power back to heads and teachers, remove much unnecessary work and give all children a chance to learn. Will the Government adopt those policies?

Mr. Miliband: The hon. Gentleman should not write his questions before the sitting. He has just changed his policy again. Last week he said in the Chamber that the Opposition would not abolish independent appeals panels; they would bring in local education authority panels to countermand them. He has just said that he has reverted to the old position. He will have to do much better.

Richard Burden (Birmingham, Northfield): I know that as a former teacher herself, my right hon. Friend the

Member for Birmingham, Yardley (Estelle Morris) cared passionately about the work load of teachers and its importance in motivating them. She had several run-ins with teacher unions, but does it not speak volumes for her integrity that they greeted yesterday's announcement with shock and sadness? Does my hon. Friend agree that there are lessons for all of us in her message last night about the way we do politics and about the way in which the Opposition go about their business, and a message for the media as well? I take this opportunity, on behalf of my right hon. Friend's Labour colleagues in Birmingham, to pay tribute—

Mr. Speaker: Order. That is not the purpose of a supplementary question. The hon. Gentleman should sit down. I, too, have the highest regard for the right hon. Member for Birmingham, Yardley (Estelle Morris), but we must go through the Order Paper. That is the purpose of our business here today.

Mr. David Rendel (Newbury): I hope none the less, Mr. Speaker, that you will allow me, on behalf of my colleagues, formally to welcome the Secretary of State to his new position, and to say that we regret the fact that the previous Secretary of State has become yet another victim of the Government's target culture.

On secondary school work loads, does the Minister accept that there are already a very large number of unqualified people in charge of our classes? Do not his new policies simply mean that there will be yet more unqualified people in our secondary schools taking charge of classes in future?

Mr. Miliband: I am pleased to say that the proposals announced on Tuesday complement the Government's commitment to have 10,000 more teachers in our schools during this Parliament. We are not at all ashamed of saying that language specialists, sports coaches and musicians should be coming into our schools, not to substitute for teachers, but to work under their direction and to supplement the invaluable work that they do.

Mr. Chris Bryant (Rhondda): Teachers in Wales will consider that the announcements made by my right hon. Friend the Member for Birmingham, Yardley (Estelle Morris) this week were probably the most important thing that she contributed to their work, thanks to devolution. What conversations has my hon. Friend had with his colleagues in Wales to ensure that the full implementation of what was announced will apply to the whole of Wales?

Mr. Miliband: I can reassure my hon. Friend that representatives of the National Assembly for Wales participate as full members in the forum that we have established with all interested parties to work through the package, and they will continue to do so.

Student Support

5. **Matthew Green** (Ludlow): If he will make a statement on student support for 2003–04. [75269]

The Minister for Lifelong Learning and Higher Education (Margaret Hodge): We have no plans to make widespread changes to the financial support arrangements for students entering or continuing in higher education in 2003.

Matthew Green: Given that students entering university now and perhaps going on to a public sector job would face at least 15 years of repaying their loans at 9 per cent. of their earnings above £10,000, will the Minister take this opportunity to state that the Government will never introduce commercial rates on loans, which would add another five or more years to the repayment of those loans for the average public sector worker?

Margaret Hodge: I am not in the business of pre-empting the higher education strategy document that we will be publishing at the end of the month. However, our income-contingent loan scheme is far superior to the old mortgage-style loan scheme that the previous Government introduced, as it ensures that people repay their loan according to what they earn.

Mr. David Lepper (Brighton, Pavilion): As a member of the National Union of Teachers, may I associate myself with the comments that have been made from these Benches about our former Front-Bench colleague, my right hon. Friend the Member for Birmingham, Yardley (Estelle Morris)? Notwithstanding my hon. Friend's understandable comment about not pre-empting announcements which I am glad to hear are to be made later this month, will she take this opportunity to reaffirm what I understand has always been the Government's policy: their opposition to top-up tuition fees in universities?

Margaret Hodge: My time is slightly ahead of me. We shall announce our higher education strategy document at the end of next month. I am not in a position today to make any statement about what will be incorporated in it. What I am happy to say is that we will ensure that debt and the fear of debt do not inhibit students from participating in higher education, and that we want to create not a social elite but an intellectual elite in which everyone, according to ability, is allowed to develop his or her full potential.

Adam Price (East Carmarthen and Dinefwr): The Minister will be aware of the Assembly learning grant which was introduced in Wales at the beginning of the current academic session. Can she tell me why grant awards to low-income students are being classed as income and therefore being clawed back by the Government from part-time students—a practice that I understand is not followed in the case of the English and Welsh universities access fund?

Margaret Hodge: I understand that negotiations are proceeding as we speak between my colleagues in the Welsh Assembly and those in the Department for Work and Pensions over whether the new grants should be classed as income for benefit purposes. I look forward to learning the outcome.

Ms Meg Munn (Sheffield, Heeley): May I too associate myself with the tribute to the former Secretary

of State for Education and Skills, my right hon. Friend the Member for Birmingham, Yardley (Estelle Morris), and with the welcome to my right hon. Friend the Member for Norwich, South (Mr. Clarke)?

Does my hon. Friend agree that one of the important aims of student support should be to ensure that children from worse-off backgrounds can go to university, as they currently cannot, and not to continue to give unwarranted support to children from better-off backgrounds?

Margaret Hodge: I have often said in the House that I think that in future we will be judged, in relation to increasing participation in higher education, on whether we have managed to change the socio-economic profile of those who enter it. I have also said, and will reiterate, that we have set ourselves a complex challenge. We need to raise standards in our secondary schools to ensure that more young people from lower-income groups stay at school, and we need to raise their aspirations so that they aim higher and see university as an option.

Criminal Records Checks

6. **Mr. Jonathan Djanogly** (Huntingdon): What meetings he has had with the teaching unions to discuss criminal record checks on teaching staff. [75271]

The Minister for School Standards (Mr. David Miliband): My right hon. Friend the Secretary of State met representatives of the Secondary Heads Association, the National Association of Teachers/ Union of Women Teachers, the National Union of Teachers and the Association of Teachers and Lecturers on 4 September to discuss the matter.

Mr. Djanogly: With thousands of applications still outstanding, Cambridgeshire county council alone still has some 40 checks outstanding, yet all the applications were put in before June. The situation is becoming serious. I have received a letter from the leader of the council, and the leaders of the Liberal and Labour groups, expressing deep concern about the new disclosure service. They complain about long delays in recruitment inevitably impacting on service users. They say that recruitment itself is problematic, and that existing staff are under increasing stress. Given that backlog of thousands, what will the Government do to sort out the shambles?

Mr. Miliband: I share the hon. Gentleman's concern about this important issue. I am pleased to say that the processing system has undergone significant improvement in the last four to six weeks, and that the throughput of disclosures has risen over that time. One assurance I can give the hon. Gentleman is that the Department has agreed on a special fast-track procedure where particular problems exist, so that the Criminal Records Bureau can deal with the issues as quickly as possible.

David Burnside (South Antrim): In maintaining the highest possible standards in relation to criminal records, will the Minister, on behalf of the Department, have discussions with his opposite number in the Northern Ireland Office to ensure that—at ministerial, civil service and special policy adviser level—the Department of Education in Northern Ireland applies the same standards as we apply on the mainland in demanding no criminal record in the case of anyone involved in teaching, and in education generally, throughout the United Kingdom?

Mr. Miliband: In the new circumstances, we will have discussions with colleagues, and I can certainly assure the hon. Gentleman that we will put that issue on to the agenda.

Mr. Charles Hendry (Wealden): The Minister will recall the debate on this subject in Westminster Hall in which the Under-Secretary of State for the Home Department, the hon. Member for Leeds, Central (Hilary Benn), said that the most effective way of getting a prompt record check was to use the telephone service provided by the CRB. In that case, why are almost no schools or voluntary organisations aware of the service, even though it could have saved them many weeks in getting a check processed? What plans does he have to make it better known? He will also be aware that those who have to fill in the forms—the people who know most about this subject—are frustrated that they were never consulted about either the nature or style of the form? How does he intend to simplify the form and involve schools, voluntary organisations and their advisers in that process?

Mr. Miliband: We take seriously the need to tackle the roots of this problem. The special team sent in by the Home Secretary under Mr. Patrick Carter is looking at every stage of the CRB process. It will also have discussions with a wide range of colleagues and interests to ensure that the form is as processable as possible. On the hon. Gentleman's point about publicity, my understanding is that a number of people have been using the phone line and other mechanisms of getting in touch, but I shall look into the concern that he raised.

Disruptive Pupils

7. **Mr. Chris Pond** (Gravesham): What further measures he proposes to deal with the problems caused by disruptive pupils in schools. [75272]

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Stephen Twigg): We continue to invest in a range of measures to establish good behaviour and discipline in all schools. Teachers dealing with the most challenging behaviour have access to in-school support from learning mentors and others. We stand by the head teacher's right to exclude the most disruptive pupils in the best interests of the school community as a whole. Such pupils now have access to full-time education outside the school. We will set out shortly the next stages of our strategy to improve pupil behaviour, discipline and attendance.

Mr. Pond: Will the Minister accept from me later a brief dossier from head teachers in Gravesham about the effects of disruptive pupils in their schools? The dossier includes a report of an incident yesterday in which a nine-year-old kicked his teacher, but could not be sent home because his parents refused to collect him.

Does my hon. Friend consider that we need special provision in primary schools for disruptive pupils and perhaps also wider use of parenting orders to ensure that parents take responsibility for their children's behaviour?

Mr. Twigg: I will be very happy to receive the dossier from my hon. Friend, who highlights one example from a number of very disturbing cases. Much of the focus of the strategy has so far been on secondary schools, but he is right to emphasise that, tragically, many such cases are arising in primary schools. Staff in our schools have a right to work in an environment where they are not subject to violence, abuse and harassment, and parents have a duty to take responsibility for their children.

Chris Grayling (Epsom and Ewell): Is the Minister aware that many head teachers find when they become caught up in issues of process in relation to appeals panels that they have no guidance about that process? When he modifies the appeals panel process this January, will he consider the guidance that head teachers are given about the specific processes that are needed to ensure that they are watertight in any legal discussions?

Mr. Twigg: That is exactly what we are doing. We are saying that we want appeals panels to be more effective and want to ensure that somebody with practical classroom experience is included on every panel. We do not want the panels to overturn the decision made by a head teacher simply on the basis of a technicality. We want to balance the interests of the individual child who might appeal with the wider interests of the school community. We have listened to the concerns of head teachers and taken them on board, which is why we will issue the new proposals starting in January.

John Mann (Bassetlaw): There is often a link between disruptive behaviour and experimentation with drugs. Can some changes be made to the guidelines on the national curriculum for secondary schools to ensure that every school has to have high-quality anti-drugs education?

Mr. Twigg: I met my hon. Friend earlier this week, when he took the opportunity to present me with the report of his local inquiry into the use of heroin. The findings are extremely disturbing. I am considering the advice and guidance that is given to schools on drugs, alcohol and tobacco. We are listening to a range of people who work in the field and we will be looking to see that the curriculum meets those challenges.

Mrs. Eleanor Laing (Epping Forest): Does the Minister recognise that many children who are excluded from school have disruptive behavioural problems not by chance, but as a result of medical disabilities? Such children already have special educational needs, but when their schools can no longer cope with their disruptive behaviour and they have rightly to be excluded to protect the education of other children, current policy means that they receive only a few hours' education a week. I know one little boy, Michael, who has Simpson-Golabi-Behmel syndrome, which means that he cannot help being disruptive. He has had almost no education for the last seven months. What will the Minister do to help children like him?

Mr. Twigg: I want to ensure that people have full and equal access to education regardless of their disability or their special educational needs. That is why we legislated in the previous Parliament with the Special Educational Needs and Disability Act 2001. That is also why we have extended the Disability Discrimination Act 1995 to cover schools. I absolutely agree with the hon. Lady, however, that this is a big challenge: services are not universally good and a lot more work needs to be done. I am working with many of the organisations in the field to try to deliver a general improvement in the quality of service.

Surplus School Places (Liverpool)

8. **Mrs. Louise Ellman** (Liverpool, Riverside): What assessment he has made of the proposals for the removal of surplus places from schools in Everton and Vauxhall in Liverpool. [75273]

The Minister for School Standards (Mr. David Miliband): The Department does not assess statutory proposals for changes to schools, as I think my hon. Friend knows. Such proposals are decided by the local school organisation committee or, if it cannot agree, by the independent schools adjudicator. I understand that proposals for the removal of surplus places in Catholic primary schools in Liverpool originate with the archdiocese concerned, in partnership with the city council.

Mrs. Ellman: I accept that Liverpool city council has prime responsibility for decisions on school closures, but does my hon. Friend share my concern that insufficient attention has been given to the link between regeneration opportunities and educational provision in this inner-city area? Is he aware of the work of the parents action group in this regard, and would he be willing to consider its views on the link between regeneration and educational attainment?

Mr. Miliband: My hon. Friend will know that I visited her constituency in June, and I was very impressed not only by the tributes paid to her and her work on regeneration and education but by the work being done by the city council in tandem with voluntary organisations in the city and, specifically, in her constituency. If her parents action group wants to come to London, I will certainly meet it here, unless I get back to Liverpool before that.

School Transport

9. **Mr. Mark Todd** (South Derbyshire): When distance limits on school transport entitlement were last altered; and if he will make a statement. [75274]

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Stephen Twigg): The statutory maximum walking distances were set in 1944. Local education authorities have the power to consider

applications for help with transport costs that are not covered by the statutory criteria, using their discretionary powers.

Mr. Todd: In 1944, there were about 1 million vehicles on British roads; there are now 24 million. In 1944, footpaths were heavily used by people walking to work, and provided a safe means of transit. They are now much less safe in areas such as mine. Is it perhaps time for us to review the limits?

Mr. Twigg: As I said in my answer, local authorities have discretionary powers, and there are some good examples of authorities that have chosen to exercise them. My hon. Friend's own local authority does so in a number of respects. The social exclusion unit is conducting an inquiry into the links between poor transport and access to key services, including education, and work. We are awaiting the unit's full report, but officials in the Department for Education and Skills have been working with the unit, and that may well provide a basis for us to take this debate a little further forward.

Mr. David Heath (Somerton and Frome): Traffic conditions have changed, but so have the circumstances of the schools system: we now have specialist schools and the concept of parental choice, for example. All those changes militate against the system that was set up in 1944. When we add to that the fact that, in rural areas such as my own in the county of Somerset, a huge amount of money is spent on school transport without any recompense—thanks to a ridiculous formula system that does very poorly for us and many other areas of the country—it becomes clear that it is time for a fundamental review of the school transport system. Will the Minister please put that into place at the earliest possible opportunity, to coincide with the change in the local authority funding system that we shall discuss later today?

Mr. Twigg: I cannot promise to make it coincide with the new funding formula. This is an immensely challenging area. I have been taking a look at the matter and I will continue to do so. If the hon. Gentleman has a scheme in mind that would be workable and that I can sell to colleagues and to the House, I would be delighted to consider it.

Mr. Huw Edwards (Monmouth): Is my hon. Friend aware that the Education Act 1944 also allows bus companies to permit three children under the age of 15 to sit on a double seat? That leads to gross overcrowding on scheduled bus services taking children to school in my constituency, especially from the village of Llandogo. Will my hon. Friend seriously consider this issue, and get rid of this rule?

Mr. Twigg: I am grateful to my hon. Friend. I must confess that I was not aware of that rule, but I will take a look at it, as requested.

Mr. James Paice (South-East Cambridgeshire): In addition to the reasons given by two hon. Members for reviewing this legislation, will the Minister also take into account the fact that, because of deteriorating road conditions and safety, young children often have to walk along verges—never mind pavements—and that countless parents are no longer prepared to let their children walk the statutory distance? Such parents have to use their cars to take their children to school, which causes immense congestion outside schools, and unnecessarily puts many extra vehicles on the road. Several of the Government's objectives could be met if they themselves were to take the lead. The discretion of local authorities is not adequate, because they are not funded and do not benefit from the environmental gain that could be achieved if the Government took action

Mr. Twigg: It makes a change for the Department for Education and Skills to be accused of not being centralist enough, but I will certainly look at the representations that the hon. Gentleman makes. It is clear that support exists in all parties for looking at this matter, but I repeat that any change would involve losers as well as winners, so I need to look very carefully at how such change would work. However, I certainly appreciate the hon. Gentleman's point about parents' concerns for their children's safety in the light of increased traffic volumes, pollution and the rate of crime.

Higher Education

11. **Jane Griffiths** (Reading, East): What plans he has to widen participation in higher education. [75276]

The Minister for Lifelong Learning and Higher Education (Margaret Hodge): We are firmly committed to widening participation in higher education, so that all our brightest students, whatever their background, enjoy the full opportunity to develop their potential. Through our secondary school reform agenda, we want to raise attainment levels. Through the introduction of the education maintenance allowance, we want to encourage young people from low-income backgrounds to stay in full-time education; and through our "Excellence Challenge" programme, we want young people to aim higher.

Jane Griffiths: Does my hon. Friend agree with me and the staff and students of Reading university that action is needed not only to widen participation, but to enable universities in constituencies such as mine with a high cost of living to have a student body with the widest possible background?

Margaret Hodge: Every university is enhanced by having a broad-based student population, from which every student can learn.

Mr. George Osborne (Tatton): My constituent Katy Smith was one of the students who took part in yesterday's lobby of Parliament on student debt. She made the powerful case that student debt deters people from poorer backgrounds from applying to university. Before the last election, the then Education Secretary—the current Home Secretary—promised not to introduce top-up fees for students. Would the current education team like to inherit that promise as well?

Margaret Hodge: I, too, saw the people from the National Union of Students who came to the House

yesterday. The point that I made to them was that they should see their contribution to the cost of their education as an investment. Over their lifetime, people who are graduates will earn £400,000 more than those who are not. In that context, if they incur costs of up to £10,000, that is a good investment, not a cost.

Jonathan Shaw (Chatham and Aylesford): Does my hon. Friend agree that debt is cyclical, and is it not time that we looked at the way that we pay students? They have the least experience and a small amount of money, so rather than giving them everything up front at the beginning of term, would it not be better to give them the choice of monthly payments? That would help them to manage their finances much better.

Margaret Hodge: My hon. Friend has made that suggestion to me on several occasions, and I am delighted to inform him that I have asked the Student Loans Company whether that is a feasible option for the future payment of loans.

Local Government Finance

12. **Mr. Anthony Steen** (Totnes): When he will decide on option 5 funding for education in Devon. [75277]

The Minister for School Standards (Mr. David Miliband): The Government will carefully consider all the suggestions that are put to us in response to the consultation; indeed, we will be having a long debate on that this afternoon. We will announce decisions on the new funding system by early December, along with the provisional settlement for 2003–04.

Mr. Steen: Of the four options for education funding proposed by the Government, none eliminates discrimination against Devon's children, who get a raw deal when compared with many of their county cousins. Will the Minister ensure that the new education funding formula, when it comes about, is egalitarian and eliminates the postcode lottery of funding for schools?

Mr. Miliband: You will know, Mr. Speaker, that the hon. Gentleman and I had a good debate in Westminster Hall at which I learned a lot about the particular problems of education in Devon. He and I are corresponding on some of the facts underlying the matter. Labour Members of the House are always happy to commit ourselves to an egalitarian solution.

Support Staff (Further Education)

13. **Mr. Colin Challen** (Morley and Rothwell): What plans exist to improve the pay of support staff working in further education. [75278]

The Minister for Lifelong Learning and Higher Education (Margaret Hodge): In September, I announced an extra £32 million for the teaching pay initiative in further education this year, including £12 million to allow colleges to extend the initiative to support staff.

Colleges have the flexibility to determine how they allocate their share of the £32 million between different groups of staff to meet local priorities. We have already announced that unit funding for colleges will rise by 1 per cent. a year in real terms over the next three years.

Mr. Challen: I welcome that answer and thank my hon. Friend for it. I also welcome the new Secretary of State to his post and express the hope that his predecessor will return swiftly to the Government. One of her legacies is that there is more integration in the further education sector between colleges and schools and other institutions. However, we need more parity in the rewards that people get in those places. In my constituency, we have the Rothwell partnership, in which Joseph Priestley college is working with three high schools. The staff involved need parity. Will the Government look at that issue and reward them appropriately?

Margaret Hodge: I welcome the activities in my hon. Friend's constituency between Joseph Priestley college and a number of schools. Such co-operation puts the individual at the heart of the learning process and ensures that institutional silos do not inhibit that. We have a manifesto commitment to ensure that we raise levels of pay in further education colleges so that we get equal funding between the two sectors. We remain committed to that.

Mr. David Kidney (Stafford): Will my hon. Friend confirm whether industrial action in further education is still planned for November? Will she confirm that the dispute is about pay and say what she is trying to do to avert it?

Margaret Hodge: It is my view that industrial action is not necessary, given our announcement of the extra £32 million that we have made available to the employers to ensure that they can negotiate and reach agreement with all the unions. That £32 million is the same as 1 per cent. on the pay bill, which is sufficient to prevent industrial action next month.

Primary Education Targets

14. **Richard Younger-Ross** (Teignbridge): What progress has been made towards meeting the targets set for his Department for 2004 relating to primary school education. [75279]

The Minister for School Standards (Mr. David Miliband): Primary schools have made outstanding progress in raising standards over the last five years. This year, 75 per cent. of 11-year-olds achieved the expected level in English, and 73 per cent. did so in mathematics, maintaining world-leading standards of achievement. We believe that schools can achieve even higher standards, and have a challenging target of 85 per cent. by 2004. The hon. Gentleman will be pleased to know that we are already working closely with local education authorities and schools to ensure progress towards that.

Richard Younger-Ross: It is clear that the previous Secretary of State had not met her targets. In 1999, the right hon. Lady said that if she did not meet her targets, she would resign. She also said at that time that her colleagues would resign as well. If her colleague who is now the Secretary of State followed what his predecessor promised, could this be the quickest resignation on record?

Mr. Miliband: I think that we have probably had enough of that for one 24-hour period. I assure the hon. Gentleman that we will work closely with teachers, who have achieved outstanding improvement but can go further, notably in the primary education of boys, where there is a significant gap between them and girls. We are working on that already.

Science and Engineering

16. **Michael Fabricant** (Lichfield): What steps he is taking to promote the take-up of science and engineering places in further and higher education establishments. [75281]

The Minister for Lifelong Learning and Higher Education (Margaret Hodge): The Government are strengthening science education in schools and helping careers advisers and teachers to explain how science and engineering offer challenging careers. The Government are also implementing the recommendations of Sir Gareth Roberts's review of the need for people with skills in science, technology and engineering.

Michael Fabricant: The Minister may be aware that, over the last 10 years, there has been a significant decline in the number of students taking A-levels in physics and maths, with numbers falling by 30 per cent. In chemistry, the number has fallen by 20 per cent. What attempt will she make to encourage more people to study science subjects at A-level to enable them to do those subjects at university? Has she any plans to meet with the Engineering and Technology Board, which has been set up to promote that very end?

Margaret Hodge: I frequently meet several professional organisations that represent engineering and science interests. I have to yet to receive a request from the organisation to which the hon. Gentleman referred and look forward to receiving that request. We have plans to try to encourage more young people, especially girls, to take science subjects through to A-level and on to university. The recent decline is very serious and we need to provide incentives and encouragement in the school system from the youngest age to try to reverse that long-term trend.

SOLICITOR GENERAL

The Solicitor-General was asked—

Police Custody Deaths

32. **Syd Rapson** (Portsmouth, North): What criteria are applied in deciding to prosecute where a death in police custody occurs. [75299]

33. **Shona McIsaac** (Cleethorpes): If she will make it her policy to allow the views of the family of victims be taken into account when deciding whether to prosecute following a death in police custody. [75300]

The Solicitor-General (Ms Harriet Harman): In deciding whether to prosecute after a death in custody, the Crown Prosecution Service applies the code for crown prosecutors, as it does in all cases. First it considers whether there is sufficient evidence to provide a realistic prospect of a conviction and, if there is, whether a prosecution is in the public interest. As with all cases, the CPS will start or continue with a prosecution involving a death in custody only if both tests are met. The CPS considers any information provided by or on behalf of the family in deciding whether to prosecute.

Syd Rapson: I thank my right hon. and learned Friend for that answer and congratulate her on the 20th anniversary of her election to this House. She seems so young.

In cases of deaths in custody, it often appears that no one is held to account. How can we build the public's confidence that such tragic cases are properly investigated?

The Solicitor-General: I thank my hon. Friend for his comments about my 20 years in the House. He makes an important point about relatives needing to have confidence that if a criminal act has been committed, people are held to account with no cover-ups behind closed doors. That is about good investigation and effective decision making in prosecution.

Shona McIsaac: I thank my right hon. and learned Friend for her answer, but she will appreciate that families need to know that someone is on their side, otherwise they will suspect a cover-up. What does the CPS do to liaise with families and reassure them that their views are taken into account and that matters are properly investigated?

The Solicitor-General: My hon. Friend is right that more needs to be done to reassure relatives that if a crime has taken place, someone is held to account for it. She may know that the Attorney-General, who takes these issues seriously, has issued a consultation paper that explores the prosecution of deaths in custody. In his consultation with the police, the Prison Service, relatives and the CPS, he has found that we have not done enough for relatives, and the CPS is well

aware of that. Prosecutions have to be public, not private, but that does not mean that relatives should be kept out of the picture and their views ignored.

Mr. John Burnett (Torridge and West Devon): I hope that the Solicitor-General will acknowledge that her Department relies heavily on the work of coroners, who can refer deaths in custody cases to the Director of Public Prosecutions and to the CPS. Another review is taking place of coroners services. Does the Solicitor-General agree that it is in the public interest that coroners courts have greater power at inquests, for example, to seize documents, to summon witnesses throughout the UK and to insist on full disclosure to the coroner in due time?

The Solicitor-General: The hon. Gentleman is right to remind the House that there is a wide overlap between the work of coroners and of criminal courts in cases of death in custody. We need to be certain that there is complete openness and full investigation. He raises these matters at an opportune time, as the Lord Chancellor is consulting on the powers and procedures in relation to coroners. The two reviews that I have mentioned need to be looked at side by side, as we must make sure that deaths in custody are fully investigated.

Mr. Peter Pike (Burnley): Does my right hon. and learned Friend believe that sufficient consideration has been given to the Christopher Alder case, in which the prosecution failed? Will the current review take account of all the circumstances of that case, so that the same problems do not arise in future?

The Solicitor-General: I thank my hon. Friend for raising the question of the death in custody of Christopher Alder, of which the Attorney-General and I are well aware. The Attorney-General has been closely involved in the work of the Crown Prosecution Service and of the Director of Public Prosecutions in connection with the case.

Publication of the findings of the Attorney-General's consultation paper on deaths in custody has been delayed precisely because the Alder case threw up more issues of concern that must be considered. We have taken into account the Alder family's views about their experience of the prosecution. It is awful for people who have lost a loved one to feel that they have suffered an injustice.

The good news is that the number of deaths in custody has fallen from 65 in 1998 to 32 in 2000. Holding people to account and prosecuting them is about more than securing justice for people who have died. It is also about preventing deaths in the future, because people will know that they will be held to account.

Financial Crime

34. **Mr. Bill O'Brien** (Normanton): If she will make a statement on the prosecution of financial crime. [75302]

The Solicitor-General (Ms Harriet Harman): We consider the effective prosecution of financial crime to be very important. We cannot allow white-collar criminals to escape justice. The Serious Fraud Office and the Crown Prosecution Service prosecute financial crime. The Proceeds of Crime Act 2002, which comes into effect in February 2003, will mean not only that financial crime will be prosecuted, but that the proceeds of such crime can be prosecuted more effectively.

Mr. Bill O'Brien: Does my right hon. and learned Friend share my concern at the low number of prosecutions carried out by the Serious Fraud Office, especially given the additional resources that it received two years ago? Can something be done to ensure that more cases are brought to justice, in line with the comments that she made in her further response to the previous question?

The Solicitor-General: As my hon. Friend may know, the Serious Fraud Office prosecutes only those cases in which more than £1 million is at stake. The difference between the SFO and the CPS is that the former investigates a fraud as well as prosecuting it. Financial crime is linked with money laundering, terrorism, drugs and human trafficking, and it is very important that we recognise that the problem must be sorted out internationally as well as nationally. A working party involving all Departments has looked into improving the response to fraud. As international fraud grows, we must be sure that we improve our performance in tackling it.

Mr. Nick Hawkins (Surrey Heath): I add my congratulations to the Solicitor-General on the 20th anniversary of her service in Parliament.

In the light of her answers to the hon. Member for Normanton (Mr. O'Brien) on the rather arbitrary limit on investigations by the SFO, will the right hon. and learned Lady say whether she proposes to encourage the SFO's excellent officers to make their skills available to other police forces? The SFO was set up by the previous Conservative Government, and such a move would enable its officers to share the expertise that they have developed over the years. The skills of SFO officers could then be used in smaller investigations. I hope that she will accept that even frauds below the limit of £1 million can have serious international implications, a point that was debated at length during the passage of the Proceeds of Crime Act 2002.

The Solicitor-General: I thank the hon. Gentleman for his comments, and welcome him to the Dispatch Box in his new role. As I said, the SFO investigates fraud involving more than £1 million, and the CPS prosecutes frauds below that level. There is a close relationship between the CPS and the SFO. Other police forces that are investigating crimes involving less than £1 million certainly work closely with the Serious Fraud Office and draw on its expertise. It is not clear when they start the investigation whether the figure is more or less than £1 million. We are talking about large sums of money—about £14 billion is estimated to be lost through serious fraud, which affects victims both rich and not rich. It is not a victimless crime; it is also about poor people being ripped off. We feel very strongly about white-collar crime and not allowing fat cats to get away with it.

Business of the House

12.30 pm

Mr. Eric Forth (Bromley and Chislehurst): Will the Leader of the House give us the business for next week?

The Leader of the House of Commons (Mr. Robin Cook): The business for next week will be as follows:

MONDAY 28 OCTOBER—Opposition Day [20th]. Until 7 o'clock there will be a debate on implications of the Human Rights Act for UK law followed by a debate entitled "The Expulsion of Sinn Fein/IRA from the Palace of Westminster". Both debates arise on an Opposition motion.

TUESDAY 29 OCTOBER—Debate on motions relating to the Modernisation Committee Report on reforming the House of Commons and the Procedure Committee Report on Parliamentary questions.

WEDNESDAY 30 OCTOBER—Motion to approve a statutory instrument relating to the provisions of the Terrorism Act 2000 followed by consideration of Lords amendments to the Enterprise Bill

THURSDAY 31 OCTOBER—Debate on defence in the UK on a motion for the Adjournment of the House.

FRIDAY 1 NOVEMBER—The House will not be sitting.

The provisional business for the week after will be:

MONDAY 4 NOVEMBER—Consideration of Lords amendments to the Adoption and Children Bill.

TUESDAY 5 NOVEMBER—Consideration of Lords amendments to the Nationality, Immigration and Asylum Bill.

WEDNESDAY 6 NOVEMBER—Consideration of Lords amendments to the Animal Health Bill.

THURSDAY 7 NOVEMBER—The House will consider any Lords amendments which may be received.

The House will be prorogued when Royal Assent to all Acts has been signified

The House may also be asked to consider any Lords messages which may be received.

Mr. Forth: I thank the right hon. Gentleman for letting us have the future business. Will he give a firm undertaking that the forthcoming report on foot and mouth will be given a full day's debate in its own right in the House early in the new Session? The Leader of the House knows very well the importance that everybody attaches to the report and the House will have to be given every opportunity to examine it thoroughly and completely. I hope that the right hon. Gentleman will be able to give us that assurance so that we can look ahead with confidence to dealing with that matter in the proper way.

The Animal Health Bill, to be considered on 6 November, has been almost completely redrafted in another place. Therefore, it will come to us with a large number of new clauses and schedules. Will the right hon. Gentleman guarantee that the House will be given adequate time to consider the measure? In fact, I would prefer an undertaking that there will be no time limit on its consideration at all. I would undertake that the official Opposition would treat it in a proper and responsible way. We would not want it to be the case—and neither would you, Mr. Speaker—that the large number of changes that have been made quite properly to this important Bill in another place were somehow not considered in this place and were ever to be sent back to another place, voted on in some peremptory way without having been properly considered or debated. I hope that the Leader of the House will accept that our role in this House, complementary as it is to the other place, requires that we spend a proper amount of time on that Bill in these circumstances.

The Deputy Prime Minister said on 22 October with regard to the firefighters dispute:

> The House can be assured that I will, at every opportunity, keep it fully informed.—[*Official Report*, 22 October 2002; Vol. 391, c. 127.]

Given the exchange between my right hon. Friend the Leader of the Opposition and the Prime Minister yesterday and the almost complete confusion that seems to be emerging from various sources in the Labour party, the Government and elsewhere, when does the Leader of the House next expect the Deputy Prime Minister to report to the House on such matters as whether picket lines will be crossed, and military personnel or other temporary personnel given access to the most modern equipment in fire stations in the pursuance of fighting fires? Just as important is whether military personnel who are required to act as firefighters during any strike will be properly covered, insured and protected in every way from hazard and from liability claims when we ask them to do this most hazardous and difficult job.

Those are just some of the questions that I hope the Deputy Prime Minister will come to the House early—ideally, before any dispute even starts—to answer, to reassure us and the people of this country that these matters will be dealt with properly and not brushed under the carpet, which is what the Prime Minister tried rather ineptly to do yesterday.

On Monday evening, one of my colleagues found a little note on the Treasury Bench. It looks as though it was written by a Government Whip—their writing is very distinctive, Mr. Speaker, as you know. It says:

> "Hazel, Please speak AT LENGTH."—

the "at length" is underlined—

> "We need this debate to run past 7.15."

In the spirit of modernisation, I ask whether the Leader of the House believes that that is a proper way for the Government and Ministers to conduct themselves. Does the right hon. Gentleman take any responsibility for that note from one Government Minister to another? Is he prepared to plead guilty on behalf of the Government to wasting the time of the House? I can only assume—perhaps he can confirm this—that the aforesaid Hazel was none other than the Under-Secretary of State for Health, the hon. Member for Salford (Ms Blears), who was dealing with the debate at the time and appears in *Hansard* at some modest length. I hope that we will receive assurances from the Leader of the House that he will get a grip on his Whips and on Ministers and stop wasting the time of the House.

Mr. Cook: May I first say what a delight it is to see the right hon. Gentleman back in his place. It was a source of great disappointment to Labour Members that he was not in his place for Prime Minister's questions

[Mr. Cook]

yesterday. I want him to understand that a large part of the fun of those questions for us is watching his face while his leader is speaking. I hope that he will not deprive us of that treat on future occasions.

On foot and mouth, we fully understand the importance of that. We set up the inquiry, we want a result, we shall give a response and there will be a statement to the House as soon as the result is available. I understand the interest of the House in wishing to debate that matter and it will be considered for future scheduling. I stress, however, that immediately after the debate on the Queen's Speech we will have a busy period in the House, with Second Readings of the many excellent Bills that will be announced then.

On the Animal Health Bill, I am well aware of the importance of giving adequate consideration to the amendments carried in the other place and we will ensure that there is a full day of debate for consideration of that Bill. I do not think that it will be necessary or desirable to go late into the middle of the night. I have done so on many occasions in my time in the House and, by and large, the House does not do itself sufficient justice in passing important legislation in the middle of the night when sensible people are in bed.

The right hon. Gentleman was not in his place for Prime Minister's questions yesterday, as I said—*[Interruption.]* If he was here, he will be aware that my right hon. Friend more than adequately answered all the questions put to him by the Opposition. While I recognise the right hon. Gentleman's anxiety to ensure that he stays on the good side of his leader by repeating the questions that he asked yesterday, the answers are precisely the same. We will not want to inflame the dispute, but at the same time we will not let any doctrinaire ideology stand in the way of doing what is necessary to protect the public. The right hon. Gentleman cannot in one breath ask for consideration for the financial security of the service men by asking them to be clear of liability—of course we will ensure that they have no personal liability—and also that they should have access to the equipment and fire engines, without training in their use. Access without training would seriously endanger our service men and we are not prepared to engage in that sort of irresponsible act.

Lastly, as regards the note that an Opposition Member apparently retrieved, I am interested to know that someone from the Opposition crossed the Floor and wants to join us on the Treasury Bench. If he or she would like to make that application formally, we shall certainly consider it. The Under-Secretary of State for Health, my hon. Friend the Member for Salford (Ms Blears) cannot speak at too great length for my pleasure. She always does very well when she comes to the House and is well worth listening to, so I can fully understand why there may be demands from this side for her to speak at even greater length.

Mr. Paul Tyler (North Cornwall): On behalf of my colleagues, may I endorse the representations made both about the foot and mouth investigations—there is not just one investigation but a whole series, including one by the European Parliament—and about proper scrutiny of the considerable number of outstanding matters on the Animal Health Bill?

Had the Leader of the House been with us during the whole of the previous hour, he would have been aware that there is considerable concern about the implications for education policy of the resignation of the Secretary of State for Education and Skills. Members on both sides of the House are concerned that important issues may be at stake, not least the frustration that the right hon. Lady appeared to express in interviews last night at intervention from both No. 10 and No. 11 in education policy. Given that the new Secretary of State was not able to contribute, for understandable reasons, this afternoon, will the Leader of the House give us an assurance that there will be an early opportunity for a full debate on education policy, if not before the Queen's Speech at least on one of the full days of debate on the Speech?

Both you, Mr. Speaker, and the Leader of the House have expressed concern in the past about the arrangements for making statements to the House and for choosing which subjects deserve statements. May I draw the right hon. Gentleman's attention to a remarkable occurrence earlier this week, when the Secretary of State for Environment, Food and Rural Affairs was apparently prevented from making a proper statement on the outcome of the Johannesburg summit and instead produced an extraordinarily long answer to a planted written question? I refer to column 898W in Monday's *Hansard*, where the answer runs to three and a half columns. Is that not an abuse of the written answers system, because the House was unable to cross-examine the Secretary of State on what was clearly a statement? It was not really an answer to a written question.

May I also draw the right hon. Gentleman's attention to the fact that a similar question about Johannesburg, put earlier by the hon. Member for Ceredigion (Mr. Thomas), was not answered by the Secretary of State? There was only a brief answer from the Minister of State. Is that not another abuse of the system? Will the Leader of the House look carefully at those arrangements, and may I have his assurance that the proposals from the Modernisation Committee will address that problem?

Mr. Cook: First, I shall take the hon. Gentleman's question about the resignation of the former Secretary of State for Education and Skills, my right hon. Friend the Member for Birmingham, Yardley (Estelle Morris).

My right hon. Friend is a decent, straight Member of the House and was a decent, straight and committed Minister. She was committed to the improvement of an education system in which she had a lot of professional experience. Many parents and teachers will regret the fact that such a sincere Education Minister was hounded out of office. I think that Members on the Opposition Benches will go quiet about their part in hounding her from office.

There was no reference whatever to No. 10 in my right hon. Friend's resignation letter. On the contrary, in the final paragraph she paid tribute to the support that she had received from the Prime Minister throughout. The hon. Gentleman asked for a debate. I have full confidence that my right hon. Friend the Member for Norwich, South (Mr. Clarke) will want to address the House on his stewardship of education at an early date. Indeed, given my confidence in my right hon. Friend,

I am sure that I would be unable to keep him from coming to the Dispatch Box to do so even were I so minded. However, I am keen that the House should hear from him fully as soon as possible.

We discussed Johannesburg last Thursday. That issue takes us back to the long absence of the House during the prolonged summer and autumn recess. Had we met in September, as we shall be proposing when the House meets on Tuesday, there would definitely have been an oral statement on Johannesburg. In the event, we met a long time after Johannesburg. There were three very full and urgent statements on our first day back—indeed, there were complaints about the consequences of that for other business on that day. It was simply not feasible to contemplate yet another oral statement on a major matter.

I have some sympathy with the hon. Gentleman's point about the rather odd device answering the planted question. As he is aware, part of the package that we shall be putting to the House next Tuesday is that we do away with the curious requirement that somebody has to ask a question before a statement can be made. After Tuesday, I hope that we will print such written answers in a separate section of *Hansard*, clearly labelled "Written Statements from Ministers"—*[Interruption.]* Opposition Members may vote against that if they want to do so, but it would be in the interests of everybody else that we should clearly identify what is a written statement; that we should be open and transparent about it; and that we should not pretend that it was an answer to a question asked by a Member.

Mr. Graham Allen (Nottingham, North): Will the Leader of the House confirm that one of Parliament's key roles is to defend the rule of law and ensure that legality is adhered to by the House and the Executive? In that context, will he look again at the Attorney-General's habit—it is not even a convention—of giving advice to Her Majesty's Government and not allowing that advice to be published? I am obviously referring to the advice given on the legality or otherwise of declaring war on Iraq or any other country. Will my right hon. Friend discuss that matter with the Attorney-General and, in this instance, allow that advice to be put on the public record, so that the House can debate the matter in the full knowledge of the legal advice available to the Government?

Mr. Cook: No, I will not. It is very important that the Government's Law Officers should be free to give frank, open advice without weighing every sentence against the consequences of that advice entering the public domain. It is very important that the Government should be able to function with frank, open advice from our Law Officers, and I would not wish to do anything to inhibit that. However, I find it inconceivable that a democratic British Government would go to war in any circumstances if their Law Officers advised them that they would be acting illegally.

Sir George Young (North-West Hampshire): Further to the right hon. Gentleman's wish to bring more certainty to the parliamentary calendar, will he tell us when the Chancellor will make his pre-Budget statement? Will he also tell us what statements Ministers are planning now for next week?

Mr. Cook: On the question of the pre-Budget report, no date has been finalised, but I would broadly expect this year's statement to be made at a similar time of year to last year's statement. At present, I do not have a final list of statements for next week, but I do not disagree with the right hon. Gentleman that it would be helpful to the House if statements, where planned, could be announced in advance. Of course, there will always be statements that necessarily respond to events and, therefore, are not planned.

Mr. David Chaytor (Bury, North): The Government have announced their intention to publish an energy White Paper early in the new year, but they did so before the recent crisis at British Energy, which has enormous implications for future energy policy. Notwithstanding the fact that the Liberal Democrats chose British energy as the topic for their Opposition day debate earlier this week, does my right hon. Friend accept that, as we are considering energy policy over the next 50 years, it is essential that there is the widest possible discussion in the House about all aspects of energy policy before the publication of the White Paper?

Mr. Cook: I fully understand that there is great interest in the House in energy matters. The issue has been raised several times at business questions during the past year. Indeed, we arranged for a debate on energy precisely because it might inform the preparation of the White Paper. I would be reluctant, therefore, to agree to a further debate before the White Paper is published, but intense discussions on the White Paper continue apace, and I am sure that the House will wish to consider it fully and that my hon. Friend will wish to support it entirely.

Mr. Alex Salmond (Banff and Buchan): Will the Leader of the House provide time next week for a statement by the Fisheries Minister? As the right hon. Gentleman will know, the advisory committee to the European Commission is proposing the closure of the North sea, west of Scotland and the Irish sea to the total white fishery. Such a move would cost thousands of jobs in Scotland and dismantle the fabric of entire communities. As the Fisheries Minister knows a great deal about the subject, I am confident that he would think that such an approach—closing an entire fishery in pursuit of saving a single species, however important—was lunacy. Will the Leader of the House give him the opportunity to spell out the Government's policy next week?

Mr. Cook: I fully understand the importance of that issue to the hon. Gentleman's constituents and to many other fishing communities around the country. I am sure that he will accept that we respect the scientific community's advice about the very dangerous level of stocks, particularly cod, in those areas. Nothing is more important to the long-term health of the fishing industry than that we conserve the fishing stocks so that they are there in the long term. The present position is that we are waiting for a Commission decision in response to that

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scientific advice, and I am sure that my colleague, in whom I have much confidence—even more confidence than the hon. Gentleman—will wish to keep the House fully informed of our response.

Mr. Tom Watson (West Bromwich, East): In the aftermath of the Opposition day debate on sustainable energy, will my right hon. Friend consider allowing time for a specific debate on wind power? I am sure that Members on both sides of the House would like to establish whether there is a single wind power project in the United Kingdom that is not opposed by the Liberal Democrats—*[Interruption.]*

Mr. Cook: I will sit out this particular contest. The Government are thoroughly committed to developing renewable energy as a component of our energy strategy and that will feature largely in the forthcoming White Paper, which I am sure my hon. Friend will welcome and support. We will certainly look to the response of the Liberal Democrats and other parties to see whether they back the commitment in general that they so often oppose in the particular.

Sir Patrick Cormack (South Staffordshire): Does the right hon. Gentleman agree that if the firefighters' strike goes ahead—we all hope that it will not—it is important that this House has the opportunity to debate it? Would he, therefore, be prepared to consider rearranging the business set down for next Thursday or even arranging for the House to sit next Friday so that a debate can take place?

Mr. Cook: No; I have only just announced the business for next week. Next Thursday's business is the fifth day that we usually give to a debate on defence and the Ministry of Defence. Indeed, it is warmly welcomed by many of the right hon. Gentleman's colleagues. Therefore, I would not propose to disturb the arrangements that I have announced. The Government are fully seized of the gravity and importance of the situation with the firefighters dispute. I am sure that my right hon. Friend the Deputy Prime Minister will wish to keep the House informed of our response and of developments in relation to it.

Mr. Tony Lloyd (Manchester, Central): May I refer my right hon. Friend to the recent 20-plus earthquakes in the city of Manchester? While I do not ask him to take direct responsibility for them, there is one issue that I wish to raise with him. I wanted advice and spent considerable time ringing round Ministries, only to be told by each one that it did not consider the matter to have anything to do with it. It may well be that the advice from individual Departments was accurate—that others are better placed to give advice. Indeed, the best advice came from the British Geological Survey in Edinburgh, which said that there was little to worry about. Should there not be a one-stop access point for Members of Parliament and the public so that good quality advice on natural disasters can be available without having to chase round the whole system of Government?

Mr. Cook: I am immensely relieved that my hon. Friend does not lay ministerial responsibility for earthquakes at my door—*[Interruption.]* It is very kind of the House, but if hon. Members will forgive me I shall side-step that responsibility. In the first instance, the response to earthquakes rests with the local authority. I understand what has led my hon. Friend to ring round Whitehall and I concede that in the light of recent events we are faced with a development that we have not had to contemplate for many decades. It may be appropriate for the Government machine to consider whether there is any way that it can usefully meet the point that he raises. I will certainly consult my colleagues on it.

Mr. Douglas Hogg (Sleaford and North Hykeham): Will the right hon. Gentleman arrange for an early debate or statement on the position of the alleged terrorists held by the United States Government in Cuba, especially United Kingdom citizens, of whom there are a number? The House needs to know by what authority they are held, what their legal rights are and to what extent they have been afforded those rights, and what steps the Government have taken to ensure that UK citizens will either be charged soon or rapidly released.

Mr. Cook: The right hon. and learned Gentleman will be aware that the British embassy in Washington has maintained consular interest in this matter and closely followed the case of British subjects at Guatanamo bay. Those who want to see progress will presumably welcome what has been decided in the past 24 hours in relation to the release of some of those there—*[Interruption.]* They happen not to be British citizens, but it is to miss the point not to recognise that there is movement, which should be welcome to all those concerned about the welfare of any of those in Guatanamo bay. Our position throughout has been and continues to be that if there are valid grounds on which those detained should be charged, they should be charged and brought to trial; if not, we expect them to be released.

Julie Morgan (Cardiff, North): I know that my right hon. Friend is aware that a very important debate is taking place this afternoon in Westminster Hall on the United Nations charter on the rights of the child. I am sure that he will be pleased to know that six children from Wales will be coming to the debate and will be meeting Welsh MPs to discuss their views on the charter. Does he agree that it is very important that Parliament is as accessible and as relevant to young people as possible? Will he undertake to do all that he can, as part of modernisation progress, to make sure that young people understand and freely come to Parliament?

Mr. Cook: I am very interested to hear of the events taking place in the precincts to which my hon. Friend refers. In the report of the Modernisation Committee, we deliberately put at the front of it our commitment to making Parliament more accessible to the public. In particular, we need to get across the message that this is not simply an interesting, historic building, but the functioning heart of British democracy. It is particularly important that we carry that message to young people at the present time, given the opportunity that is presented to us by citizenship education in schools, and given our

need as Members of Parliament to make sure that turnout among young people improves at the next general election.

Andrew George (St. Ives): Will the Leader of the House find time for a debate on the Government's proposals for devolution of power to the regions? A written answer to me last week from the Office of the Deputy Prime Minister, which appeared at column 875W of *Hansard*, clearly demonstrated that there were many more responses to the Government's White Paper in favour of a Cornish regional assembly than there were for the whole of the rest of the country. I am sure that the Leader of the House will understand from his distinguished involvement in devolution issues that it would be wrong for the Government to feel that they can devolve to synthetic places created for bureaucratic convenience rather than to do so with the identity of the people of such regions clearly in mind.

Mr. Cook: If the hon. Gentleman will forgive me, I will not step into the minefield of where we draw the boundaries on the map. The whole point of the regional White Paper was to leave it to regions to decide voluntarily whether they wish to proceed down the road of regional government. It sounds from what the hon. Gentleman says as though many of his constituents would wish to respond enthusiastically to the offers that we are making to them, from which they can develop regional government for their area. I am confident—I hope that this pleases him—that there will be opportunities in the next Session to debate this matter at some length.

John Cryer (Hornchurch): My right hon. Friend will be aware that, since 11 September, one of the consequences of that terrible day has been a sharp increase in insurance premiums across the world. Recently, I have been made aware by several construction firms in my constituency that their insurance premiums—especially for personal injury insurance—have gone through the roof. In the case of one personal injury policy for which a firm applied, the premium per annum increased from £19,000 to more than £100,000. The events of 11 September have been given as an excuse but, to me, this sounds like profiteering by the insurance industry. Can we have a debate on the matter or, failing that, a statement from a Treasury Minister, so that we can examine what the insurance industry is up to and what measures can be taken to make sure that firms are not put out of business by such actions?

Mr. Cook: I understand the concern of the businesses in my hon. Friend's constituency. The Government have always placed great stress on the importance of making sure that there is free and transparent competition as a means of keeping down prices and avoiding excessive profiteering. I am sure that my colleagues in the Department of Trade and Industry will be very interested in discussing with him the experience in his constituency to consider whether, in this case, the market is operating in a way that protects the consumer.

Mr. Roy Beggs (East Antrim): When the Leader of the House arranges future business, will he bear in mind the fact that the Northern Ireland Assembly is no longer functioning, and endeavour to arrange more sittings of the Northern Ireland Grand Committee than we have had in the past year, perhaps including a session of questions before the main debate, and allowing provision for an Adjournment debate at the end? I hope, too, that he will arrange at least one sitting in Northern Ireland.

Mr. Cook: I would not wish to commit myself on how we might arrange the internal business of the Grand Committee, but I accept fully the hon. Gentleman's point that the cessation of the Northern Ireland Assembly means that we will be required to make sure that adequate opportunity is provided for Northern Ireland Office Ministers to be held to account for the exercise of the functions and duties that we have imposed on them. We will, of course, keep that under review. I very much hope that we will be able to restore the peace process and ensure that the current situation is a temporary interlude and not a new permanent arrangement.

Mr. Graham Stringer (Manchester, Blackley): Does my right hon. Friend agree that the person charged with running the 2001 census should be able to count and that, to that end, Mr. Len Cook has failed miserably to get his sums his right? To take just one example, there are more people in Manchester who are registered to vote and who are registered to pay council tax and council rents than Mr. Cook counted when he carried out the census. That has profound implications for the planning of public services beyond those that will be considered in the next debate. Will my right hon. Friend find time for the House to debate this important matter?

Mr. Cook: I am always distressed to hear that any namesake of mine has not satisfactorily mastered his arithmetic and mathematics. My hon. Friend has made his point, but I understand that the figures to which he referred relate to an interim stage of the process. I am quite sure that, before the final version comes out, both the points that he has made and others will be fully taken on board.

Mr. Henry Bellingham (North-West Norfolk): The right hon. Gentleman will be aware that the situation in Zimbabwe is catastrophic and getting worse. We heard yesterday the tragic news that Learnmore Jongwe, a sitting Member of Parliament and spokesman for the Movement for Democratic Change, died in custody at the age of 28. More than 200 MDC officials, including a number of MPs, are still in custody. We heard today that, in order to appease the Mugabe regime, the EU has been bullied into moving a meeting with the Southern African Development Community from Copenhagen to Mozambique. Do the Government care about the tragic situation in Zimbabwe? If so, surely we should have a statement very soon.

Mr. Cook: Of course, the Government are fully seized of the deep gravity of the situation in Zimbabwe, about which my right hon. Friend the Foreign Secretary and I have, on many occasions, addressed the House. We have imposed all the sanctions that we readily can without deepening the suffering of the ordinary people of

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Zimbabwe. Indeed, only last Tuesday, I presided over a meeting of the Privy Council in which we added another 57 names to those from Zimbabwe on the banned travel list. I am not familiar with the EU meeting to which the hon. Gentleman referred, but I do not see anything particularly sinister in a development meeting being held in a region where development is discussed.

Mrs. Louise Ellman (Liverpool, Riverside): Does my right hon. Friend consider that the House should debate the growing anti-semitism coming from official Arab publications, some of which are available in this country? I refer to issues such as holocaust denial, the repetition of blood libels and the comparison of recent difficulties in Bethlehem with the crucifixion. Does he consider that this poses great dangers to civil liberties and has implications for our foreign policy?

Mr. Cook: I fully agree with my hon. Friend that we must condemn anti-semitism wherever it occurs and, wherever it occurs within British jurisdiction, we must make sure that the law is upheld and that no group has to witness statements that could inflame racial hatred or that might be an incitement to racial violence. I entirely concur that no such statement—whether it is against the Jewish or any other community—should be tolerated.

Mr. Nigel Dodds (Belfast, North): In view of the suspension of devolution in Northern Ireland, how do the Government see Northern Ireland legislation being dealt with in the House? Such legislation would previously have gone through the Northern Ireland Assembly, so will he undertake that proper time will be given for due and adequate scrutiny and debate of such legislation? On Question Time, will he undertake that the amount of time allowed for questions to the Northern Ireland Office will be reconsidered so that we have more time to call Ministers in that Department to account?

Mr. Cook: If domestic legislation for Northern Ireland of the kind that previously went through the Assembly is required, we must make sure that it is fully scrutinised in accordance with the procedures and customs of the House. However, the House cannot pretend that it can fully replicate the length and depth of scrutiny that is available through the Assembly. Therefore, the sooner we get back on track and get the Assembly back into being, the better for all.

Dr. Julian Lewis (New Forest, East): May we have a statement from the Chancellor of the Exchequer on the widely trailed suggestion that the Government are proposing to abolish the higher rate tax relief on pensions, which is over and above the annual £4 billion to £5 billion raid on pensions that has been under way for several years? We have heard much in recent days about the way in which the Government have failed young people—school students—at the start of their careers. Perhaps we need to hear more about what they are doing to pensioners at the end of their careers.

Mr. Cook: It is always good to end on the last question asked by the Opposition by trying to make an hon. Member happy, and I think I can relieve the hon. Gentleman of his anxieties. Treasury Ministers have made no decision on, and are not even considering, such a proposal. The hon. Gentleman should not believe all he reads in the Conservative newspapers.

Mr. Dennis Skinner (Bolsover): Is my right hon. Friend aware that although the Northern Ireland Assembly is suspended, its Members are being paid £29,000 for not going to work? Does he think that the firefighters should get the money instead?

Mr. Cook: There are serious issues relating to the firefighters' dispute, which is why we have urged them to go to a review that will consider pay and conditions together. As for those who are suspended and being paid, the same rule applies to Assembly Members as to firefighters: we are anxious to get back on track and end the dispute. The Government would not wish to take any action that would inflame either situation.

Point of Order

1.6 pm

Mr. Simon Thomas (Ceredigion): On a point of order, Mr. Speaker. You will have heard what the hon. Member for North Cornwall (Mr. Tyler) said about the refusal by the Secretary of State for Environment, Food and Rural Affairs to make a statement on the Johannesburg world summit in response to my oral question last Thursday. She chose instead to make the statement in a written answer to a planted question on Monday. Is it in order for the Secretary of State to turn down the earliest opportunity to give a statement to the House and to take advantage of a planted opportunity initiated by a Labour Back Bencher? What advice can you give Back Benchers who were in Johannesburg and want to hold the Government to account on what they said and did there, on how we can debate the matter in the House or Westminster Hall?

Mr. Speaker: The Minister was in order. The hon. Gentleman could apply for an Adjournment debate.

Local Government Finance

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Woolas.]*

1.7 pm

The Minister for Local Government and the Regions (Mr. Nick Raynsford): I am pleased that it has been possible to arrange more time to discuss the complex and important subject of grant distribution to local government. I look forward to a lively debate and we will listen carefully to all that is said. I must apologise to the House that in the light of other pressing responsibilities, I will not be present for the entire debate, but the Under-Secretary, my hon. Friend the Member for Shipley (Mr. Leslie), will be here throughout.

1.8 pm

Mr. Don Foster (Bath): In the words of Magnus Magnusson, I have started so I will finish. In our earlier debate, I stressed that although we cannot remain with the current local government funding system and some changes are urgently needed, the full-blown changes should be delayed for a year to allow more time for reflection and consultation. I acknowledge that the consultation paper contains some good ideas. The willingness at least to change the area cost adjustment is welcome, as is the idea of minimum entitlement for funding per pupil or per head of the population. The Liberal Democrats have proposed that for a long time and we welcome the fact that the Government have embraced the idea, although they should go further.

We also welcome the greater recognition that is given to sparsity, but as my right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith) argued strongly and cogently, the sparsity element should be extended to apply to all service areas, not just to district council funding for environmental, protective and cultural services, for example.

The proposals raise many concerns. The options for change in the review paper were as complex as the old system. They were backed by scant information as to how weightings and other figures had been calculated. That was hardly conducive to good consultation. The various proposals have thrown up numerous anomalies in Government thinking, some of which are quite bizarre. For example, it seems that for the first time since Sir Robert Walpole and his excise Bill of 1733, we have a Government who are advocating the redistribution of resources away from the rural poor to the City of London.

There are already huge disparities in funding between one authority and another, yet in many cases the options will widen inequalities, not close the gaps. My local authority, Bath and North East Somerset council, for example, languishes almost at the bottom of the league table of funding for education. It rightly and rather mildly comments in its response:

> "It therefore seems strange that the suggested options would increase the disparity between the lowest and highest funded LEAs even further than it is now."

There are many other examples. Newham currently receives three times the funding of Kingston and more than double the funds given to Richmond or Sutton,

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yet the review options generally leave those low-funded authorities with no extra resources, but will provide Newham with an extra £24 million for education alone.

Mr. Nick Hawkins (Surrey Heath): With reference to penalising the rural poor, penalising some areas and widening disparities, does the hon. Gentleman agree that in certain areas, especially in my county of Surrey, there will be particular problems where success is penalised? We have one of the most efficient police forces in the country and an extremely successful county council, yet under the Government's proposals, that success will be penalised further, to the advantage of inefficient Labour-run local authorities in inner cities. The Government are helping their friends in the north.

Mr. Foster: The hon. Gentleman has made the case for his constituents well. The redistribution that is taking place is a matter of great concern to many people. The Minister will say, of course, that the floors and ceilings mechanisms will provide a degree of protection, but we have still to hear from the Government how those arrangements will operate and for how long.

Many other examples exist. Gloucestershire is about 130th down the league table of funding for education, yet it looks set to lose about £8.5 million—the equivalent of £100 per pupil. It appears that, as the hon. Gentleman said, the worst-funded authorities are being set up to be the hardest hit. Those that are successful and provide high-quality services will also be penalised.

Mr. David Drew (Stroud) *rose—*

Mr. Foster: I hope the hon. Gentleman will accept that earlier, in less than 10 minutes, I gave five opportunities for intervention. I know that many other hon. Members want to speak, so if the hon. Gentleman will forgive me, I shall make rapid progress.

Other examples relating to the area cost adjustment show strange anomalies. Kingston, Merton and Sutton councils, for example, could not begin to figure out why they would be so badly hit by the proposals. It turns out that the Government had got their location on the map wrong and thought that they were in east London, when clearly they are not. I am delighted that, following representations, the Minister has acknowledged that there is a problem with the proposals, and I assume that he will agree to rectify them.

Mr. Edward Davey (Kingston and Surbiton): I am grateful to my hon. Friend for making that point. In a private conversation after one of his excellent seminars, the Minister assured me that he was examining the matter. Will my hon. Friend take it from me that our labour market and labour costs in the borough of Kingston, and also in Merton and Sutton, are similar to those in west London? The simplest solution would be to place those three boroughs with the grouping in west London.

Mr. Foster: My hon. Friend has made his point admirably, so to save time I shall delete from my speech the remarks that I intended to make in relation to his local authority, and turn to my own to demonstrating how the Government seem to be giving with one hand and taking away with the other.

The Avon and Somerset police authority calculates that under the current proposals it will lose about £5.5 million, or 180 police officers. That contrasts oddly with the additional money—almost exactly the same amount—that it has been given through the crimefighting fund.

Other problems with the current formula are not being addressed. Deprivation, for instance, has not been dealt with as thoroughly as it should have been. As many hon. Members will know, the way in which the Government do their calculations means that pockets of deprivation in particular areas are not covered under the present mechanism, and will not be covered under these proposals.

Councils containing a mixed rural and urban community will often lose out as well. Kent county council is a good example. On the list of the 148 most deprived authorities, it is ranked 99th. It stands to lose between £10 million and £100 million, while other much less deprived authorities will gain.

Other anomalies are not being addressed. Of course we all welcome educational support for children from ethnic minorities, but according to the formula, it will be based on the total number of pupils whose first language is not English. In practice, the total number matters less than the number of languages spoken.

Many organisations and individual councils have expressed concern, including the Rural Services Partnership, the Most Sparsely Populated Councils Group and the f40 group, comprising the lowest-funded local education authorities. That last group is particularly concerned, and urges that the element of funding per pupil be greatly increased. I agree.

The real problem is that we are discussing equalisation arrangements relating to, on average, 80 per cent. of the money that councils will spend. Surely we all acknowledge that if the amount provided by Government were a smaller proportion, we would be less worried. If we want to reconnect the British people with their councils, and make them more interested and more involved in what their councils do, we must make them genuinely believe that their local councils are capable of meeting local needs. That surely means that we should increase the amount of councils' spending money that is raised locally, with a corresponding reduction in local income tax.

Dr. Evan Harris (Oxford, West and Abingdon): Will my hon. Friend give way?

Mr. Foster: No, I want to make progress and finish my speech as quickly as possible.

The review has not even begun to address a number of other issues. One set of anomalies looks set to be replaced by another, and key issues such as local accountability, making the funding of services more transparent and making local taxation more progressive have been omitted from the agenda. The Government's proposals will lead to huge shifts of resources from rural to surburban areas. They are bound to raise the suspicion of pork-barrel politics.

There is certainly a lack of confidence in the options for change with which we are being presented. They are patch-and-mend proposals. Surely, even at this late stage, some modest changes could be made immediately. Surely the Minister could put off by one year the full-blown implementation of whatever proposals will follow.

The Minister knows of my high regard for the former Secretary of State for Education and Skills, who resigned last night. In terms of personal and political honesty, she knocks spots off many of us. Only a week ago, she told the House clearly that she accepted what Mike Tomlinson had said about the A-level fiasco, namely that there should have been a one-year delay in implementation. Had there been such a delay, many of the problems need not have occurred. She went on to say that one of the reasons why she had not delayed implementation for a year was that she received no representations from any quarter asking her to do so. If things go wrong in a year's time, as I predict they will, I hope that the Minister will acknowledge that at least we on the Liberal Democrat Benches gave him the opportunity to take action and warned him what would happen. One year's delay on the majority of the proposals would make a great deal of sense.

1.20 pm

Andrew Bennett (Denton and Reddish): It is said that to have loved and lost is better than never to have loved at all. I am not sure whether the Minister will feel that having attempted to reform local government finance—and, I am afraid, having failed to do so—is better than not having tried at all. The cynic in me says that what he has done so far is unite almost the whole House in anxiety and worry about the proposals, so that they will be a little less bad than we expected and we will be relieved. However, I hope that he will consider the fundamental problem. I pay tribute to him for the huge effort that he has put into the seminars, the consultation and everything else. That is great, but I think that he is looking at the wrong position. He has considered the distribution of the grant, but I think that he must deal much more fundamentally with local government finance.

The trouble is that local councils have been starved of resources. It is that which starts the problem and explains why local government is now held in disrepute. Social workers are now rationers rather than helpers. There are problems of boredom among young people in almost all our constituencies, but the youth service is terribly underfunded. On recycling, we have the poorest record in Europe, again because of underfunding. Local authority spending is also pretty bad on roads, highways and rights of way. Too many parks are now icons of neglect rather than of civic pride. That has happened because almost all local government finance is now obtained from a grant and there is no opportunity to raise the money locally. It is that inability to raise money locally that people feel to be unfair.

I invite the Minister to come to the Bull's Head in my constituency. It is located just inside Stockport, but Tameside is visible from the front door and Manchester from the side door. If he could visit the Bull's Head and explain to my constituents and those of my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) how the system is now fair, I would think that he was wonderful. I am afraid, however, that he will find it very difficult to do so. When he considers the different amounts that people sitting next to each other pay—most in the area will come from band A properties—and sees the disparity between Stockport, Manchester and Tameside, he will understand why there is a feeling that things are not fair. The differences between those three authorities are not huge, but when local people find that people in Wandsworth pay half the amount that they are paying, they begin to think that something is going fundamentally wrong.

People then ask how much is being spent. They find that there are significant differences between the three local schools, which are situated within a mile of each other, but are located in each of the different authority areas. At primary level, £2,206 per pupil is spent in Stockport, £2,360 in Tameside and £2,623 in Manchester. That puzzles people, but when they find that a lot more is spent on schools in Wandsworth, they think that it is fundamentally unfair. At secondary level, the difference between pupils in Manchester and Stockport is more than £800 per pupil. Even worse, if pupils come from Manchester to Stockport for their education, they get mugged at the border because they do not bring that full £800 with them to a Stockport school, but will get only the expenditure in that school. I hope that that little anomaly can be altered.

Mr. Patrick McLoughlin (West Derbyshire): Will the hon. Gentleman give way?

Andrew Bennett: I shall not do so; with only eight minutes, it is hard to get my points across.

I have to say to the Government that the present system is unfair and very difficult to understand, but we have to recognise that it is a legacy of the poll tax. That is when the spending started to come down, and when local authority control of spending changed so dramatically: local government finance changed from about 50 per cent. coming from local funds down to a very small proportion.

I pay tribute to the work done by Coventry in demonstrating that, of the extra money that has been going to London for education, about half seems to be spent on schools—which is great—but the other half is being spent on bringing down the council tax in London. That is grossly unfair.

My plea to the Minister is for a new, buoyant source of local government funding, and, until we have one, we will be in difficulty. I know that we have the business improvement areas, but that is earmarked money. It might also be possible to put a tourist tax in place, but if the Government cannot come up with a new form of funding, let them at least return the business rate to local authorities.

I also make a very strong plea for the Government to look at the council tax bands. I know that, if we have lots and lots of bands, we shall be going back to the old rates system, but the old system was far fairer than the present council tax system in areas such as mine. We need at least to have bands A, A- and A* at one end of the range, and we probably need more bands at the higher end as well. We need more frequent valuations, and we need to question how much money is going to the Audit Commission. There is no point in having huge numbers

[Andrew Bennett]

of inspections if local authorities have not got the money to deliver good services. The Audit Commission is getting far too expensive.

I would also make a plea for us to think about taking education funding out of local government finance. It seems sad that we should have such a complicated mechanism, rather than a much simpler per capita payment. If we have a class of 30 children, for example, we need a substantial amount of money for that. The variations for particular education needs should be much smaller.

I would simply plead with the Government in these terms. We need to take a much more fundamental look at local government finance. We need to restore local government, as opposed to local administration. Only if we can get a full, fundamental review in place will we restore people's confidence in local democracy. I applaud the efforts that the Minister has made, but I fear that, so far, he has lost.

1.27 pm

Sir Paul Beresford (Mole Valley): It is delightful that we have longer for this debate than we anticipated, but it is sad that it is still so short. This could have been an opportunity to explain to the Chairman of the Select Committee, the hon. Member for Denton and Reddish (Andrew Bennett), that competent authorities can get their expenditure down and the quality of their services up, and that that might be reflected in the differences in council tax.

The final figures will tell us whether the scheme works, and the final figures will be the real test over time. I hope that, after what he has said today, the Select Committee Chairman will agree that we need to launch an inquiry, presumably mid-way through next year after the grants have been confirmed and the council taxes settled, but before Ministers' minds are set on the following year.

Many Conservative Members smiled sweetly and knowingly when the Minister said that he was setting out on this venture. He has told us repeatedly that standard spending assessments were terrible, complicated and unfair, and he promised us a better, simpler system that would be more intelligible and based on formulae. Last week at the seminar, the brave man repeated that. I have not yet found a council treasurer, even a tame one, who agrees with him. Of course, the Minister will say that we need to wait for the result, and there is a measure of truth in that.

The Minister has made some personal progress. His bravado has diminished a little, and he said at the seminar that he recognised that not every council would be pleased; in fact, he said that it was possible that not a single council would be pleased. As many of us know, under the standard spending assessment method, the winners kept exceptionally quiet—except for the occasional moan to save face and set markers for the following years—and the losers complained. They said that the system was unfair, too complicated, and so on. That is exactly what we have been hearing from the Liberal Democrat Front-Bench spokesman this afternoon.

The Minister has accepted, however, that the basis of distribution must be ascertained using some form of need factors and, promisingly, he has assured us that there will be a reduction in the enormous proportion of subjective grants that have grown up under his Government. At least there is a veneer of needs, but it looks a little thin when we inspect the environmental protection and cultural services block that is so vital to district councils. It used to have an at least plausible link to expenditure, but not now. In this and several other areas, any link seems to have been abandoned in favour of subjective judgment—otherwise known as ministerial whim.

The Minister has almost always promised simplicity. That is a bold gesture, but as we heard from the Liberal Democrats, the problem is that, with so many variations nationwide, simplicity results in crude, ineffective and in some cases unfair decisions and judgments. However, as the Minister said last week, some rough justice is inevitable. Rough justice can be removed and fairness introduced only through more complexity. A scheme involving the division of funding by needs factors is either simple—with areas of perceived and perhaps genuine injustice—or fairer but consequently more complicated.

The Minister has more complications to deal with than we had when in government, because he has lost control of many of the levers to many other Departments: the Department for Education and Skills, the Department of Health, the Department for Environment, Food and Rural Affairs, and goodness knows which others at the rate things are progressing. Each has its own indicators, and each, seemingly, its own floors. None appears to have any relationship to the other Departments; and sometimes there is not much relationship to the local area.

As everybody will know, many councils are panic-stricken by the options. Some anticipate huge—really huge—council tax rises, just to stand still. The Minister has helped. His promise that nobody will lose formed the basis for his reintroduction of the use of floors. That promise has brought some relief, but it is also viewed with some cynicism. Many are worried about whether specific grants will be taken into account. Last Wednesday, under pressure, the Minister helpfully explained that he expects the floors to be high enough next year to at least cover such losses. I hope that he is right. If this promise is not fulfilled, Surrey councils, the south-east and London will be hit hard. A floor involving a zero increase in grant to Surrey could mean a nigh-on 20 per cent. increase in council tax. That estimate ignores any little events such as the firefighters' pay rise.

Even though he has not been a councillor, the Minister will doubtless recognise that cutting budgets and adjusting services, especially through efficiencies, takes considerable time. This year, local authorities have been left at sea; they have been given absolutely no indication of floor levels, even when the Minister was pressed on the matter last week. However, the fact remains that, if his formula is as accurate as he says, the floor that protects loser councils this year will be progressively lowered. In some cases, potentially great pain will be caused to their residents and businesses. I accept that there are huge possibilities in terms of efficiency savings in local government expenditure, and

as a taxpayer and an ex-councillor, I wish that the Government and local government would exercise their minds much more in this direction. I am sick and tired of standards in public services being judged on the amount of other people's money that is spent on them.

The Minister had many complaints about SSAs, but they are coming back through his scheme. It is based on factors of doubtful definition, multiplied by weightings of dubious origins. It is further complicated by floors and ceilings, and although it is not called an SSA, it is rapidly looking like a sibling or twin.

1.33 pm

Mr. Neil Turner (Wigan): My right hon. Friend the Minister rightly stressed the importance of getting the formula right. If we do not, the Government will not achieve their aim of tackling and eradicating the inequalities to which deprivation and social class give rise. I want to concentrate my remarks on the education block, not just because it is such a high priority, or because it constitutes a large amount of local authority expenditure, but because, if we do not get it right, we will deny the opportunities that a good education can give to all our children in terms of breaking the cycle of deprivation that scars so many of our communities.

The excellent Department for Education and Skills document "Investment for Reform" sets out the problems starkly:

"We continue to have one of the greatest class divides in education in the industrialised world. A socio-economic attainment gap is evident as early as 22 months and widens. In English, schools with under 8 per cent. of pupils eligible for free school meals see nearly 81 per cent. of their pupils achieve the expected level at key stage 3. The equivalent figure for schools with over 50 per cent. of disadvantaged pupils is 39 per cent."

Later, it states that

"the stubborn link between social class and educational achievement persists. 70 per cent. of children whose parents are in unskilled occupations fail to achieve five good GCSEs, compared to 31 per cent. of children whose parents are from professional or managerial occupations."

Those quotes are apt descriptions of Wigan, and they are apt descriptions of many towns and boroughs in the north-west, the north-east and the midlands, where heavy industries have declined or vanished. But they could equally describe towns in the south-east, the south-west and London. This is not some sterile and divisive debate about town versus country or north versus south; it is about trying to make sure that we eradicate deprivation throughout the country and achieve a fair society for all our children.

Wigan has high levels of deprivation; 90 per cent. of its wards are included in the 20 per cent. most deprived in the country. We have low staying-on rates for pupils moving into further education. Crucially, we have had low levels of funding over many years under the existing standard spending assessment formula. The council and the local education authority have not used that as an excuse for poor performance. They have risen to the challenge, managing to produce better results than the socio-economic make-up of the borough would lead one to expect. The council has intervened successfully where schools have been seen to be failing, such as Kingsdown high school where support from the LEA, other schools and the council has resulted in a 400 per cent. improvement in just two years in its GCSE results. It is small wonder that the authority achieved a three-star rating from Ofsted.

The solutions to such deprivation that are proposed in the consultation paper are all detrimental to Wigan, and to the north-west as a whole. How can one of the most deprived boroughs, which already spends £6 million more on education than the current SSA level to correct the faults inherent in that system, be deemed to be in need of less? It is bizarre, and it is perverse. The application of a simple "reality test" would have shown that each of the options failed to achieve the targets that the Government had set out to achieve, and therefore contained fundamental flaws.

We need to be absolutely certain that the proportions within the overall additional educational needs block accurately reflect the need to spend on those elements, and I would hope that serious questions will be asked about that and the possible consequences of getting it wrong. More specifically, I believe that that there are three areas where changes need to be made if we are to get a positive result to the application of that reality test.

First, we need a broader and more accurate definition of deprivation. The use of income support and working families tax credit alone does not pick up many of those in need. The Department for Work and Pensions investigations indicate that there are large regional variations in those claiming income support, as those on incapacity benefit and disability living allowance do not claim that benefit. The DWP basket of key benefits—including jobseeker's allowance, incapacity benefit, disability living allowance and severe disablement allowance—has a 95 per cent. correlation with child poverty, a much higher correlation than any other measure. The use of that as the basis—or a measure of the economically inactive—will pass the "reality test", as it will achieve what the Government set out to achieve.

Secondly, a radical rethink of the area cost adjustment is needed. Nobody doubts that there is an extra cost involved in employing people in certain parts of the country, or denies that those authorities need additional money to reflect that extra cost. The proposal in the initial consultation to use house prices would be wholly wrong; they are far too volatile and, in any event, people do not pay mortgage on the increase in value of their property. More importantly, fuelling the demand side of the equation without tackling the supply side merely adds to price increases, thereby leading to demands for more ACA money; and so the spiral goes on and up. Surely it would be more effective to use public and private sector pay, capped at the public service level, to ensure that the area cost adjustment bore much more relation to the amount required by the authorities, so satisfying the reality test better.

Thirdly, we need to factor in an element that affects the current lack of adult literacy and numeracy skills. I know the argument against this—that we need to have a measure of the problems of the children, not those of the parents—but that is an academic, angels-on-a-pinhead type of argument. Of course, there are children from working-class backgrounds who manage to break out and go to universities—many of my hon. Friends have done so—but we should remember what the

[Mr. Neil Turner]

"Investment for Reform" document said about the link between social class and lack of educational achievement. It can be broken, but in most cases it is not.

The child from a home that is without books because the parents have weak literacy skills will always be at a disadvantage. We should set aside the intellectual argument and recognise the reality of life in many homes. Far too often, teachers have to start from scratch with children from such backgrounds and despite their best endeavours they never catch up. If the formula does not recognise that simple, self-evident fact, so well described by the Department for Education and Skills document, we will not achieve our objective of closing that great class divide.

The current options fail to deliver what the Government want. If the specific changes that I have outlined were incorporated—widening the definition of deprivation, ensuring the ACA properly reflects real costs, and recognising that parents with poor literacy skills will have children with poor literacy skills—we would give local authorities a fairer distribution and allow them to tackle the problems of despair, crime, and lack of ambition and opportunity that come from deprivation.

1.41 pm

Mr. Michael Portillo (Kensington and Chelsea): I join the hon. Member for Denton and Reddish (Andrew Bennett) and my hon. Friend the Member for Mole Valley (Sir P. Beresford) in saying that I think the Minister of State is very brave to search for a simpler and fairer system, albeit one that is not very wise and unlikely to be successful. As one who once held the same office, may I say that I hope he emerges from the process without being suspected of being merely partisan?

Today, however, I wish to make a narrower speech on behalf of my constituency, including the Royal Borough of Kensington and Chelsea, which I share with the hon. Member for Regent's Park and Kensington, North (Ms Buck), who is in her place. No authority is more at risk from the Government's proposals. The Government's review puts 20 per cent. of the royal borough's grant funding at risk. In all, £39 million is at stake, which is the equivalent of 70 per cent. on the council tax or cuts in services.

For that reason, I have pressed the Minister of State on the question of floors and ceilings. He has said clearly that the floor will apply without any compensation for inflation for the first year. However, while there will be floors and ceilings in subsequent years, there are no guarantees about the level at which they will operate. One can expect a transition from the present position to the new position at a considerably higher rate than the effect of inflation year to year. That is why it is right for us to say how much is at stake and express our anxieties, and to refuse to take any great reassurance from what the Minister of State has told us so far.

The Royal Borough of Kensington and Chelsea has lost £13 million from its grant entitlement over the past two years thanks to the operation of a ceiling that is already in place. I thought that it would be right for the Minister of State to discuss that matter with me, as a Member of Parliament who represents a borough that has been greatly disadvantaged. I am sorry indeed that it is the Minister of State's policy not to discuss those questions with Members of Parliament. When I held his office, that was regarded as one of the most basic courtesies. It was my principle—widely shared among those in the Government—that if Ministers were doing things that made life very difficult for our citizens, they had a duty to listen to the likely results of the policy. I learned much from that process, and the Minister of State would learn much if he followed that practice—not least, better inter-personal skills than he at present possesses.

Mr. Adrian Bailey (West Bromwich, West): Will the right hon. Gentleman give way?

Mr. Portillo: No, because I only have eight minutes. Otherwise I would love to do so.

My borough has received some huge accolades with which I am delighted, and I pay tribute to all those who have worked so hard to achieve them. For example, the Ofsted report on Kensington and Chelsea's education system said that the borough spends a lot of money very effectively. The hon. Member for Denton and Reddish thought that some areas might use standard spending assessment money to reduce council tax, but we do not: we use the money to improve education.

The problems in central London are very difficult. Of our primary school teachers, 32 per cent.—very nearly one third—move on each academic year. That is not because we are a poor education authority. We are doing well, but mobility among teachers remains very high. That definitely needs to be recognised.

The hon. Member for Bath (Mr. Foster) mentioned the need to recognise the number of languages spoken in schools. In Kensington and Chelsea's schools, 97 different languages are spoken, 46 per cent. of pupils have English as a second language, and 35 per cent. of pupils are entitled to free school meals. We must maintain measures of our school population that relate to that population and which are not broader measures of economic deprivation. We need to focus on the schoolchildren themselves, and on the difficulties that they face. Pupil mobility in some of the borough's schools is as high as 40 per cent. That problem has been recognised by Ofsted, and should be covered by any future formula.

Kensington and Chelsea has the highest population density in England, and the borough receives 32 million visitors annually. There is a net inflow of 35,000 commuters a day, which places high demands on our services. For example, given its population, the borough has six times the usual amount of non-household rubbish, and traffic congestion makes rubbish collection much more expensive. The borough receives almost six times the normal number of noise complaints, because people live side by side with businesses.

The borough's social services gained a three-star assessment, a success achieved by only seven other local authorities in the country. Moreover, the borough was said to be serving people well, and to have excellent prospects for the future. Only two authorities in the country received that accolade. In other words, the borough is performing well, and using its resources well. It has been successful, and I echo the sentiment,

expressed earlier by the hon. Member for Bath, that success should be reinforced and not penalised. However, despite the borough's successes, the Government's options could cause it to lose up to £19 million for environmental protective and cultural services, £8 million for social services, and £3 million for education.

I shall close by saying that those problems could be dwarfed by the difficulties that arose with the census—a matter raised at business questions by the hon. Member for Manchester, Blackley (Mr. Stringer). There were extraordinary problems with this year's census. I consider them to be palpable errors, and believe that they will feed through into cuts in services for the borough's population.

I shall quote from a letter about the census written by the hon. Member for Regent's Park and Kensington, North to Mr. Len Cook at the Office for National Statistics. The hon. Lady states:

"Given the extremely poor performance of the census enumeration process in my constituency, I was not in the least surprised that the returns were so low."

In Kensington and Chelsea, the response rate was only 64 per cent. The error rate was nearly 5 per cent., and 31,000 inhabitants disappeared from the total suggested by the recent mid-year estimates. That is simply preposterous.

In her letter, the hon. Member for Regent's Park and Kensington, North went on to ask:

"Why would the Mid-Year estimates be accurate in Hackney, for example, but not in Westminster, Kensington and a few other areas, unless the root of the problem is the absurdly low initial contact rate, leading to an impossible challenge for the imputation process?"

I entirely agree with that. There has been an extraordinary amount of difficulty with what the Government propose in their formula changes. That has been compounded by what appear to be very substantial errors, which can only be put right with great difficulty, in the census enumeration process.

1.49 pm

Mrs. Janet Dean (Burton): I welcome the Government's commitment to reviewing the local government funding formula, but I recognise that it will be difficult to achieve a solution that will satisfy a majority of authorities. Nevertheless, it is vitally important to use the one-off opportunity presented by the increased amount of finance available for local government to address the problems inherent in the current SSA system.

As a Staffordshire Member of Parliament who was previously a county and borough councillor, I know that there have been grave concerns about the relatively poor funding in Staffordshire for many years. Those concerns are not about education funding alone, but it is the perceived unfairness in the amount of money available for educating our children that has so outraged parents, governors and teachers in areas such as Staffordshire. That unfairness was clearly demonstrated by one head teacher in my constituency who, in response to the recent consultation, said:

"Until a year ago, I was a headteacher in a similar size comprehensive school in Sutton Coldfield and received £500,000 more per year than I do in Staffordshire."

Neither parents and teachers in Staffordshire nor I understand the reason for that difference in funding. We do not accept that there should be such a large gap between the amount of money available to educate our children in Staffordshire and that in some other authorities.

Along with the dozens of my constituents who have responded to the consultation, I support the option 5 proposal put forward by f40. I pay tribute to my colleague from Staffordshire, my hon. Friend the Member for Stafford (Mr. Kidney) for the work that he has done in this respect. Of the four options put forward in the consultation document, only option 2 begins to address fair funding. The other three options would leave Staffordshire worse off.

Sir Patrick Cormack (South Staffordshire): I am extremely grateful to the hon. Lady for giving way—of course, there is a little injury time. I should like to underline her comments regarding the tribute to our colleague the hon. Member for Stafford (Mr. Kidney) and the widespread feeling throughout Staffordshire, which crosses all party boundaries.

Mrs. Dean: I thank the hon. Gentleman.

On the specific points in the consultation, I believe that it is right that working families tax credit or its replacement should be used to recognise deprivation, not just in the education funding formula but in areas such as social services and EPCS. With the drive to get people into work, it is logical to use the working families tax credit as a measure of need to reflect the fact that those on low incomes have similar requirements to those who are unemployed.

With regard to the area cost adjustment, I support Staffordshire county council's view that to base the education area cost adjustment on house price variations would not accurately reflect increased living costs. It would also be unwise to base any adjustments on such a variable factor. Although I support ACA2, I am disappointed that all the options for the area cost adjustment are based on the general labour market theory. I believe that it would be better to recognise the average wages in the public sector, especially since large groups of local authority employees such as teachers, police officers and firefighters are on national pay scales. It has been said that it is difficult to use specific costs because of the difficulties for some authorities in recruiting and retaining staff. However, it should be recognised that the wage bills in authorities such as Staffordshire can be high because of the low turnover of staff. Some 72 per cent. of classroom teachers in Staffordshire are on the top of the main scale or have progressed through the upper pay spine.

The disadvantages faced by Staffordshire schools are demonstrated by the authority's pupil-teacher ratios. The average figure in primary schools in Staffordshire is 23.2, compared with 22.5 for England. Secondary schools are similarly disadvantaged, with pupil-teacher ratios of 17.3 compared with 16.9 for England.

I have grave concerns about the proposals for resource equalisation if the result is to reward authorities which have traditionally been high spenders and which have spent above the standard spending assessment. Others, such as Staffordshire, which have stuck to the rules in the past should not be penalised. We should be looking at need rather than historical spend.

[Mrs. Dean]

I cannot overstate the strength of feeling in Staffordshire, particularly with regard to education funding. Many parents recognise the extra funding for schools; indeed, it is important to recognise that the above-inflation increases that we have received in recent years are reflected in improvements in our classrooms. Between 1992 and 1995, Staffordshire's teaching force fell by about 5 per cent., while pupil numbers rose by about 4.7 per cent. That situation was completely reversed between 1999 and 2002, with pupil numbers falling by 0.8 per cent., while teaching staff increased by 4.1 per cent. However, the gap between other shire counties in the south-east and authorities such as Staffordshire remains totally unacceptable. I hope that the strength of the arguments made by the f40 group, the northern alliance and authorities such as Staffordshire will be recognised and acted upon by Ministers.

Briefly, on the options for change for other services, I support the response of Staffordshire county council to the consultation regarding social services, fire and highway maintenance, as well as option 3 for EPCS, which is supported by both the county council and East Staffordshire borough council.

There is concern in Staffordshire that the great strides that have been made in recent months in improving policing may be jeopardised by several of the options put forward. Staffordshire police authority could lose more than £5 million in the worst-case scenario. While I recognise that any changes to the formula would be phased in, I hope that Staffordshire is not disadvantaged by a new formula. Therefore, I support police formula 1 and believe that the sparcity component weight should be increased to at least 1.4 per cent. to avoid losses to rural police authorities with the incorporation of the rural police fund into the main formula.

I hope that in their forthcoming consideration of the representations that have been made to them, Ministers will take into account the concerns of residents of Staffordshire.

1.56 pm

Sir George Young (North-West Hampshire): Many of the contributions to this debate will understandably focus on the problems of individual constituencies, as we have heard from the hon. Member for Burton (Mrs. Dean) and my right hon. Friend the Member for Kensington and Chelsea (Mr. Portillo). I will make some generic points that, I hope, have a wider application, illustrating them by reference to the impact on Hampshire, which will be deeply unpalatable. I see that my hon. Friends the Members for Aldershot (Mr. Howarth) and for Gosport (Mr. Viggers) are in their places.

My first point concerns the council tax. In the past 10 years, there has been a consensus that that tax is an acceptable way to fund local government. A similar consensus used to exist in relation to rates, but it evaporated when too much weight was put on them, and there was never any consensus for their successor. The council tax is rather like the rates—it is bridge with a weight limit. It can cope with a certain volume of traffic, but when some of the loads get big it begins to crumble. Although people accept that the council tax is fair at the moment, it is a regressive tax. People on lower incomes pay a far higher share of what they earn than the better off, and the relationship between ability to pay and the value of the property in which one lives is imperfect. That does not matter as long as the sums involved are relatively small and there is broad confidence in the revenue support grant, but if these changes bring about major increases in the council tax in many parts of the country, and these changes are perceived to be unfair, the Government may find themselves confronted with a much wider debate. The genie may be out of the bottle and the consensus broken. The Government will then have to find a new way to fund local government.

Secondly, the Government have made it clear that they have a commitment to drive up standards in public service, particularly in education, but the impact of the more radical proposals for redistribution would make a nonsense of the Government's ambition not only in my Hampshire constituency but across huge swathes of the south-east. What the Chancellor bestoweth in his Budget, the Deputy Prime Minister taketh away in the revenue support grant settlement. Hampshire could be £80 million worse off, which is the equivalent of two teachers in every school. There is no way that Hampshire can invest in education and social services as the Government want if its financial foundations are eroded in that way. The Budget speech and the comprehensive spending review would be exposed as empty rhetoric.

Thirdly, it is not only the Deputy Prime Minister who plans to redistribute resources away from my constituency. The Secretary of State for Health is doing exactly the same. For every £100 spent by the NHS on the average constituent, my constituents get £83. The areas that stand to lose under these proposals are the same ones—all around London—where health trusts are struggling to balance their books. That means that in the key sector of community care where social services and the NHS meet, both are looking for economies. Health and education, the Government's top priorities, face a grim outlook in Hampshire and elsewhere.

Fourthly, what is proposed in the consultation document is a sensational redistribution of resources with the minimum of scrutiny and debate. The RSG is larger than the budget of many Departments and, indeed, larger than the budget of some countries. By changing the formula and presenting some of the changes as technical adjustments, a major and ill-targeted redistribution of wealth is taking place on the basis of the slenderest of intellectual justifications.

More than £304 million is being taken from a group of people who happen to live in one part of the country and given to a group who happen to live in another. Furthermore, that second group already lives in areas where spending levels are way above average. Public spending per head in the north-east of England is £1,148 more than in Hampshire. A Hampshire teacher will contribute towards 47 per cent. of the county council budget whereas a teacher in Durham will contribute towards 20 to 25 per cent. That is a geographical stealth tax.

Fifthly, the proposals will exacerbate the problems of public sector recruitment in the south-east, where it is essential to meet the Government's targets. Local authorities will be unable to afford competitive wages for the staff they need, in areas where it is already

difficult to recruit, and the public servants who are recruited, who already face high housing costs, will have to pay higher council tax bills. Yes, deprivation is one side of the coin and must be recognised, but the cost of service delivery is the other side and should have equal recognition if we are to have a fair system.

Chris Grayling (Epsom and Ewell): Will my right hon. Friend give way?

Sir George Young: Briefly—there is a cap on my speech.

Chris Grayling: I am sure that head teachers in my right hon. Friend's constituency will share the concern of the head teacher in my constituency who wrote to me this morning. She told me that substantial council tax increases would have a "disastrous effect" on standards and morale and would make a difficult recruitment situation much worse. I suspect those sentiments are shared by people throughout the home counties.

Sir George Young: Indeed. Teachers in many constituencies could have written that letter.

Sixthly, the implications for police authorities have not been mentioned much in the debate but they will have a serious impact in Hampshire. We could lose £10.4 million, which would mean a tax increase of about 22 per cent. to compensate. That would make a mockery of the Home Secretary's ambitions on the law and order front. The chairman of the police authority wrote to me:

"There would be little or no chance of any increase in the provision of the policing service across the two counties"—

Hampshire and the Isle of Wight—

"next year . . . We fear that this will reverse many of the initiatives funded from the crime fighting fund and the rural policing fund."

I should like the Minister to answer this question: whichever option is chosen, does he expect Hampshire to put up council tax to compensate for the loss of grant entitlement, or does he expect the authority to hold the increase to 6.2 per cent. and cut services?

May I make some helpful suggestions? First, the Government should validate current spending where the SSA is unrealistic—as in social services where everyone agrees that it is inaccurate. Secondly, they should fund the extra area cost adjustment from Government funds, instead of making the home counties pay for it. Thirdly, as far as possible, they should allocate grant by examining basic entitlements to standard services, instead of tweaking the formula with a whole lot of subjective judgments. Fourthly, they should remove the double counting of deprivation. Finally and crucially, they should leave the system as it is and reconsider it during the next year.

In conclusion, I have deep sympathy for any Labour candidate for a Hampshire seat at next year's local elections or at a more distant general election. These proposals are a serious mistake, which the Government may live to regret.

2.4 pm

Mr. Paul Truswell (Pudsey): I have listened with great interest to some of the contributions from Opposition Members, but the message that should come from the review is "The party's over." For those of us looking from the north at the current system it seemed that its architects, the previous Conservative Government, had told their civil servants, "Here are the results, now go away and come up with the formulas." That gerrymandering jamboree has been paid for, in my area of Leeds, with higher council taxes and fewer services.

It is tempting to cherry-pick the options in the consultation paper for the benefit of one's own authority. Leeds has resisted that temptation and has thrown its weight behind the proposals made by SIGOMA—the special interest group of municipal authorities outside London. Those proposals do not maximise the advantages for Leeds, but they are based on a sustainable series of arguments. The concern in Leeds is that it could gain about £12 million—a mere £18 per head in the best-case scenario—but lose up to £18 million in the worst.

The SSA system has long been riddled with flaws and anomalies. For example, we in Leeds find it amazing that some London authorities receive up to £2,000 more in education SSA per pupil than we do, yet Leeds has seven of the most deprived wards in the country. Indeed, its SSA is currently £79 per head less than the average for its class of authority.

SIGOMA has produced some cogent proposals and responses to the consultation paper and has made some sound arguments about how the system should be changed, and I wish to speak in favour of them.

On education, Leeds welcomes the proposal for unmet as well as met need to be included in the calculation. We certainly share SIGOMA's regret at the lack of a more sophisticated measurement of need, and support the arguments in favour of including the index of multiple deprivation.

On social services, large increases in SSAs were promised in the 2002 spending review, but unfortunately, under the consultation document, the benefit will be largely lost to Leeds. The Government will be only too aware that an increasing number of care homes in many areas—Leeds is a perfect example—are closing down because of insufficient income, putting massive additional pressure on local authority services and finances. That, coupled with the Government's proposal to penalise local authorities in connection with bed blocking, puts local authorities in an increasingly difficult position. It is crucial, therefore, that the Government address that issue and do not simply give with one hand and take with the other.

There are other anomalies. For example, the present formula uses the proportion of children living in flats as a good measure of deprivation in working out social services SSA, but that indicator gives implausibly large sums of money to authorities in London. In fact, it gives Westminster £206 for every child but Leeds a mere £9 a child. Where is the factor that takes account of the large number of back-to-back and terraced homes in Leeds? It simply does not exist.

On highways maintenance, the Government have 10-year plan targets to halt the deterioration in the condition of the roads by 2004, and to eliminate the

[Mr. Paul Truswell]

maintenance backlog by the end of 2010. The resources available to authorities such as Leeds are insufficient to deal with the backlog of road maintenance. I am afraid to tell my hon. Friend the Minister that the consultation proposals will simply deepen the problem and the potholes. The new formula clearly needs to reflect population density. The cost of maintaining a densely populated area is demonstrably greater than the general cost of maintaining urban areas and is totally independent of traffic volume. SIGOMA, backed by Leeds, also believes that the threshold on traffic flows should be retained. Heavy vehicles clearly cause the greatest damage, and the more there are, the greater the damage.

The Government's fixed costs option—top slicing £300,000 for the cost of simply being in business and allocating that sum across the board to local authorities—is simply unjust and unfair. Unless the mechanisms by which it is calculated can be rationally weighted, the idea should be rejected outright.

Resource equalisation is another crucial element of the debate from the Leeds and SIGOMA point of view. The gap between local authority current needs assessment—SSA—and actual spending amounts to £3 billion, which has to be met locally from council tax. This year, Leeds will spend more than £10 million above SSA on education and £18 million more on social services.

We therefore support the measures required to introduce some equalisation into the system. We believe that the most appropriate way of updating is by using a fixed percentage increase to eliminate the gap between notional spending and actual spending. That is reflected in the consultation document's first resource equalisation option—RE1. However, specific funding is needed from outside the system to achieve fair equalisation; it cannot be achieved with the existing elements.

A number of colleagues have mentioned the area cost adjustment. That probably represents the single greatest cause of injustice and anger in the present system. [HON. MEMBERS: "Hear, hear."] ACA—I am sure that this message will come from everyone, except perhaps the authorities that currently benefit from the system—needs to be clearly linked to real circumstances experienced by real local authorities living in the real world. It cannot continue to be based on a convenient mythology, which is the hallmark of the present system. It is extremely disappointing that such an option has not been included in the consultation document.

The ACA factor has been demonstrated through research to overcompensate authorities in terms of actual costs. Additional resources, despite protestations across the House, have been used to keep council tax down rather than to meet needs and improve services. Any new ACA option should take account of wage pressures not only in the south-east but on a regional basis. In addition, the present approach makes far too many assumptions about the impact of private or general market pay levels on what local authorities have to pay.

Options that include only private sector pay information are totally implausible and unacceptable. It is patently absurd that the calculations should include all private sector pay up to the highest level. There must be a rational cap. London councils are not in a market competing for the services of people like the Governor of the Bank of England, Knightsbridge grocers, millionaire novelists, whether in or out of prison, or even novelists who are in or out of bed with certain people.

In conclusion, the message must be that the party is over. It is time to call it a day on a system that has cheated so many people and authorities for so long.

2.12 pm

Mr. John Burnett (Torridge and West Devon): I join other Members who paid tribute to the hon. Member for Stafford (Mr. Kidney) for his sterling work on the f40 group. I commend to the Minister, if I can catch his eye, a work entitled "The Fiscal Crisis in the United Kingdom" by Professor Iain McLean and Alistair McMillan of Nuffield college, Oxford. It is an independent and extremely well-researched paper. It shows conclusively how badly the west country is treated in the apportionment of Government investment within the United Kingdom. I endorse, also, the comments made by the hon. Member for Wigan (Mr. Turner) on area cost adjustment and by the hon. Member for Burton (Mrs. Dean) on the matter of resource equalisation.

On 15 October we had an Adjournment debate on option 5 funding for Devon. We put forward the points raised by the f40 group. The Minister for School Standards, set out the additional expenditure that Devon and other local authorities have received. I recognise that. It is quite apparent in my constitutency, especially capital expenditure on the fabric of school buildings. Yes, there have been significant improvements. After 30 years of neglect our school buildings are getting better and there has been additional expenditure on education. However, I remind the Minister that Devon is one of the few local authorities with an expanding population. The funding review of local government finance is the most important for over a decade. It is of critical importance to the services that Devon county council provides, to the council tax payers of Devon and to the buoyancy of the Devon economy.

In the time available I want to cover some of the major points. On education funding, as the hon. Member for Totnes (Mr. Steen) said in his Adjournment debate, we in Devon receive about £195 per pupil per year less than the national average. Devon county council has to spend about £19 million a year on school transport. Effectively all four of the options in the Government paper leave us substantially worse off. We end up worse off than we are now.

There is a huge head of steam building up in Devon on this matter. I, like most other Devon Members, have received more letters from constituents on this than on any other matter. On 16 July I and other Devon Members took a delegation of head teachers, governors and others to 10 Downing street to present a petition to the Prime Minister. He listened to our points. I and hundreds of thousands of people in Devon hope that he acts on the evidence that we presented.

We support option 5 which is being proposed by the f40 group. There is a powerful all-party consensus of a great many Members who are promoting this option.

I believe some 200 Members are behind it. In a nutshell we want, first, to maximise the amount per pupil. Secondly, if the formula is to provide for deprivation, not just for education, but also for other services, working families tax credit should be included as a measure, as well as income support. The Government have indicated that they are predisposed to allow this change. The case is compelling. Working families tax credit in conjunction with income support is a far better measure of deprivation and should be used throughout the formula. Income support measures unemployment. Working families tax credit measures those on low pay. Deprivation affects those on low pay as well as the unemployed.

Mr. Hugo Swire (East Devon): Is it worth pointing out that average wages in Devon are 20 per cent. below national average?

Mr. Burnett: That is an extremely good point and the hon. Gentleman will not be surprised to know that I am going to make it. Low pay in Devon arises from seasonal work and poorly paid employment.

The use of working families tax credit within the grant distribution formula reinforces the Government's objectives of getting people into work and supporting those on low pay. The inclusion of working families tax credit also reflects the fact that low-income families are likely to have similar needs to those of the unemployed. Therefore, local authorities with a high number of working families tax credit claimants will have increased levels of deprivation.

In addition, there is the crucial matter of school transport and sparsity. A substantial amount of Devon county council's budget is devoted to school transport. In the schools block, which is over 80 per cent. of the education block, there is provision for primary school transport. I can assure the Minister that that is simply not enough. The vast majority of those travelling to secondary schools in my constituency and others qualify for school transport. That must be recognised in the formula. I see a great many heads nodding. I am delighted that there is a large degree of consensus.

Any changes in the distribution mechanism for social services must be seen in the context of the inadequacy of the quantum of resources available for those services. The Local Government Association and the Association of Directors of Social Services consistently state that nationally authorities are annually budgeting some £1 billion above social services standard spending assessments. As the Minister knows, many parts of the budget are demand led. Devon county council spends more than 10 per cent. above the social services standard spending assessments. Devon has two major concerns regarding the social services formula. Because of the concern about continuing reliance on past spending levels within the younger adults formula, we would welcome a separate formula for mental health within the younger adults sub-block. Secondly, we acknowledge that the distinction between residential and domiciliary care is becoming very blurred. That would point to the need for a combined formula in future. Devon has campaigned for several years for a total resident population rather than a household population to be used as the client group, and for a degree of weight to be given to sparsity in domiciliary care cases.

On police funding, the police options in the consultation paper show Devon and Cornwall losing some £2.1 million to £5.3 million. To give an example, £5 million is equivalent to 12 per cent. of our entire council tax receipts or the cost of 200 police officers—

Madam Deputy Speaker: Order. I call the hon. Member for Stafford (Mr. Kidney).

2.20 pm

Mr. David Kidney (Stafford): There is a keen interest in this subject around the House and among the public and councillors in our English constituencies, for very good reasons. First, local government is responsible for a quarter of all public spending. Secondly, we have waited 10 years for this change, and people reasonably fear that this will be a once-in-a-decade operation, so they are anxious to have their say now. Thirdly, local government depends on money that comes from the Government for 75 per cent. of its spending, so this is a vital subject.

I am a friend of the Government, and I want to point out that some of the criticisms of their position are unfair. First, on the criticism that there has not been enough effort to try to change the existing system, in 1997, the first year of the Labour Government, there were 35 changes to the existing formulae. What we found, however, was that the system was so complex that to change one piece in one place had unexpected consequences in other places. The Government therefore concluded that a totally new system was needed, and I approve of that decision. The Government then gave local government the opportunity to agree that new system—what could be better than a system to which everybody agrees and signs up? Because of the all the vested interests, which we are rehearsing today, it was not possible for those authorities to agree that system. When they complain about the effect of the new system on their finances, I hope that the Deputy Prime Minister asks them what their position was when they had the opportunity to agree the system for themselves.

The Government also deserve credit for the extra funding that they have put into local government overall. I give special praise to the decision by the Chancellor of the Exchequer and the then Secretary of State for Education to introduce flat-rate payments to every school in the country in response to our complaints about the unfairness of the distribution system. As has already been mentioned, the Government deserve credit, too, for the thoroughly open way in which the process has proceeded—the Green Paper, the consultation document, the seminars for Members, and the meetings and delegations that have been seen.

The Government hope that the new approach will be simpler, easier to understand and easier to explain, of which we all approve. When we see the possible consequences for our local authority, however, we find a credible measure that we would like to insert into that simple system to benefit our area. People put up many different arguments, which was a fault of the previous system—it was overloaded with credible but partial systems that bent it to suit different authorities' areas, which made it complex and difficult to understand.

[Mr. David Kidney]

The Government must therefore be brave, resist all those blandishments and arguments and keep the system simple.

Of course, the new approach will not be an objective exercise that speaks for itself. The Government will make political decisions. They will decide where to draw the line between basic amounts and top-ups. They will decide what measures to use for the top-ups. They will even decide what evidence to use for those measures. We must recognise that those political decisions are the ones that we want to influence as Members of Parliament.

Some overarching aspects of the new system need to be pointed out because of their effect on the whole, such as the promise of no losers and the system of floors and ceilings. Between them, their operation means that there is significant loss of room for manoeuvre in the overall settlement. Nevertheless, it is a fair attempt to provide stability and security for those who worry about losing grant.

The next overarching issue that is worrying for areas such as mine in Staffordshire is the operation of area cost adjustment in the new system, and the proposal for resource equalisation, both of which threaten to overwhelm completely all the good work done for individual formulae for the service blocks. The final issue is the modern expansion by a Labour Government of the use of special grants and specific grants, all of which will be taken out of the money that is available through the system to distribute to local authorities equally.

I do not have much longer to speak, but I want to mention briefly the f40 campaign, with which I have been associated. First, the campaign relates only to education funding, but we are debating the whole of local government finance, which is an important distinction to draw. The campaign grew out of a collection of only seven or eight shire counties that, under the present system, constantly found themselves at the bottom of the funding league table, year after year. They wanted change, and they argued for it, but nobody listened because they did not have a big enough influence. A strategic decision was therefore taken that drawing a line at the bottom 40 authorities in the lowest-funded league table would provide some clout. The good thing about f40 authorities is that they represent all parts of the country, all kinds of councils—shires, metropolitans and unitaries—and all kinds of political control. The campaign therefore has a sensible balance. I hope that we are able to persuade the Government to listen to our non-partisan view—I admit that we come from a particular position, but it is the one at the bottom of the pile.

As for Staffordshire—and the reason why I feel so strongly about this subject—we are poorly funded. This year, the local education authority was inspected jointly by Ofsted and the Audit Commission. First, they found that our education attainment is at or above the national level, which is a tremendous tribute to the hard work of the teachers, governors, school staff, parents and the students themselves. They also found, however, that we are funded at a level that is 12 per cent. below the average for local authorities, which, given what we have achieved, is an incredible amount. We are 33rd out of 34 English shire counties in the funding table, the local authority spends above its SSA to try to compensate, and we are not eligible for major funding streams such as excellence in cities and education action zones.

My recent experiences demonstrate why I feel so strongly: a first school has asked two experienced teachers to leave because it cannot afford their salaries; an Ofsted report told me that a primary school had to choose between office staff and a special educational needs co-ordinator; and a high school had to ask four teachers to leave because the budget did not add up at the end of the financial year. Politically, I find that, whatever the good news about educational achievement or funding—I would hope that a Labour Government would be interested in this point—whenever I mention it, everyone says, "Yes, but what about the unfair funding system?" All the good news is lost to the area.

F40 supports option 5 because we thought that the Government were interested in closing the league table gap between the best-funded authority and the lowest-funded authority, and option 5 seeks to do that. I want a system that has the maximum proportion in the basic amounts and the least possible in the top-ups. I want the top-ups to be based as closely as possible on actual additional costs presently incurred. I want no major distortion of the new settlement by wholesale resource equalisation. I want a closing of the gap between the best and worst funded authorities. Finally, I want a reduction in the use of special and specific grants to pay for improving the finances of the lowest-funded authorities while keeping the Government's commitment to no losers and a fair system of floors and ceilings.

2.28 pm

Mr. Patrick McLoughlin (West Derbyshire): It is a pleasure to follow the hon. Member for Stafford (Mr. Kidney). I shall make some of the points that he has made in my own way.

One of the problems that the Government have found, whether they like it or not, is the build-up of the expectation—for which they are responsible—that once the new system was introduced everybody would be satisfied and happy. As we have found today, however, several concerns exist about the options that the Government have put forward in their consultation proposals. The expectation has been building up over five and a half years; in fact, it has been building up for longer. As the hon. Member for Stafford said, the original eight local authorities, which called themselves a G8, have grown into the f40 campaign. I shall comment further on that later.

I regret that we find ourselves today with very little time to debate something that will probably be in place for the next 10 years. We are talking about 25 per cent. of public expenditure and putting into operation the framework for local services for some years to come. It is a great pity that many of the people who want to speak today will not be able to do so because of the time allocated.

Sir Patrick Cormack: It should have been a two-day debate.

Mr. McLoughlin: As my hon. Friend says, a subject of this magnitude warrants not a four-hour debate on a Thursday afternoon but a full two-day debate.

I have heard people speak about the way in which local authority expenditure has been vastly increased, but the Government placed on Derbyshire county council the lowest cap on a local authority in the history of capping. Therefore, it is with a sense of irony that I listen to other people's perceptions of the changes made to local government.

There is no doubt that the system has become far too complex, with far too many grants dependent on local councils meeting Government targets and on the will and wish of Ministers. That is not perceived to be fair and we desperately need a system that is so perceived. I would be the first to accept that the system has fallen into serious disrepute. For example, when I was a member of the governing party, I never felt able to explain fully to my constituents the logic behind, and the fairness of, area cost adjustments. I am not sure that the new system will be that much easier for us to understand. Indeed, the former Secretary of State for Education and Skills, when speaking in Derbyshire, described the system as "indefensible". If it was indefensible, one wonders why the Government have taken five and half years to come up with new proposals and are now rushing us in this way. Time is short.

I have heard the cries from the Liberal Democrats and others that we should delay the proposed changes for a year. I am not sure that that would be the best approach. It would certainly lead to much disappointment. For example, in Derbyshire in September 2001, the National Union of Schoolmasters/Union of Women Teachers said:

> "We were hopeful that the issue of Fair Funding was finally to be addressed by the present Government. We had hopes of a settlement at least bringing Derbyshire up to a median figure for this current academic year. We were disappointed that this did not happen and that we were to be left further behind again this year. We remained hopeful though that the issue would at last be tackled for April 2002. We are now angered to learn that yet again there is to be a delay in implementing the policy—until at least April 2003—with no obvious valid reasons given for the delay."

A further delay, as asked for by the Liberal Democrats, would not go down well in my constituency and in my county, and that is probably true elsewhere.

The Government have introduced four options, but allowed for a truncated period of consultation. To start consultation on education funding on 9 July and to end it on 31 December does not provide people with a great opportunity to participate fully in the consultation exercise. That might have been what was in the Government's mind.

I should like there to be a far greater shift of resources into the basic pupil allowance. That is what the f40 campaign wants, so that educational funding can be understandable and transparent. I agree with much of what the hon. Member for Denton and Reddish (Andrew Bennett) said about local authority funding. Local authorities provide such a huge service that our constituents have a right to know, and to see, that they are treated fairly by the Government.

As the hon. Member for Stafford rightly said, the f40 group is a large organisation that has considered all the options for education. I accept that it has considered only education and that, when the Government make their recommendations, they will have to consider the whole sphere of services for local authorities. However, f40 has come up with option 5, which has a great deal of support in my constituency. I should like to be able to tell my constituents that the Government have addressed what was a difficult formula to understand and that the new formula can be easily understood. That would mean that there would be no excuse for services that we look to local authorities to provide not being provided.

We need a much greater shift of resources into the basic allowance per pupil and a move away from the system calculated according to additional education needs. As the hon. Member for Denton and Reddish said, elements of the proposals are so awful to local authorities such as Derbyshire, which would lose under some of them, that I am pretty sure the Government came up with them on the basis that they would draw back from the worst of them and that everyone would be relieved as a result. However, if the changes are to result in long-term benefits for local government and in increased understanding by our constituents, the more transparent the system, the better.

2.35 pm

Paul Farrelly (Newcastle-under-Lyme): Given your former constituency, Madam Deputy Speaker, and the contributions of my hon. Friend the Member for Stafford (Mr. Kidney) and the hon. Member for South Staffordshire (Sir P. Cormack), I hope that the House does not feel that a Staffordshire mafia is in operation.

Like everyone else and on behalf of my constituents in Newcastle-under-Lyme, I welcome Ministers' commitments that no area will lose out from the review. I agree with my hon. Friend the Member for Stafford that we should give praise where it is clearly due. The Government have been able to make the commitment because of the Chancellor of the Exchequer's generous spending review this year.

In Staffordshire, we have no quibble with the extra resources that the Government have put into education and vital public services. We have no quibble with the extra ring-fenced resources that the Government are targeting where need is greatest. Newcastle-under-Lyme, which has some of the most deprived wards in the country, has benefited from sure start, neighbourhood management initiatives and, most recently, a massive pilot scheme for housing renewals.

Like many former mining and traditional industrial areas, Newcastle-under-Lyme faces particular challenges in education—in ambition, aspiration, achievement and staying-on rates after 16. We can therefore have no quibble with the Government's educational maintenance allowance scheme to encourage less-well-off children to stay on in further education. I called for an extension of that scheme in my maiden speech a year ago, and I am glad that we have had it in Newcastle from September, through the Newcastle achievement scheme. No fair-minded person could take issue with such worthy initiatives.

However, as my hon. Friends have already said, we take issue with the proposals for fair funding for Staffordshire and our relative position compared to other counties and areas. Whichever way one looks at it, Staffordshire loses out across the board under the current system. The needs in areas such as mine are equal to, if not greater than, those in areas that always do relatively well.

[Paul Farrelly]

Let us consider education as an example. In 2001–02, out of 150 LEAs, Staffordshire ranked 146th in primary school and 144th in secondary school funding per pupil. I do not want to bandy about the names of better-off counties—I would certainly invite guerrilla interventions from the right hon. and hon. Members representing Hertfordshire if I did—but it cannot be right that schoolchildren in my constituency, where schools face great challenges, should be worth more than £300 less each per annum than pupils in many better-off areas. It cannot be right that primary schools in the most deprived areas in my constituency are £30,000 or more worse off than schools in more privileged areas in the south. It cannot be right that secondary schools, such as my old school of Wolstanton high where I am still a governor, are £400,000 worse off than schools in areas that do not have mountains of achievement to climb. That is why I add my voice in support of option 5 advocated by the f40 group for education.

I have received hundreds of letters from constituents following the f40 campaign, which has been so ably co-ordinated in Parliament by my hon. Friend the Member for Stafford. I dare not think how many letters my hon. Friend the Minister has been deluged with. I hope that he will agree that f40 is an impressive and persuasive campaign, as is the campaign on issues across the board of the northern alliance group of councils.

I could go through a list of public services in Staffordshire one by one—police, highways, fire and environment—and show how badly we do across the board, but time is short, and the House will be glad to learn that I will not do that. However, I should like to refer briefly to social services, which is perhaps the most precarious service of all. Historically, the mining, pottery, iron and steel and industrial legacy of north Staffordshire has meant great challenges for health. Not before time, they are being addressed by the construction of a new £250 million hospital to replace crumbling old Victorian buildings and by investment in intermediate care and our community hospitals. However, we cannot fully meet those challenges when social services—the community side of the health equation—remain so stretched. That is especially the case when care for the elderly is transferred into the community, which is happening increasingly in Newcastle-under-Lyme and north Staffordshire.

While facing those challenges in personal social care, Staffordshire ranks 124th out of 150 for elderly domiciliary care and 118th for elderly residential care. Despite the best efforts of the education service, our low relative position in education makes it more difficult to address special needs for the most vulnerable children in our communities. Those difficulties are compounded by Staffordshire ranking 133rd out of 150 in children's social services, which rubs salt in the wounds. I welcome the recent speech by my right hon. Friend the Secretary of State for Health heralding a radical shake up of social services for elderly care.

Sir Patrick Cormack: Will the hon. Gentleman underline the fact that, throughout my 32 years in the House, Staffordshire has always had a prudent county council, whether under a Conservative or Labour administration? Our cry is from hon. Members on both sides of House and from all parties.

Paul Farrelly: That is a valuable point.

We want a formula that better addresses need and deprivation so that counties such as Staffordshire and regions such as my own do not lose out time and time again. I will not repeat the points so ably made by my hon. Friend the Member for Stafford, but having overwhelmingly elected a Labour Government in 1997 and 2001, my constituents and the people of Staffordshire want them to be bold in redressing the balance. To coin a recent phrase, we are at our best when we are bold. Like many areas represented in the House, we want fairer funding. I realise that the Minister is in an invidious position; he cannot satisfy everyone, but we call on him to be bold. Our constituents have spent a long time waiting for a change, and a change that changes nothing will not be good enough.

2.42 pm

Mr. Andrew Lansley (South Cambridgeshire): Days before the 1997 general election, the Prime Minister, then leader of the Opposition, said:

"We will review the area cost adjustment in time for the next financial year".

The first debate that I secured was in July 1997, in the previous Parliament, and it was on the area cost adjustment. Responding to that debate, the Minister for Local Government and the Regions told me:

"we shall study the further surveys carefully and discuss them, as a matter of urgency, with the local government associations. We shall not be precluded from taking decisions at the earliest opportunity".—[*Official Report*, 18 July 1997; Vol. 298, c. 670.]

Five years and three months later reform of the area cost adjustment is long overdue. What the Government propose in their options could have been done five years ago because it is substantially based on the Elliott review methodology produced before the 1997 election.

If implemented, the five area cost adjustment options would increase Cambridgeshire's standard spending assessment total by anything from 2.5 to 6 per cent. During the past five financial years, Cambridgeshire may have lost £100 million from the Government's failure to act, and fairness delayed is fairness denied. Cambridgeshire has the lowest SSA—£647 per head—of any county, and schools suffer most, with a gap of about £270 per pupil between the school funding in my constituency and funding over the border in Hertfordshire. Although the Cambridgeshire police area has an average amount of crime, we have 250 fewer police than average. It is time for fairness.

Step one is to implement reform of the area cost adjustment. Only options 4 and 5 would provide an area cost adjustment factor for each county. I would go further and provide that for each authority. The labour market pressures in South Cambridgeshire and the constituency of the hon. Member for Cambridge (Mrs. Campbell) are substantially different from those in the fenlands in the north of the county. I would use option 5, which more accurately reflects underlying labour market pressures in the longer term, to which local authority services have to respond, particularly if district level authorities are involved. The same area cost

adjustment approach should be used for education. House prices are too volatile, too closely related to interest rate movements and too much of a current preoccupation rather than a long-term indicator.

Step two must be to reform the education grant. Many people have said that the capitation level—the basic entitlement per pupil—should be higher. That is true not only because it would deliver fairness in funding, but because the education funding strategy group is trying to build an activity-based level of funding so that we accurately fund the cost of providing the national curriculum to pupils. I am disappointed that the Government did not work with that group to produce an option on that basis. Likewise, as the formula does not provide for so many unmet needs, how can they be included in relation to additional educational needs? Additional educational needs factors apply in every authority to some extent, so it must be right to have a high threshold of 50 local education authorities. In addition, sparsity is inadequately reflected and should be included for secondary schools and the under-fives.

Step three must be to reject the proposed resource equalisation options proposed in the consultation. Those would reintroduce past spending into the formula, which the Government said they would not do. Worst of all, they would be based on validating high spending and penalising thrift. I do not suggest that we can do without resource equalisation and I accept that we may have to rely on the current system for the time being while we look for something better. However, perhaps the Minister should consider not using council tax and standard spending under the current system, but look instead to the median level of council tax as a proper intermediate measure on which to base our resource equalisation.

Step four is to take proper account of population growth. Those areas with a declining population are already compensated because of the lag between population data and grant calculation. Those areas with a large growth in population, such as Cambridgeshire, need a factor in the grant which is based on excess population growth. I was surprised that the consultation suggests £65 for a shire district. Although a shire unitary authority would receive £675, shire counties and districts would get only £560 when added together. The Greater London Assembly and an outer London borough would get £1,000 when added together.

Step five is to take proper account of sparsity. For example, a 1 per cent. weighting in the police service calculation is woefully inadequate.

The Government's proposals could be turned into a fairer system. It would mean kicking out the resource equalisation proposals and the idea that the business rate should be treated as a Government grant. The system would benefit from major changes in the education options, which other hon. Members and I have proposed, and, in the longer term, from using more direct and relevant data that relate to pupils' additional needs. I hope that on that basis we will see a much improved result later in the year. It is time for fairness and I look forward to that happening in the next financial year.

2.48 pm

Mr. Tony Banks (West Ham): I have sat through many such debates on local government finance and have participated in them for the 20 years or so since I became a Member of Parliament. They always reveal the problems that arise from an overcentralised Government system. It was the same under the Conservatives. I remember Margaret Thatcher extending to us the promise that she would take Whitehall off the back of the town halls. Of course she did precisely the opposite. Hearing various blasts from the past, such as the former leader of Wandsworth council, the hon. Member for Mole Valley (Sir P. Beresford), complaining about the proposals, I am reminded of the way in which the Tories used formulas to give an advantage to their sweetheart authorities, such as Westminster and Wandsworth.

Things have got better under this Government. One still gets the feeling, however, that local authority finance is like the infamous Schleswig-Holstein question. Most do not understand the question, no one knows the answer, but everyone is affected by the outcome.

This is a whingers' debate. I have not heard anyone do anything other than whinge, and rightly so. That is the problem with local authority finance: we all come to the Chamber to complain about our own local authority being skint. No one is likely to come and say, "We have done very well." Those hon. Members who are not present are probably not interested, or prefer to read the collected works of Kim Il Sung, which are slightly more interesting, or their local authorities have done extraordinarily well out of the settlement, though I doubt it.

We know that very few people turn up to say thank you. There is little gratitude in politics, as we will all find out eventually. All our political careers are doomed to end in failure, as someone said. Mine just ended a bit sooner than others. However, I want to prove to the Minister that I am not wholly a whinging ingrate. Newham, my borough, has received much Government support, but mostly in the form of special programme measures, schemes and Government initiatives, all of which are time-limited. What we want in Newham, as all local authorities want, as a number of hon. Members have said, is a predictable core of Government funding, and much greater powers to raise our own revenue streams. We want to be able to use those revenue streams to spend on our locally determined priorities.

Government provide 75 per cent. of all local authority finance, but there cannot be effective local democracy with the Treasury controlling the purse strings to this extent. The Government have announced and implemented a genuine programme of devolution, but without greater financial independence, devolution will ultimately fail. It will not produce the local successes that people expect from it. That might be one of the reasons for the low turnout in the recent local elections, particularly those for local mayors.

It is an open secret that I hope to become Labour's candidate for London mayor. I am grateful for the support of a number of my colleagues. Why should I not be? I was the first to propose a directly elected mayor for London in 1990. The idea did not meet with universal acclaim or, as I recall, any acclaim whatever, at the time,

[Mr. Tony Banks]

but it is now a fact and it was brave of the Government to introduce the office. However, they are holding back from making that office truly effective.

We in London must have our own revenue streams, free from the dead hand of Treasury control. I have made a number of suggestions recently, which I shall put to the young and handsome Minister. *[Interruption.]* He is young and handsome. It is quite scary, really. One suggestion is that city hall should be able to raise a bond issue for transport infrastructure investment in London, unless Treasury Ministers will give us all the money that we need for vital schemes such as crossrail 1 and 2, Thameslink and the river crossings. We know that they will not, yet they are preventing us from raising our own money.

I have suggested that London should be able to receive all the income from the airport tax, which would then be hypothecated for transport infrastructure projects. That could be done, if Gordon is prepared to let us do it. I notice that the Government propose to change the legislation relating to gambling. Why not have municipal casinos in London? That is an excellent idea. It is done in other parts of the world and raises large amounts of money, which could be used to improve services for London.

My hon. Friend the Member for Denton and Reddish (Andrew Bennett) mentioned a tourist tax. We could have a hotel bed tax in London. What about a London lottery? I throw these ideas before the House so that they may be considered and discussed. A London lottery would be an excellent way of raising money. We do not want to rely on sticking the precept up more and more, as that simply impacts on the local authorities and borough councils, and we want to find independent ways of raising our own money in London. My hon. Friend also suggested that business rates should come back to local authorities. Absolutely correct. That would be of great benefit to London.

I know that when we call for more resources for London, there are many who say that London is already getting too much. That is not a fact. London is not just Mayfair, Westminster, Kensington and Chelsea, where Opposition Members go for their enjoyment; it is also places such as Plaistow, Tottenham and Peckham. We have some of the most deprived local authority areas in the entire country.

I conclude with an extract from a speech made by the Chancellor on 11 October, in which he said:

> "So we are introducing a range of new financial freedoms—new powers for local authorities to retain fines, develop new services and decide council tax exemptions and discounts, allowing responsible councils to innovate and respond to local needs.
>
> We are making councils themselves responsible for deciding how much they can prudently borrow, providing greater freedom for councils to invest in local services."

I hope that when the Minister replies, he will dress that out a little more. It sounds very interesting and promising. We need some delivery.

2.55 pm

Mr. Nigel Waterson (Eastbourne): It is always a great pleasure to follow the hon. Member for West Ham (Mr. Banks). Who says the music hall is dead? I thought that I had blundered into some Labour party mayoral hustings.

Mr. Banks: You have.

Mr. Waterson: The hon. Gentleman confirms that. He must be crossing his fingers and hoping against hope that he does not have a monkey running against him.

In Eastbourne, my constituents are facing a council tax calamity of mammoth proportions. In fairness, though, it is not all the Government's fault; the Liberal Democrats have made their contribution. In record time, even by their standards, since taking control of the borough council earlier this year they have produced a black hole in the council's finances and are speaking of an increase of up to 30 per cent. in council tax under their regime. Of course, we must allow for a certain amount of spin in that figure. I assume that they will end up with a figure rather less than 30 per cent. in the coming year and then claim some sort of success.

I shall deal with the likely effect, beyond those effects on my council tax payers, of the Government's proposals. It is impossible to escape the conclusion that the Deputy Prime Minister has got it in for taxpayers in the south-east and, as was said earlier, is trying to give money to his friends in the north. In the immortal words of Kenneth Williams, "Infamy, infamy, they've all got it in for me!" That is the attitude of many councils in the south-east.

We have already had the formula fiddled once, so it no longer recognises sufficiently the number of older people living in East Sussex and in my constituency. Despite that, the new Conservative-controlled county council has made enormous strides in bringing the budget under control after the chaos of the Liberal Democrat years, and has finally scrapped the 800-people waiting list for social services care under the previous regime. Potentially, East Sussex is the worst hit of all county councils, yet it has the third lowest gross domestic product per head among all areas in the UK. It is not full of rich toffs of the sort that the hon. Member for West Ham mentioned in the London context. On any of the proposals, East Sussex will lose between £4 million and £44 million in a full year. In real terms, that equates to some 900 teachers, or it means social services being unable to give care to over 2,000 vulnerable elderly people. That would dwarf the problems that the current county council inherited from the Liberal Democrats when it took control.

As we have heard from speaker after speaker this afternoon, the net result of all this is a massive shift in resources from the south, particularly the south-east, to the north and the midlands. I have a copy of a letter to the Secretary of State for Health from Councillor Keith Glazier.

Mr. Andy Reed (Loughborough) *rose—*

Mr. Waterson: I am not giving way, as time is short, as the hon. Gentleman knows.

Councillor Keith Glazier, the lead cabinet member for social services, refers to the promise of 6 per cent. real growth above inflation over the next three years for social services, but even taking the mid-point of all the options set out by the Government, he states:

"A loss of this scale would more than wipe out any gain from the growth in resources signalled in the recent Comprehensive Spending Review."

The changes, however, would affect spending throughout the county. I have also had a letter from the chief constable, Ken Jones, who says that according to the calculations Sussex police face

"a potential loss of grant of up to £17 million in a single year... we will need to recruit in the region of 250 new officers over the next three years, just to replace those that are due to retire."

The force is trying to reach its

"target of 3,100 police officers by the end of this financial year".

Incidentally, that is more or less the figure that the Government inherited in 1997. The chief constable goes on to say

"any standstill in our funding would be extremely damaging and set back the gains that we have made as a Force over the past year."

The area cost adjustment has been discussed. East Sussex is relatively close to London, and costs are high compared with those in other parts of the country; so some form of adjustment is obviously necessary. Many Members probably do not know, however, that East Sussex is one of the poorest counties. I have already given the GDP figures, but there are substantial areas of deprivation in my constituency and in the county as a whole. The effect of all the existing pressures—increasing school rolls, increasing numbers of old people and, in some areas, increasing deprivation—on county council expenditure is considerable.

There is, however, a double whammy. We have the highest proportion of people over 85 in the country. That puts enormous pressure on social services, as such people are likely to need residential or other care. Moreover, they are the people who will be asked to pay the mammoth council tax increases. Let us leave aside for a moment the incompetence of the Liberal Democrats in Eastbourne itself, and consider the enormous increases—dwarfing even those increases—that the Government's proposals are likely to bring about. The pressure on social services will be matched by extra pressure on the budgets of vulnerable people who do not have large disposable incomes.

I urge the Minister to address the concerns of my county council, and of many people throughout the county and certainly throughout my constituency, about the disastrous effects that the proposals are likely to have on my council tax payers, and the even more disastrous effects that they are likely to have on the services provided for my constituents.

3.3 pm

Mrs. Anne Campbell (Cambridge): I have considerable sympathy for my right hon. Friend the Minister for Local Government and the Regions, who has had to disentangle the mess left by the Tories when the poll tax was axed 12 years ago. Having said that, I must add that I wish the review could have been completed earlier, although I am very glad that it has been completed now. I was appalled to hear the hon. Member for Bath (Mr. Foster) ask for a further year's delay, which in my constituency, and probably in all Cambridgeshire, would almost certainly ensure that the Liberal Democrats remained out of office for many years. It would be extremely unpopular.

The hon. Member for South Cambridgeshire (Mr. Lansley) calculated that Cambridgeshire had lost £100 million under the present Government. On the basis of his calculation, during the years in which the Conservatives failed to reform their system the county would have lost £140 million. If I were the hon. Gentleman, I would keep quiet.

Mr. Lansley: Will the hon. Lady give way?

Mrs. Campbell: No. I have only eight minutes, and the hon. Gentleman has already had an opportunity to speak.

As my hon. Friend the Member for Stafford (Mr. Kidney) pointed out, one of the problems created by the current system is the creation of huge disparities between authorities. That is bound to make people feel that the system is unfair. As the hon. Member for South Cambridgeshire said, we in Cambridgeshire tend to compare ourselves with those in Hertfordshire, with whom we share a boundary. Education funding differences amounting to hundreds of pounds exist between pupils. In Cambridgeshire the funding for each secondary school pupil is £3,225, while in Hertfordshire it is £3,503. In a school with 1,000 pupils, the difference in funding between the two counties is £278,000. Ninety per cent. of that would be enough for six or more teachers to be employed over and above the allocation for a similar school in Cambridgeshire. Hertfordshire has always had a much more generous settlement under the current system, which is difficult—indeed, nigh-on impossible—to justify to parents, teachers and governors in my constituency.

I do not underestimate the difficult task faced by my right hon. and hon. Friends. During a debate on 15 October, I asked whether my right hon. Friend the Minister for Local Government and the Regions considered reducing the disparities between authorities to be one of his criteria for success. He implied that he did not. I urge Ministers to think again. There will be continuing flak if those disparities are not reduced, although it may mean some reshuffling of cards. They are perceived to be extremely unfair, and I think that reducing them should be a priority.

I want to discuss two specific aspects of the proposals, the area cost adjustment and resource equalisation. I shall begin with the area cost adjustment, as I find it easier to understand. Cambridgeshire has argued long and hard that it should be able to benefit, in the grant distribution system, from allowances for higher costs, including wage rates, property and bought-in services. I was pleased to note that the review supports the county council's argument that counties outside the south-east also face high operating costs. It is interesting to compare house prices, for instance. I have a list from the Land Registry of the average prices involved in residential property sales between April and June this year. The average price in Cambridgeshire was £139,678, whereas the averages in Hertfordshire and Bedfordshire were £131,263 and £136,541—both

[Mrs. Campbell]

lower than the Cambridgeshire average. Unlike Cambridgeshire, Hertfordshire and Bedfordshire receive area cost adjustments. My hon. Friend the Member for Wigan (Mr. Turner) said that house prices should not be a factor. I must tell him that they severely affect recruitment of teachers and other low-paid workers who cannot afford to buy houses in my constituency.

Data taken from the new earnings survey of full-time employees on adult rates in 2001 support the evidence that Cambridgeshire should benefit from the higher costs allowance. Average gross weekly earnings in Cambridgeshire were £453.40 in Cambridgeshire, higher than those in Essex, Oxfordshire and West Sussex. Cambridgeshire and Cheshire are the only counties in the top 10 in relation to average earnings not to receive the area cost adjustment.

The analysis in the consultation paper suggests that Cambridgeshire has been underfunded relative to other counties for the past 11 years, which has had a major impact on services. Cambridgeshire is spending £80 million over standard spending assessment on social services, but there are still significant pressures, especially on the provision of care for elderly people. That is largely because costs are on a par with those of authorities surrounding London. It is more expensive to provide home care and nursing or residential accommodation in Cambridgeshire than in neighbouring authorities, yet they receive significantly more cash per potential client than Cambridgeshire does. Hertfordshire, for instance, receives £2,360 more than Cambridgeshire for every elderly person who might need support. I do not see how that can possibly be fair. The criteria for deciding which authorities receive area cost adjustment should be based on evidence of relative input costs and not on an authority's geographical position in relation to London.

I want also to express my support for education option 2, which is the best approach. It recognises that deprivation includes not only people on income support, but children in families on low incomes who receive the working families tax credit. I believe that both groups are likely to have similar needs, so working families tax credit recipients should not be excluded from the calculation.

I am also attracted by option 5, which was so well expounded by my hon. Friend the Member for Stafford. It was proposed by the f40 group, which comprises the 40 lowest-funded education authorities, and I understand that it would use the same basis for calculating top-ups as option 2, but make the basic allowance per pupil greater and the top-up smaller. I say to the Minister that the great advantage of that option is that it would reduce disparities and therefore the perceived unfairness, so I hope that he will seriously consider it.

Madam Deputy Speaker: Order.

3.11 pm

Mrs. Annette L. Brooke (Mid-Dorset and North Poole): Much has been made of the strange name of my constituency. This diverse area contains one unitary council, one county council and two district councils, one of which is part of the small group that does not receive any revenue support. In passing, may I say that I hope that the Minister is reconsidering the proposed merger of the revenue support grant and the redistributed non-domestic rate. The authorities, common factor is low funding, historically among the lowest in the south-west. To put that into context, the SSA per capita for the south-west is the lowest for any region. At £876, it is 12 per cent. below the English average of £995. As the lowest of the low, it is not surprising that the councils initially welcomed the idea of simplicity, transparency and ease of understanding. Obviously, there was a strong belief that the history of underfunding would at last be addressed.

I am heartened by the number of hon. Members who have mentioned the f40 group. The areas that it includes are situated throughout the country and the fact that so many people are talking about the issue represents the strength of feeling that exists. Not surprisingly, I support option 5. Poole unitary authority has the sixth lowest education funding in the country. Dorset is also well towards the bottom of the list of the lowest 40, although that is not reflected in its results. In the past few weeks, I have received hundreds of letters about the issue. Parents cannot understand why their children are allocated £100 less per head than those in Hampshire schools, for example. We have been hearing that they were not doing so well, but as many other hon. Members have said, the main issue is the size of the discrepancy between the highest and lowest funding, which causes great concern among parents.

Bob Spink (Castle Point): Does the hon. Lady share my curiosity about the Government's proposal to remove more money from education in counties where the results are good—the best in the country—and use it to reward counties where the results are much lower?

Mrs. Brooke: I shall move on, as I do not think that that is the main issue.

I was saying that we have excellent teachers despite the low funding, although I am afraid that we have been very disadvantaged in terms of physical resources. The basic allowance per pupil simply must be higher.

On social services in the south-west, a recent analysis shows that there is a £70 million care gap. Local authorities are warning that the social care safety net is not adequate for children, the elderly and the vulnerable. Poole is an especially small unitary authority. In the past few years, it has seen unbudgeted overspending on children's services. I do not think that anybody wants to address that issue. We cannot easily do so; children are at risk. The difficulty is that just one expensive placement throws the whole budget. I urge the Minister to take on board the fact that those are significant problems and that it does not matter how good the councils are or what their political flavour is.

This will be my third effort to speak about waste management. I keep getting the phrase, "Nobody wants more ring fencing" thrown back at me, but I have received many representations from all the major organisations involved, including the Local Government Association, saying that they would like an extra waste block to be established—I should call it a

separate waste block, in view of the merger within EPCS. I am not referring to targeted funding that is clearly identified—I want the resources to be identified for the much-needed recycling that we are all going to do provided that the funding is available. It is vital that those resources are clearly provided. That does not mean ring fencing; it means giving local councils the tools to do the job that they want to do and which our constituents want them to do.

Matthew Green (Ludlow): Is it not strange that while waste is in the large EPCS block, it should be affected by deprivation indices? It is hard to see why deprived areas need more money to collect waste. I would have thought that the waste should be accounted for on a per head basis—

Madam Deputy Speaker: Order. That is rather long for an intervention.

Mrs. Brooke: I thank my hon. Friend for his intervention.

I should like to add my comments on resource equalisation, on which my feelings are very much the same as those already expressed. The proposed mechanism seems very crude. If it takes effect, it will reward historically high-spending authorities at the expense of those with a more buoyant tax base. I believe that it would direct funding from the south-west, which is already the lowest-funded area, to the north-east and north-west. In this case, enough is enough.

I share the concern expressed by an earlier speaker about what might happen to the police budget. There is great fear about the issue in my constituency. Dorset police authority is the second lowest funded in England and Wales, and predicts a shortfall of between £5 million and £8 million. On the other hand, I am receiving letters saying that people do not want more police as they cannot afford to pay the council tax increase.

We need more police and services, but wherever people live, the basic pension is the same. If some of the changes go ahead, resulting in massive cuts, the impact will be felt through that very unfair tax, the council tax. Year after year, pensioners in my constituency are seeing their pensions eroded. It is not the council's fault that there are large percentage increases in council tax. It is the wrong type of tax for funding local services. Some of the proposals in the new models for finance cannot seriously be considered without our addressing the fact that local authorities will have to raise the money for any extra burden that is imposed on them.

3.18 pm

Mr. David Watts (St. Helens, North): I am very pleased to take part in this important debate. As other hon. Members have said, we are talking about how 25 per cent. of public expenditure will be allocated. That has a major impact on all our constituents, so I am pleased to see so many hon. Members present.

I should like to be as brief as possible, and to begin by dispelling some of the myths that have featured in the debate. I understand the difficulty that the Government will have in making their decisions, as there will be some winners and some losers. Some authorities have got used to very low council taxes and high-quality services, while others, such as my own and many members of SIGOMA, have had low-quality services and high council taxes. It was amazing to hear the right hon. Member for Kensington and Chelsea (Mr. Portillo) say that tax rates were high in his constituency. He ought to compare them with the rates in some of the authorities that we represent; he would see the massive differences between one authority and another.

Mr. George Howarth (Knowsley, North and Sefton, East): Does my hon. Friend agree that, if there is to be a retention of the area cost adjustment, it should be based on real costs rather than notional costs? Part of the problem that he is describing is precisely the result of notional costs being used.

Mr. Watts: I agree with my hon. Friend and I shall come to that important issue later.

I want to set out some of the present problems, because we need to think about where we are today. I would also like to consider some of the Government's options and to offer some brief ideas about how we can move forward. It is important to understand the present system. It is not a fair one. It was introduced by the last Tory Government in 1981 to target funds to Tory councils, to allow those councils to set very low council tax rates, and to give the impression that Tory authorities were more efficient and effective than Labour ones.

During that process, we saw millions of pounds being transferred overnight from Labour local authorities to Tory local authorities. In my authority, that involved a £10 million cut overnight—within 24 hours, it had lost £10 million. That led to cuts in basic services, and has meant that, for the past few years, we have had to increase our council tax rates at well above the rate of inflation. It was Robin Hood in reverse: the system took money from the poorest communities and gave it to the richest members of our society.

The system transferred huge amounts of money from Labour authorities to Tory councils, and cut millions of pounds from the budgets of Labour authorities. It introduced a Tory tax on poverty and meant that many local authorities such as mine had to cut their budgets for vital services such as youth clubs, leisure centres, street lighting, roads and parks. Those services are crucial to my community.

I want to talk about the winners and losers. I understand that my hon. Friend the Minister would have major problems if he transferred large amounts of money from one local authority to another. Because of the ineffectiveness of the Opposition, many of those areas are now controlled by Labour councils and I understand the political problems that would arise. The councils would be faced with the double whammy—as my local authority has been—of having to increase council taxes at the same time as cutting public services. That is a difficult task. I am pleased that the Government have not done what the Conservatives did, and will instead introduce a cushioning mechanism to ensure that budgets are not cut overnight as they were before. We shall take no lessons from the Opposition about how any changes should be introduced.

Many hon. Members—even Labour Members—would like to see only minimal change. They argue that, whatever change we make, we lose friends, and that that

[Mr. Watts]

is not worth doing politically. I would like to make it clear that I and other SIGOMA Members who represent many of the heartland areas believe that that is unacceptable. We want a fair and transparent system that allocates resources on the basis of need. There is consensus that we need to look at what base services should be provided and how much those services should cost. We then need to determine how we allocate extra resources when it can be demonstrated that there is a real need for them.

I am pleased that my hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth) made the point that, unfortunately, at present, many of the deprivation factors are not transparent. We do not know why a particular resource is allocated in the way it is; it is not based on any real cost and does not relate to the services that are provided in an area. In many cases, some of those resources are being used to undercut the council tax.

Mr. Reed: Does my hon. Friend accept that people in Leicestershire, which already has the worst-funded education authority, will look at the four options and see that they take us backwards? We would see further cuts under each of them. It is difficult to explain need as a concept, when people see that they would be worse off in cash terms not only now, but under the formulae that are being proposed.

Mr. Watts: I understand my hon. Friend's problem. I would not support some of the options that have been put forward by the Government; there are some real difficulties there. There is a need for more transparency in the system. The Government should set up an independent review body to consider all the different factors relating to the need for local councils to spend extra resources.

Mr. Burnett: There is a paper, to which I have already referred—Professor McLean's study—that makes it quite clear that the south-west is very seriously disadvantaged.

Mr. Watts: With respect, there are a number of reports knocking around, all arguing in favour of the different systems that the Members who commissioned those reports want to promote. I would not accept that that is the right one, but I would accept the need for a review to consider which factors determine the need for local authorities to spend more than the average amount. It should also consider the linkage between those factors. We have not yet talked today about the weighting that is given to each of the deprivation factors. For example, in relation to the ethnicity factor, £448 million—I think—is distributed to 12 per cent. of deprived children. That may be right, but in some cases it is not allocated according to need, and there seems to be no logical reason for that money being transferred to those children rather than to other local authorities with equal levels of deprivation, whose children are underperforming in schools, but which have no chance of getting the level of resources that other areas receive. It is important to have a transparent system and that funding can be linked to the need to spend.

Let us consider some of the other deprivation factors. There are three areas in Great Britain that have objective 1 status—Cornwall, Merseyside and South Yorkshire—yet, ironically, each of those local authorities is disadvantaged by the system. There is something fundamentally wrong with a system in which Europe can allocate to areas massive resources that are not matched by the allocations for services by the Government. That is one of the reasons why we need a review.

I am not arguing that there should be no change this time. If we accept that there should be no change to the present system, that would mean that my local authority and many others—

Madam Deputy Speaker: Order. I call Mr. Gregory Barker.

3.27 pm

Gregory Barker (Bexhill and Battle): At the outset of the debate, the Government insisted that the touchstone for their proposals for the reform of local government finance was, as they stated in their White Paper, to create a mechanism that would be

> "simpler, more stable, more robust and fairer than the present arrangement for SSAs."

Few could dissent from such a sensible and reasonable ambition. Unfortunately, however, the practical effect on my county of East Sussex could not be further from their stated goal. Instead of simplicity, the proposed new formula offers complexity; instead of stability, it offers uncertainty; instead of creating a system that is robust, it will create a regime that is open to challenge and acrimony; and instead of fairness, it will create division and inequality.

The reality of the proposals is that the new formula would rob East Sussex of £4.1 million on a best-case scenario, and on a worst-case scenario the county council would lose £43 million. In a letter to all East Sussex Members of Parliament, the county chief executive described the proposals as "damaging and drastic". It is, therefore, rather a shame that neither the hon. Member for Lewes (Norman Baker) nor the hon. Member for Hastings and Rye (Mr. Foster) is here this afternoon to fight the county's corner.

The negative effects of this reform will be particularly bizarre, given the Government's focus on creating a fairer system, and particularly perverse when we bear in mind that East Sussex is the poorest of the 34 English shire counties. Gross domestic product per head is, at just £7,847 a year, comparable to that of Tyne and Wear and Middlesbrough, which—unsurprisingly, and perhaps rightly—are net beneficiaries under these reform proposals. In April 2000, average full-time weekly earnings in East Sussex were £377.40—more than 10 per cent. lower than the average for Great Britain and 15 per cent. lower than the south-east regional average. Yet despite these low incomes, the property market in East Sussex remains in the orbit of outer London's. So although the average wage in East Sussex may compare unfavourably with that for London, its house prices are three times higher than those in the north-east.

East Sussex also has much higher levels of deprivation than any other shire county. With 25.7 per cent. of its population being over the age of retirement, it has the

second highest proportion of elderly people of any English county. Elderly people are predominantly dependent on fixed incomes, and it is they who feel the council tax increase most keenly. For many of my elderly constituents, the council tax is the largest single item in their household budget.

I have already mentioned that East Sussex stands to lose up to £43 million. That is the worst-case scenario, but let us consider the mid-point. Even a loss of £26 million would be equivalent to a 23 per cent. tax rise, or the loss of 900 teachers across the county. As a proportion of our current funding, ours stands to be the worst affected county council in the country. Indeed, even taking into account all 148 principal local authorities in England—county councils, metropolitan councils and unitary councils—we are still the second worst affected.

The loss of £26 million may sound paltry in comparison with a Government budget of £418 billion for this year, but it would eat up more than 80 per cent. of the entire road maintenance budget for a county that already suffers from the worst transport links in the south-east. Such a loss is equivalent to the cost of nearly 1,000 teachers, out of a total county teacher headcount of 3,700. Put another way, that loss is more than the budget of all the primary schools, secondary schools and special needs schools in my constituency. It would wipe out entirely the county's budget for both residential and nursing home care for the elderly. Of the 2,395 places currently provided for the elderly, all would have to go, and further savings would still have to be made. A figure of £26 million is more than three times the total budget for our entire library service, which is already facing significant pressure.

Given that it is the worst affected county council in the country, it is no surprise that East Sussex is not seeking to endorse any of the Government's proposals. However, there are three areas, accounting for 90 per cent. of its funding, that are of particular concern: education, area cost adjustment and resource equalisation. I do not have time to discuss them in detail, but I ask the Minister to look at the county's submissions to him. I cannot believe that a better and more equitable solution cannot be found to the problem with which the Minister is wrestling.

It is not just the county council and the essential public services that it provides that stand to lose out through these reforms. The effect of these changes on Sussex police could be catastrophic, involving the potential loss of up to £70 million, or 9 per cent. of its total funding, in a single year. Ministers have said that the changes may be achieved by effectively freezing grant at its current level, but the consequence of that to Sussex police would be substantial. It would mean a steady reduction in levels of service, or a massive increase in council tax.

Mr. Michael Jabez Foster (Hastings and Rye): Will the hon. Gentleman give way?

Gregory Barker: No, I am afraid that I do not have the time. The hon. Gentleman has only just come into the Chamber. *[Interruption.]* He has only just entered the Chamber and has not been here for the debate.

Both the Prime Minister and the Home Secretary like to talk tough on crime. How can they possibly square their tabloid rhetoric—

Mr. Foster: Will the hon. Gentleman give way?

Gregory Barker: No, I am afraid I will not.

Mr. Foster: On a point of order, Mr. Deputy Speaker. Is it proper for an hon. Member to name another hon. Member and then refuse to allow him to intervene? The hon. Gentleman selectively named Members and criticised them for their non-attendance, failing to note that there are Conservative Members who are not present, but who have not been similarly criticised.

Mr. Deputy Speaker (Sir Michael Lord): The conduct of Members in their speeches is entirely a matter for them. It is not a matter for the Chair.

Gregory Barker: What puzzles me is that the Government are not totally blind to the problems in East Sussex. We have a special taskforce—on which I sit, along with the hon. Member for Hastings and Rye—because our county contains some of the most deprived wards. The Government have recognised that fact, and I am grateful for that, but it makes no sense then to cut away the legs of the county council, which is the essential provider of transport and education.

I implore the Minister, who I am sure is setting out to be fair, to look again at the practical effect that the proposal will have on East Sussex. It cannot be right and it cannot be fair—please, please look again at the treatment of East Sussex.

3.35 pm

Mr. Frank Field (Birkenhead): When we go into the next election, we will reflect on two entire periods of Labour government. Although Governments have to do many things, there are few opportunities and initiatives that they can seize to make a real difference to the country in which we live—particularly if we are interested in making it more equal and fairer. The reason why so many Members—particularly those on the Labour Benches—wish to catch your eye in today's debate, Mr. Deputy Speaker, is that they realise that we have reached one of those points when the Government have within their grasp the opportunity to make a real difference to the life chances of many of our constituents.

I therefore thought it almost eccentric of the right hon. Member for North-West Hampshire (Sir G. Young) to say that he would survey the Olympian heights, rather than indulge in the foothills of the interests that most of us will follow. Indeed, no sooner had he made that comment than, quite properly, he was making the best case that he could for his own constituency. So although I may not mention Birkenhead in my speech, I will, quite properly, represent the interests of my constituents to the best of my abilities.

In addition to the presentation made by other northern Members for the SIGOMA members—I know that the Government have looked at the document, and that they realise how robust the analysis is—I wish to

[Mr. Frank Field]

develop four themes. First, given that, this time, the Government are trying to make a fairer settlement, I ask them to look at the total budget at their disposal. It is limited, and we cannot expect Governments to keep pushing up the taxpayer's contribution. Members have spoken of "the Government's money", but the Government have no money—it is our constituents' money that we are talking about.

Once the size of the taxpayer's contribution to local authorities has been decided, I beg the Government to reconsider the amount that they pay out generally, and the amount that they keep back, to make good the unfairnesses in the system. I do not believe that we have got that total balance right. We should not be fighting one another, saying, "It is unfair that they get additional resources, because we have different circumstances that should be met." We have an opportunity to explain why our own local authorities may be unique in some instances, and hopefully to make that plea sufficiently effectively to persuade the Government to follow through with additional funds.

On the formula for compensating for inequalities and disadvantage, my first plea to Ministers is to consider whether they have got the balance right between the weight given to deprivation and to race. It is clear that local authorities with many immigrants, or with many first or second-generation black Britons, face costs over and above those incurred by the richer areas that have not had the advantage of receiving new arrivals to this country. My plea concerns whether the weighting for that is right when compared with that given to deprivation. I represent a constituency that contains the poorest area in the country. I doubt whether I have seen six black faces in my constituency since being elected. Examination of the way in which the formula operates shows that our budgets are far lower than those for areas that suffer equally from deprivation but are compensated both on race and deprivation. I am not arguing that the race element should be taken out of the formula, but that the deprivation weighting is wrong.

I also make a plea about how we calculate the deprivation index. I am pleased that the Government are moving towards a wider spread of benefits to work out whether they can devise a more sensitive way of measuring poverty. While it is true that most people on income-related benefits are genuine, some are not. I make a plea to the Government: if they cannot do so now, I ask them to consider later in the cycle the weighting of health as well as income deprivation in the overall deprivation index. People do not die early or have low birth-weight babies so that they can get on to tables to show that they live in an area of extreme deprivation. Health is a far more accurate way of measuring whether areas are poor than income figures alone.

My next plea is about the area cost adjustment, although I am not pleading for it to be abolished. Clearly, there are differences in costs for different local authorities. My plea is that the area cost adjustment should be based on reality, rather than on fiction. The Government ought to look at the excellent work of the Coventry authority, which shows that, for many authorities, a substantial part of the area cost adjustment goes not on services but on reducing the council tax. That is not a tenable position. By all means there should be an area cost adjustment, but it should be based on reality.

The third area on which I shall touch is the additional costs suffered by areas with declining populations. There is a myth among some Members that it is an advantage to represent an area from which people are leaving, since at least costs fall in proportion to the numbers of those leaving. Those of us who represent such areas will know a different story. Not only is the infrastructure of those areas older, more decrepit and more decayed—therefore requiring greater investment and replacement—but many of the people who are leaving are the bushy-tailed ones; the people with abilities who have to go elsewhere to look for jobs.

The areas from which people are leaving are areas with higher dependency ratios; they have people who are dependent not in any wrong sense, but in a dignified sense. They have grown old and need looking after. They cannot always follow their offspring to areas of economic advantage. Far from our costs falling, they rise disproportionately. My plea, adding to the overall case made by SIGOMA, relates to how we fine-tune the formulas that have been put forward.

I want to end with a note of thanks. The Government have opened up the debate—

Mr. Deputy Speaker: Order. Time is up.

3.43 pm

Mr. Andrew Turner (Isle of Wight): The Isle of Wight, which I am proud to represent, has much to be proud of. Vectians are robustly independent and provide a loyal and hard-working work force. However, we suffer, as do many constituencies, from relatively high and seasonal unemployment. Our gross domestic product is creeping above 75 per cent. of the national average. Some 25 per cent. of jobs are in tourism and 40 per cent. are dependent upon it. There are a huge number of small businesses that defy the classic small and medium-sized enterprise definition because a SME nationally is large in Isle of Wight terms. Some 26 per cent. of the population are pensioners who live on fixed or declining incomes.

The economy is looking up. Despite a recent halving of jobs at Westland, there are new jobs and new contracts at AMS, SP Systems, NEG Micon and GBR Challenge, which builds the United Kingdom's official entry for the Americas Cup, which is taking place now. I congratulate GBR Challenge on how well it is doing.

My constituents and local authority are greatly concerned at the Government's review of local government funding, because the proposals, in the worst-case scenario, will lead to a loss of 10 per cent. of Government grant, which is equivalent to a 30 per cent. rise in council tax. To a band D council tax payer, that would put an extra £366 a year on top of what they pay normally. Such an increase is unaffordable to many residents, whether or not it is dampened in the short term by floors or ceilings. The council has said that such a proposal would lead to impossible cuts in services.

There are two important issues that I would like to raise today. The first is the methodology for calculating the area cost adjustment and the second is my heartfelt wish that the Government would recognise the essential additional costs of providing services on an island.

The Isle of Wight is concerned that the data used for the area cost adjustment are not valid for the size of population of the island. At present we are aggregated with Hampshire to produce a robust enough earnings sample but, of course, Hampshire is a wealthy area and the Isle of Wight is a less wealthy area. The small size of the sample produces greater opportunity for error. This is not the basis of a fair distribution of grant or a basis that can be justified to my constituents.

On the island, we have a relatively low-skilled work force. That means that we need to recruit from a wider area than the island for many occupations. When we recruit one employee to the council, we often have a difficulty, in that they have to move and their spouse or partner can then be put out of a job, as we do not necessarily have two equivalent jobs available on the island or within easy travelling distance. We need the area cost adjustment to be calculated on a fair statistical basis and not built up from a hand-sized sample that is sub-divided, further reduced, weighted and reworked, as happens at present.

On the costs of providing council services on an island, the Minister will know that the Elliot review in 1996—the local government finance review of the area cost adjustment by Professor Elliot—recommended that a study be undertaken into the differences in non-labour costs affecting two councils only, those being the Isle of Wight and the Isles of Scilly. Such a study was recently undertaken by PricewaterhouseCoopers and has been sent to the Minister's officials. It evaluates the costs solely attributable to separation by sea at £4.2 million, or almost 4 per cent. of the council's budget.

The report's terms of reference were to examine how the Isle of Wight council's costs of service provision were affected by severance by sea and to analyse and quantify the additional costs incurred. When the Minister sees the report, I am sure he will agree that it is robust and does not exaggerate. I have been through the report with a fine-toothed comb and it does not over-egg the pudding or exaggerate the case. Its robustness may be measured by the fact that it refers to a reduction in the estimated cost of severance by sea from £5.6 million in an earlier report in 1996 to £4.2 million today.

PricewaterhouseCoopers excluded many factors that result in higher costs but are not directly and wholly attributable to severance by sea, such as the cost of discretionary services; diseconomies of scale—because the island is a small authority—costs that arise from demographic factors such as the high population of elderly people; the costs of supporting or maintaining the economy of the island; and costs that are attributable to the physical geography of the island, such as the cost of coastal protection.

Even that robust report and its robust definitions came up with additional costs of £580,000 a year for special education, £827,000 a year for fire services, £400,000 a year for waste management, £655,000 a year for construction and £1.2 million a year for social services residential care.

I shall deal with one or two of those areas in more detail. In social services, the council pays for 1,750 residential care placements a year—not many for a large council, but quite a lot for a small one—and 350 nursing home places. The council must keep enough nursing and residential care homes in business to ensure that places are available on the island. It is unacceptable to place elderly people on the mainland, because a journey by public transport from Ventnor to Basingstoke to visit an elderly person, or anyone else, would cost £27 for the round trip and take most of the day. PricewaterhouseCoopers concluded that prices were higher because of less competition—it compared the island with Hampshire, Portsmouth and Southampton—with additional costs to the tune of £1.24 million.

We use residential places for 40 children with special educational needs, for services that it is not cost-effective to provide on the island. Some non-residential places are available in south Hampshire, but the additional time and cost of perhaps accompanied travel must also be taken into account. Such places sometimes cannot be taken up because of the disruption that weather conditions cause to travel. An additional £580,000 annual cost is incurred providing those residential places.

The fact that islands face additional costs has been recognised and reflected in grant systems in this country and elsewhere. The Scottish special island needs allowance is one example and the Danish grant distribution system is another—

Mr. Deputy Speaker: Order.

3.51 pm

Mr. Harry Barnes (North-East Derbyshire): In one sense, I have waited 15 years for this debate, and I nearly missed it because I was dragged out to maintain the quorum in the Northern Ireland Grand Committee. Luckily, I have been able to return. The first Standing Committee on which I served dealt with the Local Government Finance Act 1989, which is the measure that got us into the situation we face today. It has caused the massive problems to which we need to respond. It might have been better if we had moved more quickly, so that fresh legislation could be put in place, but I am glad that we are now tackling the issue.

The 1989 Act introduced the poll tax, but that is the only element that has really changed since. The poll tax became the council tax, but that was only a minor shift in the Act's functioning and operation. It was, and still is, a flawed, fiddled funding formula that has created massive difficulties in many parts of the country. We need to adjust it to a more reasonable approach, but some councils have been granted moneys that they have spent and we cannot just automatically transfer funds from one area to another. Serious efforts have to be made to tackle the massive problems.

Since 1997, the Labour Government have taken several steps. They have increased the total percentage of revenue support, so that areas that were deprived have received money from the pot. Formula adjustments have been made, but some of those adjustments have been upwards and some have been downwards, resulting in great confusion. Some money has come from other sources to assist areas badly done to, such as the range of grants provided by the Department for Education and Skills for areas in greater need. Those have helped to adjust the picture slightly.

[Mr. Harry Barnes]

The overall picture can be hard to understand fully. If moneys come in from sources other than SSA provision, the Government should undertake research to show who gets what. That information is important to help us understand where we are going.

The consultation paper mentions top-up provisions. We must ensure that top-ups for some do not become take-offs for others. In one sense, any top-up in one area will be a take-off in another area, because top-ups will come from the general amounts available. However, in some cases under the present legislation, top-ups have been deliberately linked with take-offs. The enhanced population figure, which especially affects district council figures, creates problems in many areas.

In North-East Derbyshire, 4.8 per cent. of the SSA is lost because of that figure. People have moved out to work in Sheffield and other areas, or are only day visitors to the area for entertainment and other purposes. There is nothing wrong with some money being moved to cater for that, but the weighting given to the various factors needs to be revised. In practice, more than 4.8 per cent. of the SSA is lost, because the enhanced population figure—or reduced population, as it is in North-East Derbyshire—is used to calculate other factors, leading to further losses.

Under the EPCS provisions in option EPC3, North-East Derbyshire would gain a £1.7 million increase. It is difficult to understand all the provisions in the document, because although it tells us what factors were considered in drawing up the options, it does not tell us what weighting is given to them. We cannot calculate for ourselves the effect of the changes. It would be helpful if we knew what weight has been attached to what factor, because we could then detect any strange anomalies in the provisions.

Mr. David Heath (Somerton and Frome): Will the hon. Gentleman give way?

Mr. Barnes: I shall carry on for the moment, but I may give way later if I have time.

Another element that I wish to stress is the area cost adjustment. It accounted for 1.8 per cent. of SSA in 1989–90, but now accounts for 4 per cent. That shows the excessive weighting given to the ACA, which needs to be taken seriously into account. If it is intended that no one area should lose in cash terms, that will seriously limit the gains that other areas should make.

We need to change council tax banding. The argument has already been made for extra bands at the lower and top ends of the scale. Extra bands at the top end would allow more money to be raised locally through taxation, and that could be taken into account when considering allocation of funds under the ACA. The value of properties at the top of the bottom band is eight times lower than that of properties at the bottom of the top band, but the taxation figure is only three times lower. That should be changed, as what was known as the Mates amendment sought to change the same problem with regard to the poll tax. Only a limited change has been made so far.

Fundamental review is necessary, and quickly. It would have been helpful to examine many other areas, such as education and police funding, but time has caught up with me. I was allowed only half a minute for every one of those 15 years.

3.59 pm

Mr. James Clappison (Hertsmere): In the brief time available to me, I shall endeavour to correct the misapprehension that some people have about Hertfordshire, and about my constituency in particular. Labour Members should know that, although my constituency and Hertfordshire as a whole contain some areas that are affluent by national standards, they also contain poor areas. At least four wards in my constituency qualify for funding from the single regeneration budget. People there receive local government services as well, and they pay taxes. My fear is that the overall effect of the proposals for them and for my other constituents will either be a reduction in services for the same level of funding, or a very big increase in council tax bills.

Ministers have condemned the existing SSA system for failing to deliver a standard of level of service for a standard tax. However, from the outset it is clear that the funding to be made available for Hertfordshire will not provide a standard level of service—not least as far as the police are concerned.

The police service is one of the most vital social services. The effect of the proposals on policing in Hertfordshire is clear cut and stark. Hertfordshire loses out significantly under each of the five options set out for consultation.

In response to the formula grant distribution paper, the chairman of the Hertfordshire police authority wrote to Ministers to express his concern at

> "the damaging effect that the proposals in the Formula Grant Distribution Paper will have on policing in Hertfordshire. In the worst case, Hertfordshire could lose some £8.8 million, or 7.2 per cent. of funding, which is equivalent to over 300 Police Officers. This would have a dramatic impact on our ability to meet local and national policing priorities."

My constituents share that concern about the results of the proposed formula. They emphatically do not believe that law and order problems deserve lower priority, in Hertfordshire, than elsewhere. My constituents who live in some of the areas that I described are the ones most strongly in favour of having more, rather than fewer, bobbies on the beat, and of achieving faster police reaction times in emergencies. They have full confidence in the Hertfordshire force, but they are increasingly aware of the recruitment problems that the force is experiencing, given that the neighbouring Metropolitan police force can offer a substantially higher allowance to recruits.

Moreover, police numbers in Hertfordshire have fallen since the last general election. They have barely risen since 1997, even though the Hertfordshire force has assumed responsibility for a much larger area. The last thing my constituents want is a reduction in the resources available to the police in Hertfordshire.

The same picture applies to other vital public services. Some hon. Members have described an overall shift of resources away from the south-east and counties such as Hertfordshire, and they are right to do so.

Ministers respond by saying that there will be a system of floors and ceilings, but the only guarantee given so far is that no authority will face a cut in grant. Account must be taken of the pressures of inflation and of the pay pressures that will be inevitable. The latter will include the effects of the increase in local authority employers' national insurance contributions. We shall wait and see whether the floor will be higher than has been set out, but the Hertfordshire local authority fears that if it is anything like what it forecasts residents will face a substantial council tax increase.

My right hon. Friend the Member for North-West Hampshire (Sir G. Young) mentioned previous systems of local taxation. I well remember what was said about the implications of having floors and ceilings when the community charge was introduced. I was a parliamentary candidate in a by-election in the part of the world that the right hon. Member for Birkenhead (Mr. Field) represents at the time when the poll tax was introduced. I tried to argue that the effects of the poll tax would be mitigated by the provision of a floor. If Ministers and their parliamentary election candidates want to go down that road, I wish them more luck than I enjoyed on Merseyside.

The hon. Member for Bath (Mr. Foster) took us back to 1734 for an example of the outcry that he thinks could arise as a result of the proposals, and he mentioned the excise tax. I hesitate to say so, but that tax was introduced by Sir Robert Walpole, one of the hon. Gentleman's spiritual predecessors. It was opposed by the Tories of the time, but the example shows what local outcry could go up as a result of local taxation changes. In its own way, this set of proposals could produce a similar outcry when its implications are realised by people in the worst affected counties.

One of those counties is Hertfordshire. A very substantial shift in resources is taking place. My constituents, and others, are faced with the prospect either of reduced services or of a considerable increase in council tax bills to provide a standard level of service. I warn Ministers that those people will be very interested in Ministers' view of the proposals. They will want to see how Ministers respond to the considered and proper concerns expressed by the Hertfordshire local authorities, including Hertfordshire county council.

4.5 pm

Ms Karen Buck (Regent's Park and Kensington, North): I am from London. Although meetings of London Labour MPs might as well begin with a few rousing chants of the Millwall football supporters' chorus "Everybody hates us and we don't care". I promise the House that we do care. It is very important that there is some mutual understanding of the pressures facing local authorities in different parts of the country. I have always had huge sympathy for those local authorities in the north and elsewhere that faced great pressure in trying to deal with the devastating economic collapse as a consequence of Conservative policy. Those authorities have had to deal also with the effects of falling populations. All I and my colleagues in London ask is that there is a similar degree of recognition of the pressures and demands that face us.

I do not believe that the formula as currently structured gives us what we are looking for, which is a closer reflection in Government grant allocations of the need to spend. It is very hard to see how the need to spend is reflected in the options under consideration, essentially in the formula's personal social services and environmental services block. The reasons for that are many and diverse, but they are rooted in the impact of deprivation.

I hope that the House will accept certain facts. London has the highest level of child poverty in Britain, and the reduction in child poverty that has taken place in London is smaller than in any other region. More households are without work in London than in any other region. A quarter of the country's problem drug users are in London, and two thirds of all the homeless people in the country are concentrated in London. Local authorities in the city support 40,000 destitute asylum seekers. Twice as many children in inner London are eligible for free school dinners as in any other area of the country. My constituency of Regent's Park and Kensington, North sounds like an elysian paradise, but it has the seventh highest eligibility for free school dinners in the country. Those levels of deprivation need to be understood in the formula, and I hope that they gain some degree of recognition among colleagues in the House.

It is also extremely important that the complex pressures of ethnicity and deprivation, and their interaction, are understood My right hon. Friend the Member for Birkenhead (Mr. Field) spoke about that balance. I accept that ethnicity is not necessarily and always a proxy for disadvantage, but the complex ethnicity now appearing in London and elsewhere—including Slough—is completely different from the simple presence of an ethnic minority population. I hope that my right hon. Friend will accept that. There are 300 languages spoken in London's schools. That creates a demand for spending and support that is not recognised by deprivation indicators in general.

I turn now to personal social services. The education formula gives considerable recognition to the costs of meeting ethnicity, but that requirement is not always properly reflected in other service areas. Personal social services in London are overstretched precisely because they have to deal with 300 different languages, and with the related issue of high turnover and mobility. High turnover is a huge pressure on schools. In many primary schools in London, no pupil at key stage 2 was in the school for key stage 1, but high turnover also places huge demands and pressures on personal social services. London also has twice the rate of mental health admissions of other parts of the country. Many of these factors are related.

London is changing at a rate probably not seen by any western city in the past century. We are now absorbing 100,000 international migrants a year. Although that is exciting, challenging and probably necessary, it places a demand on all our health and local authority services. If we do not meet that demand properly, there will be serious consequences. Yet under the proposed formula, London councils, which spend £356 million above their standard spending assessment at present, could lose between £38 million and £140 million. I do not see that that is in any way a reflection of the need to spend. That is why I am arguing, as my colleagues would have done

[Ms Karen Buck]

if we had had more time, for London authorities to get a fair deal. I also want a fair deal for other communities. These are the ways in which I believe the Government could provide that.

Andrew Bennett: Does my hon. Friend recognise that almost all Labour Members accept that she should get a fair deal, but we are concerned that an awful lot of people in London still pay a lot less in council tax than people in other parts of the country?

Ms Buck: I accept that there are disparities which have historical roots, and that there is a need to change them. I am most concerned about the fact that the majority of London councils are Labour controlled and levy a high council tax. If we allow for the fact that there are fewer band A and B properties in London than anywhere else, our council tax levels are higher than elsewhere.

Mr. David Chaytor (Bury, North): Will my hon. Friend give way? It is on this point.

Ms Buck: I cannot give way any more; only two London Members have been called to speak from the Labour Benches, and I am sure that other people will have an opportunity to make their point.

We in London are asking for a fair deal; the floor that many authorities are likely to be on should be set at a level that ensures that services are protected. Secondly, we want all the options in the personal social services proposals to be reconsidered. I believe them to be technically deficient—they were designed to reflect higher levels of need yet, perversely, they seem to do the opposite. We do not believe that any of the options in the personal social services formulae are reasonable.

Thirdly, we need to ensure that the environmental services proposals reflect London's needs. Last year, more abandoned cars were removed in Merton, in the constituency of my hon. Friend the Member for Mitcham and Morden (Siobhain McDonagh), than in the whole of Manchester. That is the scale of the environmental pressure in London. It should also be recognised that in the streets of the west end there are more visitors at 3 o'clock in the morning than at 3 o'clock in the afternoon, yet there is no specific weighting for this huge number of night-time visitors and the pressure that they put on services. We need an option in the environmental services block that allows us to provide a quality environment right across London. That effectively means the fourth option in the environmental services block, but weighted for visitors and commuters.

We also need the Government to recognise the impact of high population turnover and mobility, particularly on social services and education. It is correlated largely, but not entirely, with ethnicity. We need local education services to be funded on the basis of the school, not the resident, population. They are entirely different in London, although not necessarily in other parts of the country.

In my view, we need to be wary about the working families tax credit—

Mr. Deputy Speaker: Order.

4.13 pm

Matthew Green (Ludlow): I welcome this review, because we have waited a long time in Shropshire. During the past decade we saw services slashed year on year and large council tax rises as a result of the changes that the Conservative Government made to local government finance. As has already been mentioned, we are in with the f40 group and with the northern alliance. I pay tribute to both campaigns.

I want to be constructive in my approach to the problems. Resource equalisation is the almost invisible problem; I do not think that its implications have always been thought out fully. All the proposals equalisation would create quite perverse outcomes as they would take resources away from low-spending authorities with relatively buoyant local tax bases—largely shire counties—and direct them towards traditionally overspending authorities in areas of lower council tax value. The proposal would remove grant funding from shire areas that are already funding services above SSA to London authorities that are spending below SSA. The result would be to create massive turbulence in the funding of local government services. The revised funding formula already provides a system of resource equalisation. There should be no changes to the current methodology of resource equalisation.

The problems with resource equalisation are that the options are based on past spending patterns which the Government have stated that they wish to move away from as a matter of principle. High spending is rewarded, taking no account of policy decisions underlying such spending or the quality of service provided. The provision for deprivation in urban areas, already addressed in the needs-based formula, are double-counted. No detailed research has been undertaken into the case for any of the options.

If the Government accept higher needs to spend, they should make their own contribution and not leave council tax payers to foot the bill. The redistribution effect is anomalous and cannot easily be justified when compared with the pattern of existing budget and SSA variations.

We have heard a fair amount about the area cost adjustment, in the past decade, which grew from £500 million to around £2 billion. The increase has been twice that in local government funding as a whole. That has meant that in the past decade, money has been moving away from the areas outside the area cost adjustment.

Sparsity has also been mentioned. It has been recognised in the schools blocks for primary and for the local education authority block for transport. However, it has not been recognised for early years settings, the private, voluntary and LEA-maintained settings that are often on an even more geographically spread basis than primary schools. It has not been recognised for secondary schools nor for the additional costs of providing support services such as special educational needs specialist services or information and communications technology networks over sparsely populated areas.

Department for Education and Skills officials went on record at the Local Government Association education finance conference to say that they had been given no evidence of a need for sparsity beyond the levels in the

consultation model. However, I know that work done separately by Professor Ros Levacic and Rita Hale Consultants has come to different conclusions. A copy of the Institute of Education, University of London research outlining many of these matters was forwarded to officials at the Department for Education and Skills and the Office of the Deputy Prime Minister during the consultation period.

The work of Professor Ros Levacic and Antonia Simon highlights a number of recommendations. For example, SSA for sparsity in the schools blocks should be revised upwards to ensure that LEAs are adequately compensated for the additional costs of small schools owing to sparsity. The increase required in the SSA is in the region of £74.8 million in this year's costs. LEAs should be funded for the greater costs of small secondary schools due to sparsity as well as the primary sub-block.

The formula proposed by the education funding strategy group for funding home to school transport should be reviewed to ensure that it correctly reflects the relationship between sparsity and expenditure on school transport.

I wish to add my voice to the calls for the inclusion of working families tax credit in the arrangements for recognising deprivation. Incorporating working families tax credit recognises the effect that low pay within the family can have on education needs. Ignoring working families tax credit excludes recognition of needs in low-income economy areas. Introducing working families tax credit would reduce the economy-related volatility in the distribution of deprivation funding.

Mr. Edward Davey: Does my hon. Friend realise that the working families tax credit is not taken up in London anywhere near as much as it could be compared with other regions? If WFTC is to be included, it should be on the basis of eligibility and not take-up.

Matthew Green: I agree. That is a fair point. The key is that real deprivation must be recognised—including people with low pay and with no pay. We need to find a proper way to recognise that.

The roads block has not been mentioned. The formula is being based on previous spend on roads. This has been raised in the seminars and I realise that Ministers have rightly said that they have struggled to find another formula that works properly for roads. I would like some more to be work done on the subject, however. In Shropshire and in many other rural counties in the past decade, county councils have rightly preserved their education and social services spending, but cut their roads spending. They did so because one can always repair a road later but one cannot repair a child's education or the results of a lack of care by social services.

If road spending is to be based on that of previous years, those areas in which such spending has suffered in the past and which have a huge backlog of repairs will not receive fair funding to maintain their road network.

4.21 pm

Dr. Desmond Turner (Brighton, Kemptown): I recognise that there is a perception that local authorities in the south enjoy an unfair advantage over those north of Watford. That is not a universal truth, however, and I ask my right hon. Friend the Secretary of State to be careful to ensure that in the process of rectifying perceived injustices he does not, even unintentionally, produce new ones.

I note, for instance, that one of the greatest perceived injustices has been the treatment of Wandsworth and Westminster. They are hardly touched by this review, so it has almost failed at the first fence if one uses that marker. There are authorities in the south-east where any external impression of prosperity masks areas of considerable deprivation, with consequent extra demand on council services, but which are set in a high-cost area. My own unitary authority, Brighton and Hove, is just such a case. My hon. Friend the Member for Pudsey (Mr. Truswell) wanted some justification for the existing area cost adjustment. My authority will give him that. I can show him the devastating effect that withdrawing such support as the authority has got under the formula would have.

I am not simply pleading for Brighton and Hove to be a special case, or having a good whinge as my hon. Friend the Member for West Ham (Mr. Banks) might say. If I did not have a bit of a whinge, however, I would be failing my constituents. My authority strikingly illustrates the problems that will also apply to a greater or lesser extent to some other authorities in the south-east.

Ms Julia Drown (South Swindon): This issue does not affect the south-east alone. As my hon. Friend will know, in Swindon, which is the worst-funded unitary authority and one of the four of the f40 group that fails to gain on any of the education funding formulas, high costs are a real issue. That area suffers similar deprivation problems to Brighton. Does my hon. Friend agree that the area cost adjustment formula needs to be changed so that the likes of Swindon are taken into account as well as Brighton?

Dr. Turner: I have great sympathy with my hon. Friend. I want us to come up with a just solution and I do not think that we have got there yet in the proposals that are out for consultation.

Brighton and Hove have some of the most deprived wards in the country—sufficiently so for two of them to have been selected as a pathfinder for the new deal for communities. There are 17 pathfinders in the country and only the most deprived areas have been selected. Of the rest of the wards, approximately two thirds are among the top 20 for deprivation. Those hon. Members who come to Brighton, look at the sea front and think, "This is great, I like it," might not like it if they lived in some of the more deprived parts of the city. They would see a very different side of Brighton and Hove there.

Judy Mallaber (Amber Valley): Will my hon. Friend give way?

Dr. Turner: I cannot give way too often.

We also have extremely high housing costs in my area—some of the highest in the country, and among the fastest rising prices at present. In that respect, we are no different from most of London. Some of our key statistical indicators, such as the number of children in

[Dr. Turner]

care or on the at-risk register, could be superimposed on those for inner London boroughs. Our unemployment is 50 per cent. above the national average. We have grave difficulty in recruiting and retaining key workers in public services. For example, we have a 25 per cent. vacancy rate for social workers in child protection, which is a grave issue in Brighton as we have had some serious cases. That shortage is the last thing we want.

We have a general difficulty with recruiting to local government posts. Often, we get only one qualified applicant, if any. Some posts have to be readvertised. In common with the health service in the locality, the council has to spend more on recruitment and retention packages to get anyone. All those problems are a result of very high housing costs. A reasonably qualified and experienced teacher's salary will not finance the purchase of the cheapest one-bedroom flat in Brighton and Hove.

The council has been stuck for some time in a vicious circle of spending cuts and large council tax rises. Under the proposals as set out in the consultation paper, even allowing for the floor, Brighton and Hove will be dealt a devastating blow. It has some of the same characteristics as a London borough, but it is being treated much worse than the London boroughs under the options set out in the consultative document. When one reads the document that fact is glaring. We are listed next to Bristol and we always feel that we have a great deal in common with that city, but it is treated quite well and we are treated appallingly. There is thus a dramatic difference in the way in which two similar authorities are treated under the proposals.

Some of my hon. Friends have been highly amused when Conservative Members have pleaded poverty on behalf of East Sussex. I must tell my hon. Friends that, for once, those Conservative Members were right. I served my time on East Sussex county council as a Brighton member before local government reorganisation. I know the county well and I know its problems. There is much deprivation. It used to be a low-spending Tory-controlled authority, which has not helped it, as it started from a low base. Also, given the GDP per capita, the area would qualify for objective 1 status under European funding. That is another area that could be badly hit by the proposals because it already has some very under-supported services.

We are expecting an increase in the number of policemen in Sussex. The Home Secretary has promised that increase, but a 9 per cent. cut in funding for the Sussex police will clearly make that impossible. We suffer from the problem of being next door to the Metropolitan police who are poaching officers by offering them £5,000 a year extra and free travel. The Sussex police will not do well out of this proposal.

We are nowhere near getting this formula right. We must get a true picture of deprivation, but we must mix it with a real definition of the actual costs of providing a reasonable level of service in all authorities throughout the country. The proposals that are before us do not just need a little tweaking, they need rather a lot, and I hope that my right hon. Friend the Secretary of State will do that.

4.30 pm

Mr. Geoffrey Clifton-Brown (Cotswold): It is a privilege to wind up on behalf of the Opposition in this highly important debate continued from 15 October. There have been about 27 speeches, in addition to the two or three on 15 October, which shows the widespread interest in this extremely important subject. There were probably as many people on the two days who did not manage to catch your eye because of time, Mr. Deputy Speaker, and I must therefore protest to the Government that we should have had more time—in fact, a full day's debate—for these highly important proposals. As they cover 25 per cent. of all public spending, it is essential that we get them right.

The Government made the reform of local government spending a manifesto commitment in 1997. They have spent the last five years thinking hard about what to do and in July they came up with the big tome that we are discussing, yet they have given us and the general public only three months to consult on it, and two of those months were part of the summer recess when many people were on holiday. The Government have not given experts in the field or the general public much time to express their views on the subject, so I hope that Ministers will continue to receive representations sympathetically. I was especially touched by the comment of my right hon. Friend the Member for Kensington and Chelsea (Mr. Portillo) that the Minister for Local Government and the Regions had refused to discuss the matter with him. I hope that that will be put right.

The debate is important because only once every 10 years do we have the chance to effect changes to local government finance. The matter is highly complex. The present system covers 120 measures, many of which involve complicated maths, including regression analysis. As my hon. Friend the Member for Mole Valley (Sir P. Beresford) pointed out, if it is simple, it is not fair; and if it is fair, it is certainly not simple. Whatever Ministers say, the new system will not be simple.

The hon. Member for Bath (Mr. Foster) said that we should delay the whole matter for a further year, but I cannot agree. I congratulate the hon. Gentleman on his new post. I gather that he has been promoted to the transport brief, but I am sorry that we shall lose him on local government matters. As my hon. Friend the Member for West Derbyshire (Mr. McLoughlin) pointed out, the NAS/UWT believes that implementation should take place in the forthcoming financial year, and I have a great deal of sympathy with that view.

I cannot refer to all 27 speeches, but I shall take up some of the more significant points. The speech of the hon. Member for Denton and Reddish (Andrew Bennett), the Chairman of the Select Committee, was especially interesting. His comments, like those of many of his hon. Friends, were almost universally critical of the Government's proposals. I was particularly impressed by his observation that there should be more discretion on local spending. We all say amen to that. My hon. Friend the Member for Mole Valley made the same point: there should be less specific and general grant, less top-ups, less ring fencing and more discretion for local authorities to spend as they please. I wholly agreed with him.

We heard an erudite and articulate speech from my right hon. Friend the Member for Kensington and Chelsea, who made an interesting point about floors and ceilings, which amplified an intervention that I made on 15 October. Will the Minister give us a reassurance on that point? Will he guarantee that no authority will lose out in either cash terms or real terms in any of its expenditure blocks in this year's settlement under the new system compared with the present system? The consultation paper already gives that guarantee for education, but will the Minister extend it to all the other expenditure blocks? As the annual rate of local authority inflation, including pay settlements, is running at between 5 and 6 per cent., and I am asking the Minister for a real-terms guarantee in years one, two and three of the current rate of inflation of 2.5 per cent., perhaps he will be able to accede to my request.

The paper is highly complex. It covers all seven local authority expenditure blocks, each of which has between two and five options. It also deals with resource equalisation, fixed costs, sluggish costs and declining populations. We are dealing with a complicated subject, but my hon. Friends have made some telling points.

My right hon. Friend, like the hon. Member for Regent's Park and Kensington, North (Ms Buck), referred to the real difficulties posed by changes in London, not the least of which is the large number of commuters and visitors who come into London every day.

My right hon. Friend the Member for North-West Hampshire (Sir G. Young) made some perceptive remarks. He set out the fears of Opposition Members and of many people in local government that the proposals are a mechanism to transfer money from smaller, efficient and low-spending rural and shire counties to the profligate and less efficient northern and high-spending councils. He pointed out that as much as £80 million might be lost in Hampshire, which amounted to two teachers in every school.

My right hon. Friend also explained that if core funding is withdrawn by the Government, any increase will have to be borne by council tax payers. In my authority, Gloucestershire, the ratio of core funding to council tax is about three to one, so £3 has to be raised locally to make up for every £1 lost from central Government. My right hon. Friend pointed out that only a very imperfect system would rely on council tax increases, because property values do not necessarily reflect spending patterns, especially those of pensioners and people on fixed incomes. Such a system would act regressively on poorer and less advantaged groups in society. I hope that the Government will not take the line of forcing some local authorities to impose council tax increases that are greatly in excess of inflation. That would hit disadvantaged groups very hard indeed.

Judy Mallaber: The hon. Gentleman referred to the possibility that money might be transferred to other parts of the country. I come from a rural coalfields area, which the Government want to help, and we cannot understand how some of the southern counties receive so much extra per pupil than our area? Can he explain that? Does he agree that there should at least be a floor and that the lowest-funded authorities should reach that level?

Mr. Clifton-Brown: The hon. Lady makes her points in her own way. I can only regret that she had no chance to speak in the debate. If her Government had provided more time for the debate, she might have had that chance. May I suggest that her points could be made in an Adjournment debate?

Other Members spoke tellingly. I was especially struck by the contribution made by the hon. Member for Stafford (Mr. Kidney). I cannot discuss the contributions of every Member who has spoken about the f40 group, but I pay tribute to the hon. Gentleman for his work on the group. He has led an effective campaign, in which Gloucestershire was included. It would be wrong to introduce changes in this grant distribution formula that affect councils like Gloucestershire, which is likely to lose funding of as much as £135 per pupil, yet is already one of the lowest-spending authorities.

I also pay tribute to my hon. Friend the Member for South Cambridgeshire (Mr. Lansley) who said that fairness delayed was fairness denied. He rightly pointed out that schools in Cambridgeshire already receive £270 less per pupil than those in neighbouring Hertfordshire.

The real joker in the pack was the hon. Member for West Ham (Mr. Banks). I think he was issuing his new manifesto as putative Mayor of London. I always knew that old Labour was a gamble, but I had not realised that its supporters had a gambling policy and that they wanted to introduce municipal casinos. No doubt that will be part of the hon. Gentleman's manifesto, so the people of London can judge whether the proposal is a good one.

My hon. Friend the Member for Eastbourne (Mr. Waterson) made the perceptive point that his constituency has a particular problem owing to the high percentage of elderly people. Indeed, as I represent a constituency that has the third highest number of people aged over 85, I have a great deal of sympathy with my hon. Friend. Personal social services will be especially affected in local authorities such as my hon. Friend's. Like other hon. Members, he pointed out that in his area health spending will also be affected, so the combined nutcracker effect of cuts in health and social services spending will be misery. There will be more bed blocking and more people waiting for treatment. Throughout the country, more people will suffer.

The new Member for Mid-Dorset and North Poole (Mrs. Brooke) made an interesting contribution. She said that she has received representations saying that there should be no more police in Dorset because the people there could not afford the council tax increases. That is a sort of sideswipe at the Government, but, in my experience of elderly and vulnerable people, they will spend more if they feel that they can obtain more police and feel more secure in their own homes, so I am not sure whether I entirely agree with the Lady on that matter.

My hon. Friend the Member for Bexhill and Battle (Gregory Barker) made the telling point that his county council could be the worst affected in the country. He

[Mr. Clifton-Brown]

gave some fairly horrendous figures—a wide band of between £4.1 million and £43 million—and said that that would particularly affect the police force in his constituency. I hope to return to the police if I have time, because that issue is of particular concern.

The right hon. Member for Birkenhead (Mr. Field) spoke very sensibly, as always, and made some telling points about the methodology used in the proposals. I should like to quote quickly the Rural Services Partnership's views on that because the methodology is very important, and I hope that it will be rigorous and soundly based when finally introduced. It says that

"relatively little independent research has been carried out into the factors that influence the need for or the cost of providing local government services."

It goes on:

"In addition, the RSP's technical case asserts that the work that has been carried out has been compressed into a short timescale and some of it appears to be lacking in rigour."

I hope that the Government will be able to attend to that. It concludes:

"All of this will result in a system, which is instable and could be subject to political interference in the future."

I have little doubt that it could be subject to political interference in the future.

My hon. Friend the Member for Isle of Wight (Mr. Turner) made the telling point that the island obviously has costs because of its geographical position. My hon. Friend the Member for Hertsmere (Mr. Clappison) said that his local authority could lose 300 police officers, and he is not alone in the shire authorities. In particular, the proposals on the police are very worrying.

I think that I have covered the contributions of all my hon. Friends. There were telling contributions from Labour and Liberal Democrat Members, but I do not have time to deal with all of them.

I am concerned—my hon. Friend the Member for Mole Valley touched on this—that the Government have increasingly proscribed the way in which local authorities can spend their money with special and specific grants, top-ups and so on. There are also legal obligations as to the services that local authorities have to supply—for example, in education and personal social services. So if there is a shortage of money because of the Government's proposals, the areas of discretionary expenditure that remain—for example, highways—are likely to be particularly badly hit. That must be a real worry.

As I have said, there are seven blocks in the discretionary paper, and there are some worrying proposals. Most worrying of all is the resource equalisation proposal. As always, the devil is in the detail, and the resource equalisation proposals are right at the back in chapter 11. If hon. Members did not reach chapter 11 in this huge tome, they should look at the proposals in option RE2, which show that the shire counties and district councils could lose a staggering £328 million. Indeed, the south-east and south-west alone could lose a staggering £128 million.

It must be wrong that efficient low-spending councils' money is being redistributed, because of their tax base, to high-spending, often highly indebted, highly inefficient, northern Labour councils. That cannot be fair and it cannot be right. Councils that have been prudent over the years should be allowed to provide a reasonable level of service.

The next particularly worrying block is that for the police, under which, for example, Devon stands to lose 200 police officers.

The third particularly worrying block is that for environmental, protective and cultural services. Again, my right hon. Friend the Member for Kensington and Chelsea will be interested in the fact that one of the proposals—EPC3—does not allow for commuters and day visitors, so London would lose £272 million under that proposal. Under EPC4, the shires and districts would lose a staggering £259 million because the weighting for deprivation, commuters and visitors would be removed.

As my hon. Friends have said, this proposal is one of Labour's redistributive measures. It is unfair and unfounded, and the Labour party should take it back to the drawing board. When the people of this country realise that the Labour Government, with their tired brand, are delivering an unfair system, they will vote in the ballot box to remove the Government because of what they have done.

4.45 pm

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Mr. Christopher Leslie): This has been a lively, interesting and detailed debate. There has not necessarily been the consensus that we usually achieve in the House, although I would not necessarily agree with the view of my hon. Friend the Member for West Ham (Mr. Banks) that this was a whingers' debate. That is not true; it was not a whingers' debate, and it has been well-mannered and well-argued in content.

Before I continue, I should like to say that my right hon. Friend the Minister for Local Government and the Regions has asked me to apologise for the fact that he is unable to attend the debate to hear the winding-up speeches.

We are considering a very significant issue today—the formula grant review. We are talking about local authorities in England that currently receive grant via the SSA system. As many hon. Members have said, some 25 per cent. of public spending goes through local government, most of which comes from central Government, with the balance raised locally via council tax. For some time, the Government have been reviewing the fundamentals of how those resources are divided between authorities. Although it might be an obvious thing to say, we do not have limitless funds. A finite pot of grant is shared by reference to an authority's circumstances and to its ability to raise council tax.

As my hon. Friend the Member for Stafford (Mr. Kidney) recognised in his contribution, three basic factors form the foundation of the system: the basic amount per head of population, an appropriate emphasis on the need to tackle deprivation and reflections of the variations in pay costs between areas. Of course there are other components.

Richard Burden (Birmingham, Northfield): Will my hon. Friend comment on two things? First, in relation

to deprivation, the PricewaterhouseCoopers report referred to unmet need as real need that should be addressed. Will that be given full weight in the Government's response? Secondly, I hope that my hon. Friend will understand that the fact that there was no contribution today from the west midlands conurbation, which includes England's largest local authority, Birmingham, indicates not a lack of interest, but a lack of time. May I draw his attention to the letter that has been written on behalf of Birmingham MPs to our right hon. Friend the Deputy Prime Minister?

Mr. Leslie: I very much appreciate my hon. Friend's contribution. I am certainly not taking the weight of contributions as a measure of how to make a judgment on this matter. There has been a long and extremely thorough consultation process.

Mr. Mark Todd (South Derbyshire): I thank my hon. Friend for commenting on the issue of how to adjust for variable costs in local government. Of the various formulae presented, surely the one that commends itself most obviously is that used in the national health service, which avoids the cliff edge, is already in place and is clearly a tried model used across the country?

Mr. Leslie: I shall come in a moment to issues in respect of area cost adjustments. I understand that there is a weight of differences of opinion. Today I want to underline the guarantee that we have been able to give so far about a no cuts arrangement in terms of authorities on a like for like basis for next year. Obviously, we wish to move further on that issue, but that is the state of play before we get into the details and the final decisions.

Mr. Clifton-Brown: May I challenge the Minister again to say whether it is cash for all seven blocks or, as the consultation paper says, in real terms for education? Can he confirm that it will be in real terms for education and all the other blocks? Will his cash guarantee apply for years one, two and three?

Mr. Leslie: The hon. Gentleman will have to wait and see when we come to the final decisions about the grant allocation. All I am saying is that at this particular time we can give that undertaking about no cash loss for any particular authority. Obviously, we hope to do more. The hon. Gentlemant seems to be making spending commitments on behalf of the Opposition. I welcome his conversion to a real terms commitment to growth for local government spending and I shall have to remember that for a later date.

Several hon. Members *rose—*

Mr. Leslie: I do not have much time. I should like to make some progress and then I may give way later.

The hon. Member for Bath (Mr. Foster) suggested that it would be better to postpone the change in the system for a year or so, although on 15 October he said:

"We have waited in vain for five long years for a new formula to replace the current discredited one."

I am not sure that there is necessarily consistency in the Liberal Democrat arguments. I am glad that the hon. Members for West Derbyshire (Mr. McLoughlin), for South-East Cambridgeshire (Mr. Paice) and for Cambridge (Mrs. Campbell) urged the Government to make progress in terms of implementing the results of the review. There is never a right time, but I think that we should make progress straight away.

Clearly, many hon. Members are concerned about deprivation, and rightly so. The factors reflecting deprivation need to be relevant in the particular services that are provided. They need to be relevant and applicable to all authorities. We need to avoid perverse incentives in the formula. For example, it would not make sense if we had a formula that rewarded school absenteeism. We need to reflect genuine need. Those are important issues. How much weight we give to those issues is of particular concern. My hon. Friends the Members for Wigan (Mr. Turner), for Pudsey (Mr. Truswell) and for St. Helens, North (Mr. Watts), and my right hon. Friend the Member for Birkenhead (Mr. Field) raised important issues in respect of deprivation, as did the hon. Member for Torridge and West Devon (Mr. Burnett) in terms of whether working families tax credit and income support come into the deprivation calculation.

Mr. Swire: The Minister referred to Devon county council's plea that working families tax credit be taken into account in an area that has a lot of low paid workers but is not too bad on unemployment. Will he give that his utmost consideration because it is a serious factor that will affect the outcome for Devon?

Mr. Leslie: I hear what the hon. Gentleman says. We shall have to weigh up those factors in the process of reaching final decisions. A number of options look at incorporating working families tax credit into the calculations on deprivation.

A number of hon. Members raised the education allocations. Clearly, those are significant proportions of funding. The document for consultation had four cross-cutting blocks, including variables reflecting deprivation issues, additional educational needs, area cost adjustment and so on. The f40 group of authorities was well represented in the debate by my hon. Friends the Members for Stafford and for Newcastle-under-Lyme (Paul Farrelly), the hon. Member for Mid-Dorset and North Poole (Mrs. Brooke), and many others. The Government will consider option 5 as submitted and the other suggestions. I understand the strength of feeling, but there is a need to balance the desire of f40 authorities for a high basic entitlement with the need adequately to tackle deprivation and educational under-achievement in certain areas.

Judy Mallaber: Will the Minister also consider a suggestion that I put in my submission but was unable to make today, which is that there is a floor, perhaps at the lower quartile level once the calculations have been done, so that the lowest funded education authorities do not fall below that level?

Mr. Leslie: My hon. Friend helpfully moves the issue forward to floors and ceilings in general, and the guarantee that I mentioned earlier in terms of no cash cuts at this particular stage is relevant to her point. The hon. Member for Mole Valley (Sir P. Beresford), and the right hon. Member for Kensington and Chelsea

[Mr. Leslie]

(Mr. Portillo) questioned the guarantee. Of course we hope that we can do better than the commitment so far. Decisions on the levels of floors and ceilings are the next stage in the deliberations. We want to set those at realistic levels, taking into account the grant available and the range of outcomes for individual authorities. We hope that announcements will be made before early December—*[Laughter.]*

Sir Paul Beresford: I apologise for my levity. Does the guarantee apply to police authorities?

Mr. Leslie: No authority receiving grant will incur a cash loss. That is the guarantee that we have been able to give at this stage. Clearly, we hope to do better.

The right hon. Member for Kensington and Chelsea—who has left in his taxi, unfortunately, although the hon. Member for Cotswold (Mr. Clifton-Brown) mentioned him frequently, which was interesting and perhaps I will analyse that later—and my hon. Friend the Member for Regent's Park and Kensington, North (Ms Buck) also touched on the issue of the census. I understand the issue to which they refer, and, while we will use census information as the best available data, it will be covered by the floor guarantee that I mentioned.

Area cost adjustment is a big issue, which is very significant, and most Members accept that there are greater pay costs in different places, which is a difficult issue to address. My hon. Friend the Member for Stroud (Mr. Drew), the hon. Members for Brentwood and Ongar (Mr. Pickles) and for South Cambridgeshire (Mr. Lansley), and my hon. Friend the Member for Brighton, Kemptown argued that greater consideration needed to be given to area cost. My hon. Friends the Members for Normanton (Mr. O'Brien), for Pudsey and for North-East Derbyshire (Mr. Barnes), along with other hon. Members, were of a slightly different opinion. Whether area cost adjustment can reflect the true costs involved is an extremely important issue, and we need to make sure that we are as fair as we can be about such options.

Resource equalisation is another extremely technical issue, which is very difficult to address. My hon. Friend the Member for Stafford, the hon. Member for South Cambridgeshire and the hon. Member for Ludlow (Matthew Green) all raised the issue. Basically, it is about taking account of an authority's ability to raise council tax when distributing the grant. The argument is whether it is fairer to take more account of an authority's relative council tax base. Again, I have listened carefully to the views expressed, and I hope that we will be able to take these matters into account.

Clearly, the grant distribution system is one of the most important issues affecting public services. Getting it right is absolutely vital. We have therefore taken great care to talk to local councillors, Members of Parliament and other local government representative bodies over recent months. Much of the work is extremely detailed and technical, and I would like to place on record my thanks for the efforts and energies put in to responding to the consultation process. In trying hard to secure the widest possible involvement of all stakeholders, we hope that the eventual results prove more robust, reliable and authoritative. It has not always been possible to exploit every single avenue proposed, and we cannot promise that everyone will be ecstatic about the results. In my view, however, it is better to have approached the issue with an open mind, listening to concerns and basing decisions on the evidence before us, than to stick with the status quo or take the easy option of inaction and no change.

My hon. Friend the Member for Denton and Reddish (Andrew Bennett) hit the nail on the head when he invited me to go to Bull's Head public house in his constituency to try to explain the formula—that might take an extra pint or two. In respect of the points made by the hon. Member for West Derbyshire, who urged greater transparency, those familiar with the intricacies of local government finance—they are few and far between—will have an instinctive desire for a simplification of the formula used to distribute grant. One of the reasons why we embarked on the review was to try to clear away the mass of complications and complexities that has tied up the system so much.

Mr. Mark Francois (Rayleigh) *rose—*

Richard Younger-Ross (Teignbridge) *rose—*

Mr. Leslie: We intend to simplify where we can, but if there are clear reasons why options need to be improved or made less crude, we will have to face up to those decisions. We do not want to oversimplify, but we do want to strike the right note to deliver confidence and understanding in the system.

Mr. Don Foster: Will the Minister give way?

Mr. Leslie: I am afraid that I do not have time.

Transparency must be our ultimate goal. If aspects of the formula can be seen as logical and rational, and based on clear reasons, that will be a major step forward.

Many former local government Ministers have participated in the debate this afternoon. At this moment, I feel a great deal of respect and affinity with what they endured during their tenure. My right hon. Friend the Minister for Local Government and the Regions and I have met countless representatives, and we will try our best to strike the right balance in all these matters. What we see is a move forward from—and the demise of—the standard spending assessment. It failed because it tried to dictate centrally what local councils should be spending. That cannot be done by the Government. This Government want to invest more in local government services. Unlike the Conservatives, who cut council spending by 7 per cent. in real terms, we want to make sure that extra spending goes in. We have put in an extra 20 per cent. on top of inflation since we came to power, and a massive 5 per cent. real terms rise for the next financial year. Investing in local democracy and building quality public services is vital. We want a serious boost in services and a boost in investment. Giving councils a decent grant matters. That is the approach that we intend—

It being Five o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Asbestos

Motion made, and Question proposed, That this House do now adjourn. *[Mr. Ainger.]*

5 pm

The Minister for Work (Mr. Nicholas Brown): We have an opportunity in Government time, at the request of the Leader of the Opposition, to discuss important matters concerning health and safety. Three sets of regulations are relevant: the Control of Substances Hazardous to Health Regulations 1999, the Control of Lead at Work Regulations 1998, and the Control of Asbestos at Work Regulations 2002. All three sets of regulations amend existing legislation that was originally made in the 1980s, and which carried the full support of both sides of the House.

The Government are effectively doing two things. First, we are implementing a number of European directives, including the health element of the chemical agents directive that lays down minimum standards for the protection of workers from health and safety risks caused by chemical agents. The directive largely reflects the approach already taken by the three sets of health-based regulations, which since the 1980s have set out a systematic approach to the control of substances hazardous to health, including lead and asbestos, in the workplace. The directive and existing legislation require employers to assess risks, prevent or control exposure, provide information and training for employees and, in some circumstances, monitor employees' exposure to hazardous substances and place them under health surveillance.

Although the more prescriptive requirements of the directive have meant making many amendments to our existing regulations, the changes largely involve making explicit what is already implicit in our current regulations or their approved codes of practice. In transposing the requirements of the directive, the Health and Safety Commission has made every effort to make only those changes that are essential. It has taken care to produce a legislative package that will deliver high compliance while minimising the additional costs to industry.

The second thing that we are doing is addressing the Control of Asbestos at Work Regulations 2002, which will be amended to introduce a new legal duty to manage asbestos in non-domestic premises. Asbestos is the most serious occupational health problem in terms of fatal disease that the country faces.

Mr. David Laws (Yeovil): Has the Minister heard the concerns that many people have expressed about whether there is a difference between the health risks of white asbestos and those of the more dangerous blue and brown asbestos? Does he have evidence that suggests that white asbestos is as much a danger as the other forms of asbestos?

Mr. Brown: I shall come to that point but, if the hon. Gentleman allows me, I will deal with it in the order in which it appears in my speech.

In the 30 years between 1968 and 1998, 50,000 people died in the United Kingdom from asbestos-related diseases. The human suffering and misery behind those terrible figures continue today, and there is nothing that we can do about those already exposed. However, we can certainly do a great deal to prevent exposures today and so prevent painful and prolonged illness and death in the future.

Andy Burnham (Leigh): My right hon. Friend refers to people who have contracted asbestos-related diseases, such as mesothelioma. Many people in my constituency—former employees of Turner and Newall—still have outstanding claims against the company, but they are currently stalled because the owner, Federal Mogul, has gone into administration in the United States. Something could be done for people who contracted mesothelioma in the past if the Government could unlock the injustice of the situation in which those people currently find themselves.

Mr. Brown: The situation is complex and goes slightly beyond the regulations under discussion. However, it is serious. My colleagues and I met a Treasury Minister to see what we could do to make progress on a range of issues relating to legal actions that appear to be stalled. I have no announcement to make on that, but we are working across the Government, with the Treasury and the Department of Trade and Industry, to determine what more can be done. The situation is serious, as my hon. Friend said.

Since coming into office in 1997, the Government have progressively done much to strengthen the laws on asbestos in the workplace. We have widened the range of work that requires a licence from the Health and Safety Executive to ensure that asbestos removal work is carried out safely. Those measures have certainly had an effect on reducing the risks of asbestos. However, I share the concerns of the Health and Safety Commission that one issue remains to be addressed, and that is why a new proposal is before the House.

Research shows that more than 25 per cent. of those currently dying from asbestos-related diseases worked in building and maintenance operations. Although virtually all exposure routes have been effectively controlled by, for example, banning the use of asbestos products, it is estimated that something like 500,000 commercial and public buildings across the country still have materials in them that contain asbestos. In many cases, no one is consistently managing the risks from the thousands of tonnes of asbestos in those premises. People working on those buildings, such as plumbers, electricians and other maintenance workers, often do not know that they are at risk from disturbing the material or whether their work is putting other users in the building at risk.

On the issue rightly raised by the hon. Member for Yeovil (Mr. Laws), although the different forms of asbestos are often referred to by colour—blue, brown or white—in reality the colour of a material gives no indication of the type of asbestos it contains. It is not possible to detect asbestos by simply looking at material, which must be analysed to establish with any certainty whether it contains asbestos. The Health and Safety Executive is aware of numerous incidents in which workers have been exposed to asbestos. Those have often resulted in the construction projects being stopped and the premises evacuated, as well as in producing potentially serious consequences for the

[Mr. Brown]

workers involved. It is to deal with that unsatisfactory situation that the Government have proposed new legislation.

The new duty to manage asbestos will require those who have responsibilities for maintenance activities in non-domestic premises to assess whether there is any asbestos in their premises. If asbestos is present, they must decide either to remove it or to manage it, depending on its condition, while ensuring that subsequent maintenance activities do not expose the workers to avoidable risk.

Mr. Andrew Lansley (South Cambridgeshire): Perhaps the right hon. Gentleman can help me with something. I thought he would mention the date on which a building was constructed. In my constituency, Eternit, which as he knows produces roofing materials and so on, incorporated white asbestos into cement and roof tiles from 1980 onwards until the practice was stopped in 1997 or thereabouts. The date of a building could give considerable guidance on what materials were used and compliance costs could be reduced on later buildings.

Mr. Brown: I thought that as well but I will go on to refute it. It was common practice in the industry to mix brown and blue asbestos with white asbestos to get what was thought to be a better product.

Tim Loughton (East Worthing and Shoreham): The right hon. Gentleman mentioned the difficulty of identifying the asbestos, which might be a mixture of the different types, from its colour, but surely it would be fairly easy to analyse whether an asbestos was white, blue or brown. Blue and brown asbestos are made up of iron silicates whereas white asbestos is based on a magnesium silicate. It would not be a difficult scientific test to detect the absence or presence of either type.

Mr. Brown: Perhaps it would be better if I dealt with the matter when it occurs in my address to the House. We are trying to get the duty to manage the problem to be carried out in a proportionate and easily handled way. The advice to me is that to require distinctions to be drawn between brown, blue and white asbestos on the basis of analysis is a rather cumbersome way forward. In any event, there would still be a remaining problem from white asbestos although, as I will tell the House, it is a problem of a lesser order albeit a real one.

Mr. Michael Clapham (Barnsley, West and Penistone): On the distinction mentioned by the hon. Member for East Worthing and Shoreham (Tim Loughton) between an iron silicate and a magnesium silicate, it is not so much the chemistry as the structure of the fibre that matters. Does my right hon. Friend agree?

Mr. Brown: There is a range of uncertainties about the matter, and the Government must make their decisions on the best advice available to them. There is a risk from white asbestos. It is not a safe product.

Mr. Tom Watson (West Bromwich, East): Does my right hon. Friend accept that there is a certain amount of mythology about the colour of asbestos? Exposure to white asbestos still gives one 150 more chances of contracting mesothelioma than not being exposed to it.

Mr. Brown: Mesothelioma is a terrible way to die. There are risks connected with white asbestos, even if it is pure white asbestos and not mixed with brown or blue asbestos. Those risks are real and present and the Government want to safeguard against them. I hope that the House will accept that the Government's position is proportionate. It is certainly based on professional advice.

Mr. Alex Salmond (Banff and Buchan) *rose—*

Mr. Brown: I shall take the intervention, then perhaps I can make progress.

Mr. Salmond: I refer to the backlog of claimants. I suspect that all hon. Members have constituents who are affected. In Scotland there are 500 cases waiting at the Court of Session, and another 700 have not even reached the Court of Session, and we know that there is a similar situation south of the border. In the discussions between Departments, have the reasons for the backlog been identified? Is it merely a matter of appointing more judges, in which case why cannot that be done? Or is there some other blockage in the system, both in the Court of Session in Scotland and in the High Court south of the border?

Mr. Brown: I am not sufficiently familiar with the Scottish legal system to give the hon. Gentleman a definitive answer, but if it helps him, I will make inquiries of those who are able to give such an answer and write to him. However, the regulations that we are discussing today are designed to protect for the future, rather than deal with the tragic backlog of what are essentially common law cases seeking compensation for something that has already happened. As the hon. Gentleman knows, the Government have done their best in this area. We are looking at what more can be done. If the responsibility lies on anybody, it lies on those who caused the injury to the worker and on their insurers. It is there that some of the difficulties in law lie. I will write to the hon. Gentleman and try to get a more professional clarification of the point from someone more familiar with the Scottish legal system than I am.

The duty to remove or manage the problem is designed to make sure that maintenance activities are carried out safely and that workers are not subsequently exposed to avoidable risk. There is an obligation to ensure that information on the location and condition of these materials is given to anyone who is likely to disturb them.

The Government are not alone in wishing to legislate to protect building and maintenance workers from asbestos in buildings. A similar duty is likely to be imposed by the asbestos worker protection directive currently under negotiation. However, the United Kingdom legislation will go further than that required by Europe in one important aspect. The legislation in the UK will not be triggered by the maintenance works starting, but will require that those responsible for maintenance work in premises assess the risk in advance

and properly plan how best to deal with it. Such an approach is essential if we are to prevent maintenance workers from being exposed to lethal asbestos fibres.

The regulations have been designed to be flexible, allowing a proportionate approach to be taken towards compliance. They require significant expenditure only when the risk justifies it. They are based on the sound business practice of establishing and managing risks efficiently, and closely follow current good practice in the workplace.

As the duty will apply to all non-domestic premises, sufficient time needs to be allowed for duty holders to comply, particularly those with many properties. The draft regulation allows an 18-month lead-in before the duty comes into force, but duty holders will be advised to start planning how best to comply as soon as possible.

Responses to consultation exercises on the duty to manage have been overwhelmingly positive. Those who responded positively include the Confederation of British Industry, the Trades Union Congress, the British Property Federation, the Federation of Small Businesses, Government Departments with major property portfolios such as the Ministry of Defence and the Department of Health, local authorities, national health service trusts, charities, trade unions such as the GMB, the Union of Shop, Distributive and Allied Workers and the National Union of Teachers, retailers, banks, universities, building and allied trade associations, utilities providers and asbestos specialists.

The CBI welcomed the clear indication in the latest proposals that the resolution of asbestos risks is a team effort. The British Property Federation confirmed that the Health and Safety Executive had a good understanding of the operational requirements of landlords and managing agents, which is crucial to maximising the health benefits of the regulations. The Federation of Small Businesses indicated that the notion of a duty to manage was acceptable. The TUC supported the commission's proposals. A major property owner and leaseholder, the Royal Bank of Scotland—which now owns NatWest—agreed that any proposal involving removal of an unknown hazard would benefit workers.

Mr. Mark Francois (Rayleigh): So far the Minister has not mentioned the National Farmers Union, although he may be about to do so. I have received a number of representations from farmers in my constituency whose barns contain white asbestos and who fear they could face a collective bill amounting to several millions of pounds. I hope that common sense will be used, that the regulations will not be policed too zealously, and that my farmers will not be financially disadvantaged because of a problem that some believe does not exist.

Mr. Brown: No one from the National Farmers Union has approached me directly. I would be unlikely to overlook any representations that had been made; I think I would have remembered.

Those most at risk from asbestos on farms are the workers, the farmers themselves and their families. It is in their interests that the risks, if risks there be, are properly managed. If the asbestos is stable, one way of managing it properly might be just to leave it alone.

Mr. David Heath (Somerton and Frome): I have received a fax from the National Farmers Union. It says

> "The NFU is encouraging its members to comply fully with these regulations and urging them to realise the importance of workplace protection from exposure to asbestos."

I think the Minister has the NFU on his side.

Mr. Brown: Not for the first time! I thank the hon. Gentleman for making a helpful intervention. I am sure that that was not for the first time either.

The list of supporters is pretty comprehensive, but let me now deal with our critics. The Government are aware of concerns expressed in some quarters about the need for a duty to manage asbestos on premises, including views expressed by a small but vociferous minority who claim that the inclusion of white asbestos—chrysotile—is unnecessary because it is no more dangerous than other commonly used materials such as talcum powder. That is dangerous nonsense. The experts are unanimous in saying that all asbestos types can cause cancer. All asbestos types are unequivocally classified as carcinogens by the World Health Organisation's international agency for research on cancer, and by regulatory bodies throughout the developed world.

It is true that most experts believe that the blue and brown varieties are more dangerous than the white, and the most recent review of the relevant evidence suggests that the difference is substantial; but there is a wide range of scientific opinion and a good deal of uncertainty. The vociferous and, I have to say, commercially interested minority take a position at one extreme of the scientifically arguable range, and then behave as though the uncertainty did not exist.

Mr. Desmond Swayne (New Forest, West): Does the right hon. Gentleman accept that although there may be a commercial interest in saying that white asbestos is not dangerous, commercial interests are lined up that will profit greatly from zealous policing in relation to a white asbestos risk? Therefore, the balance of commercial interests is not all on one side.

Mr. Brown: The Government's concern is to protect our fellow citizens in the workplace and act proportionately in dealing with the risk. I was asked earlier about the risk from white asbestos, and there is such a risk. I am being candid about the ratio of risk in relation to blue, brown and white asbestos. All the advice says that the risks are different. Although a range of assessments has been made, the risk is still there.

Mr. Laws: I am grateful to the Minister for giving way again. He acknowledged that there was some uncertainty about the issue. Although it is obviously wise for the Government to act preventively in respect of uncertainty and err on the side of greater health protection, is he now planning to take any action to reduce the uncertainty about health risk?

Mr. Brown: A research programme is in place, but there are obvious difficulties in getting absolute evidence of the relationship of risk between white, blue and brown asbestos. It would not be right to wait 30 years until the evidence shows up in people's ill health.

[Mr. Brown]

We know that there is a risk and it would exist even if the white product could be separated from the mix that was commonly used in the building trade. It is a risk from which the Government have a responsibility to protect their citizens. We must take a decision in the presence of that uncertainty, in the knowledge that the results of a wrong decision would not be apparent for 30 years or more. We also know that a wrong decision would involve death from a particularly nasty disease. The Government's best estimate is that exposure of maintenance workers exclusively to chrysotile fibres—this relates to white asbestos—would give rise to an uncertain but actual risk of cancer.

In addition, excluding chrysotile from the duty to manage would make no practical sense. As recently as the 1970s, blue and brown asbestos were routinely added to white asbestos products during manufacture. In particular, that was done to improve the drying characteristics of the product. Applying different measures to the different fibre types could increase the costs of the duty to manage, as more analysis of the products in place would be needed to determine which regime should be applied. Even if the exclusion of white asbestos were desirable—it is firmly the Government's view that it is not—it would not be a practical way forward.

Concern has also been expressed by small businesses that some surveyors and asbestos removal contractors will use the legislation to oversell their services. We need to prevent that from happening. We have embarked on a five-year implementation programme, working closely with a number of organisations, including the Federation of Small Businesses and the Royal Institution of Chartered Surveyors, to ensure that the duty is properly understood and complied with. A crucial element in the campaign will be the need to advise duty holders to take a proportionate approach. In particular, that will involve leaving asbestos materials in place rather than having them removed when they are in good condition and are unlikely to be disturbed.

I seek to encourage the support of hon. Members in all parts of the House in ensuring that asbestos risks are properly managed without unnecessary expense. While extravagant claims have been made in the media about the cost of the proposals, the Health and Safety Executive calculates that the cost of full compliance with the duty will be about £1.5 billion discounted—in other words, at current values—over 50 years. Although that is a significant sum, it should be borne in mind that the costs will be spread among an extremely large number of duty holders whose individual costs will be significant only when the risks to health justify it. The Health and Safety Executive also calculates that the cost of completely eliminating all current risks from exposure to asbestos, including that of fully complying with all other asbestos regulation, would be £3 billion—a level that is again discounted. The elimination of this risk, together with savings arising from the better planning of maintenance and demolition work which will follow the introduction of the duty, is equivalent to total benefits exceeding £3.3 billion.

If current levels of exposure to asbestos are allowed to continue over the next 50 years, nearly 5,000 people will die from asbestos-related disease. These regulations should go a long way towards preventing that human suffering and misery, and they deserve the full support of the House.

Mr. Lansley: I am grateful to the right hon. Gentleman for giving way to me again. He was talking about practice in the 1970s, but I am not sure that he has answered my earlier question. The burden of my point to him was that there was a time—from memory it was 1980, but one could be more precise—when known manufacturers, such as Eternit in my constituency, were not including blue or brown asbestos in the mix. They were using white asbestos in concrete for roof tiling, and so on. Why is it not possible to reduce the burden of compliance costs on those who own and manage buildings that were constructed after that date?

Mr. Brown: We are proposing a practical way forward. The risk has to be assessed by the person who owns or manages the building, and the best way of managing the risk—or what is assessed to be the risk, as it may not be necessary to test the materials for their composition—might be to manage the material where it is, if it is inert. It would be necessary to ensure that people coming in to perform maintenance tasks, who might disturb the material in some way, understood what the risks were. I do not think that it is possible to draw a distinction between white asbestos and the more dangerous forms of asbestos—although I accept that scientific theory suggests that such a distinction exists—in the clear-cut, practical way in which the hon. Gentleman is urging me to do. Moreover, if it were possible and less burdensome to do as he suggests—I do not accept that it is—there would still be a risk. It is a mistake to say that there is no risk from white asbestos. Although we can argue about the proportion of risk between blue and brown asbestos on the one hand and white on the other, we know that the risk is there, and the Government have a duty to protect against it.

Mr. Lansley: I was not suggesting that there was no risk associated with white asbestos, but I think that the right hon. Gentleman is admitting that there is a lesser risk. If that risk is substantially less, but the costs imposed on the owners of buildings containing only white asbestos is likely to be similar to that imposed on other buildings, the balance of costs and benefits in relation to that part of our property estate is different from the risk that applies to the property estate countrywide. The purpose of the risk assessment is to ensure that we focus on dealing with the greater risk, and do so in a way that is proportionate to the cost.

Mr. Brown: I think that the proposal that I have put before the House is proportionate. These issues have always commanded consensus in the House until now, and I hope that they will continue to do so. Way back in 1983, when the then Minister, the right hon. Member

for Suffolk, Coastal (Mr. Gummer), had responsibility for these matters, he said this to the House:

"It is not a substance for which one can set a level below which there is no risk but a substance about which we do not know the lowest level of risk. We must therefore assume that a single fibre could do real damage which may not be seen for 20 years or more." —[*Official Report*, 28 July 1983; Vol. 46, c. 1411.]

That is what the official Conservative spokesman said, when in government. Those are his words, not mine. I do not think that the House should wait for 20 or 30 years to make a more balanced assessment of the proportion of risk between white, brown or blue asbestos. With that, I shall bring my remarks to a conclusion.

5.29 pm

Mr. John Bercow (Buckingham): I welcome this debate, and I begin on a consensual note. The Minister for Work is a person of unimpeachable integrity, and I have the highest regard for him. He wants to protect the public, and we all have a responsibility to do so; indeed, I take mine every bit as seriously as he takes his. However, to discharge that responsibility, and to ensure that only necessary costs are incurred, regulation must be based on sound science and on credible assessments of risk. It would be a grave dereliction of parliamentary duty if regulation based on flawed science were forced through this House without adequate scrutiny, and at the cost of billions of pounds.

It is because a fear exists that the Government might be about to make a colossal blunder that it is my responsibility to flag up legitimate concerns. To that end, I should like to look at the root of the problem—the different types of asbestos—to consider the merits of the statistics bandied about, to focus on the commercial interests that are lobbying for these regulations, and to highlight some of the problems contained in them and in the code of practice. I should also like to ask the House at least to consider, for that must be our purpose today, an alternative way forward to that which the right hon. Gentleman—entirely sincerely, and on the basis of advice from others—is proposing.

First, let us consider the root of the problem. It is nearly 50 years since scientists first established that exposure to the sharp metallic fibres of blue and brown asbestos—amphiboles made from iron silicate—were a serious cause of lung disease, including the form of cancer known as mesothelioma. The reality is that many participants in the public debate have in recent times blurred the distinction between those metallic amphiboles and the much commoner white form of asbestos. The latter is a wholly different mineral—magnesium silicate. The fibres of white asbestos are soft, silky and biodegradable. Theoretically, intense long-term exposure to these fibres, which occur naturally in the air—typically, each of us inhales 20,000 of them a day—can cause health damage, just as intense exposure to any form of dust can injure healthy lung tissue.

However, the only hard evidence of which I am aware for such damage derives from studies of workers who were heavily exposed to white asbestos in its raw state—for example, in a large and unregulated asbestos mine in China. My concern is that the Health and Safety Executive—which originally proposed a glitzy publicity launch for these new regulations on 3 October, but hastily cancelled the event upon the legitimate complaint of my right hon. Friend the Leader of the Opposition—is basing the proposed regulations on research into asbestos undertaken by Professor Julian Peto in 1985. That research was conducted on workers in a Rochdale asbestos factory that was owned by Turner and Newall, to which reference has been made, and subsequently bought by Eternit. The study appeared to show that exposure to white asbestos had caused mesothelioma. That came as a bombshell, for until then no one had suspected that white asbestos might be dangerous.

A decade later, in 1995, Professor Peto's evidence was re-examined by other scientists—in a study, commissioned by the Health and Safety Executive itself, by Dr. Alan Gibbs and Professor Fred Pooley. The lung tissue of the exposed workers studied by Professor Peto unmistakeably showed damage by amphiboles, but the lung damage that the professor was examining had been caused not by white asbestos, but by residues from blue and brown asbestos. Furthermore, I am advised that at least 19 other scientific research projects concluded that white asbestos is a low-risk substance. As the Minister will be fair enough to concede, most of these studies have apparently been commissioned by the HSE. Indeed, the HSE reported to the World Trade Organisation less than a decade ago that white asbestos had a risk to health

"too small to be measured."

As recently as June 2000, the HSE published a report, by John Hodgson and Andrew Darnton, about the risks to health from asbestos exposure. They concluded that the risk from white asbestos was theoretically zero, yet they were criticised by some scientists for exaggerating its risks.

The House will be aware—and if it is not, it should be—of the US court decision in 1991 that overturned the 1989 total ban in the United States on all asbestos. The judge in that case said that

"more people would die of the inhalation of toothpicks in the United States than they would from asbestos fibres".

Both the Health and Safety Executive and the European Union have—

Mr. Clapham: Will the hon. Gentleman give way?

Mr. Bercow: I say to the hon. Gentleman, whom I like and respect, that I will give way to him once, but this side of the argument and the concerns that it embodies need to be heard. I am keen to hear his case later. I shall give way once, because I am a generous and a public-spirited fellow, but no more.

Mr. Clapham: I am grateful to the hon. Gentleman. He is right that the proposed ban in America was overturned. The situation today is that corporate America is facing an enormous problem from asbestos, and many of the section 11 cases—those companies seeking administration—have been caused because of asbestos liabilities. Had the law in America been retained, corporate America might be in a different position.

Mr. Bercow: I am interested in the hon. Gentleman's observation, but it does not cohere with the professional judgment of the Environmental Health Agency in the United States, to which he has tempted me to return in

[Mr. Bercow]

a matter of moments. If he is able to contain himself, I will say something further about that matter of legitimate and academic debate.

Both the Health and Safety Executive and the European Union describe white asbestos as a class 1 carcinogen. However, as I am sure Members know, oral contraceptives, alcohol and nickel compounds all fall into the same category. Furthermore, I understand that the only tests conducted on white asbestos show its carcinogenic potential for humans to be about 160 years at levels of exposure approximately 200 times those at which the Health and Safety Executive recommends regulatory action.

The advice that I have received is that most raw materials, including so-called safer alternatives to asbestos, are all carcinogenic, but that the finished products containing the fibres are not. All of the above findings are significant and, under the Health and Safety at Work, &c. Act 1974, the Health and Safety Executive is statutorily obliged to take full account of conflicting scientific opinion and new evidence as they become available. Yet despite the apparent evidence of its own scientists that the Peto study was fatally flawed and what I gather to be private intimations from Health and Safety Executive experts to this effect, the HSE has never changed its public line, but rather continues the campaign to demonise white asbestos.

The House should also know that the recent UK representation briefing to Members of the European Parliament referring to proposed amendments to the asbestos regulation observed that they are

"likely to incur significant costs for British businesses in remedial measures, including possible liability for compulsory building surveys of 'all' commercial property in the UK."

Significantly, it goes on to add that

"similar proposals were rejected in the USA as 'unnecessary'. There is also strong evidence that both EC directives and Health and Safety Executive regulations on this issue are based on flawed research."

I wish to refer to the statistics. The Health and Safety Executive and opponents of white asbestos claim that it causes deaths from mesothelioma. This is extremely questionable, and the conclusion appears to have been reached by a scarcely credible three-stage process.

First, the HSE took the total number of deaths each year attributed to mesothelioma. Then, because it had been established that exposure to blue or brown asbestos was a cause of mesothelioma, it took an arbitrary percentage of that figure and ascribed it to asbestos in general. Finally, because of its belief—apparently without evidence to support it—that some of these deaths must have been due to white asbestos, it went on to make the fanciful and, some would say, intellectually disreputable assumption that 10 per cent. of asbestos-related deaths must have been caused by exposure to white asbestos.

Since Health and Safety Executive officials began citing these figures, they have been supplied with extensive evidence by Dr. Gibbs and others showing that white asbestos cannot be identified as a cause of any mesothelioma death in the United Kingdom. However, all that actual evidence—as opposed to guesswork—has been ignored by the HSE, apparently in breach of its statutory obligation to take account of such evidence. Its fictitious figures have become a mantra that continues to be solemnly intoned by the anti-asbestos lobby on every occasion—Labour Members will no doubt prove my point conclusively this afternoon—even though in reality there appears to be no evidential basis for them.

What about the commercial interests? The campaign for the new regulations has been actively promoted, at a cost of millions of pounds, by the two major multinational companies, Eternit and Saint-Gobain, that are now the market leaders in providing asbestos-substitute materials. Those materials have never been subjected to proper safety tests despite recent evidence from Edinburgh university that one of them—cellulose—may be carcinogenic. Hon. Members cannot have it both ways. In Britain those companies have carried out their lobbying through such bodies as the Association of Manufacturers against Asbestos and Westminster Advisers.

Since 1999, when the HSE finally dropped the clear regulatory distinction it had earlier made between blue or brown asbestos and white asbestos, the HSE has generally spoken of all forms of asbestos as if they were interchangeable. In that way, the anti-asbestos campaign has created the potential for immense public alarm. No one has been in a better position to exploit the resulting confusion than a new class of some 800 specialist contractors, called into being by the HSE to carry out asbestos-related work under a special HSE licence.

Mr. Lansley: Lest my hon. Friend continue further on that line of argument, perhaps he could tell me what evidence he has for a lobbying campaign by Eternit. I have an Eternit plant in my constituency, and I have approached the company for its advice. It has at no time sought to initiate contact with me or taken the line that my hon. Friend suggests. I find it curious that he should ascribe such lobbying to that company.

Mr. Bercow: As my hon. Friend knows, I invariably understate my case, and today is no exception. My distinct understanding is that that company has made representations—as it is entitled to do—to the HSE. Certainly, the people with whom I have been in contact have the distinct impression that the company is a leading advocate of the regulation that the Minister is commending to the House today. I would imagine that my hon. Friend will hear in due course from the company or part of it. We shall have to see.

Most of the contractors to which I refer belong to ARCA—the Asbestos Removal Contractors Association. In recent months, a nationwide investigation, involving more than 700 examples, has shown that those contractors and surveyors, who often work in close collaboration, have been using their privileged position to tell property occupiers of every type, including farmers, small shopkeepers, householders—to whom the regulations are not supposed to apply—residents of blocks of flats, local authorities and NHS hospital trusts, that their premises contain asbestos which the law requires to be removed and which can be done only by a licensed contractor at an exorbitant cost. However, when the details have been checked by independent experts, it has turned out in

almost every case that the work is either not necessary at all or can be carried out legally and safely for a fraction of the cost quoted by the contractors.

Chris Grayling (Epsom and Ewell): My hon. Friend is probably aware that banks and building societies are now using that as an excuse not to grant mortgages, especially on flats in affected blocks. Does my hon. Friend agree that financial institutions are acting irresponsibly in the matter?

Mr. Bercow: I am as alarmed as my hon. Friend by that phenomenon, to which I intended to refer. It compounds difficulties, increases anxieties and threatens ballooning costs, and both the Government and the Opposition have a responsibility to take it into consideration.

Cases are legion in which companies have been told that asbestos is contained in their premises and that removal will cost a large sum of money. In those cases, it has subsequently transpired either that there is no problem at all or that it can be satisfactorily tackled for a fraction of the cost. There is a well known case in south Wales, and an extremely alarming one in west London, into which investigations continue. There is another case at Dulverton in Somerset. I am anxious about them.

In fairness to the Minister—this is another rare note of consensus, and I propose that we all enjoy it—he did refer to such cases. However, I should have preferred greater evidence of real and steely determination to crack down on the cowboy contractors who take citizens for a ride and risk bringing the Government into disrepute.

Mr. Nicholas Brown: The hon. Gentleman is right, that we can make common cause on this matter. If he gives me a list of the cowboy contractors who are behaving as he alleges, I shall report them immediately to their professional association. It has a disciplinary procedure to deal with such matters. I shall personally make sure that it is enforced.

Mr. Bercow: I am grateful to the Minister for that. I undertake to provide the details that he needs. He has increased my work load, but that does not matter as I can now increase his.

However, the Minister should not be so coy. The Health and Safety Executive, for which his Department is responsible, has all the ammunition it needs. It is aware of the facts and details involved, and mutters its irritation, but it has failed to deal with recalcitrants. If the HSE is not robust enough, I hope that the Minister is.

The cases described all occurred before the new regulations requiring all workplaces to carry out a full asbestos survey, risk assessment and monitoring programme were considered. On the evidence of confusion and sharp practice that is now available, the risk is that regulations that are not soundly based will merely provide the more unscrupulous surveyors and contractors with a field day. They will be unwittingly aided and abetted by the Health and Safety Executive at a cost to the UK economy that is far greater than the HSE's estimate of the cost of compliance with the proposed new regime.

Rob Marris (Wolverhampton, South-West): I have heard the hon. Gentleman suggest, in the Chamber and elsewhere, that business is burdened with too much red tape. Is he now suggesting that there should be statutory regulation of contractors who remove asbestos?

Mr. Bercow: I am not arguing for that. I am saying that there is a problem with a number of members of ARCA that are behaving irresponsibly and costing innocent citizens and businesses a great deal of money. I am critical of excessive regulation but, equally, it is important to emphasise that regulation to protect the public is necessary in a civilised society. I am glad that there has not been too much moralising in the debate so far, although I do not expect that that will continue. I care about safety as much as the hon. Gentleman does, but a legitimate democratic debate should take place about the level of regulation that is required, based on scientific assessment and not emotive theorising.

Mr. Kevan Jones (North Durham): Will the hon. Gentleman give way?

Mr. Bercow: I shall give way for the last time to the hon. Gentleman, who has been patient.

Mr. Jones: All hon. Members will sympathise with any business that has been unscrupulously hoodwinked into contracting for unnecessary work, but would not the right approach be to regulate those errant contractors, or to track them down and expose them? Would not that be better than attacking regulations that would be welcomed by good businesses that manage their properties to a high standard?

Mr. Bercow: I fear that the hon. Gentleman is conflating and confusing two issues. One issue concerns whether there is scientific and intellectual justification for the regulatory regime that the Government propose. Opposition Members are raising legitimate questions about that, on our own account and on behalf of others. We are not clear that there is such a justification. If a regulatory regime for white asbestos is needed, and we are not persuaded that it is, there is a separate issue that concerns the behaviour of individual contractors.

I am certainly sympathetic to a policy of naming and shaming those who use privileged status and corporate power to make other people's lives more difficult and expensive than would otherwise be the case. I am on the side of the underdogs, of whom there are a great many around the country. If the hon. Member for North Durham (Mr. Jones) wants to join me in championing the cause of the downtrodden, the underdog, the oppressed and the unduly burdened, I will welcome him to the campaign.

Mr. Nicholas Brown: We can make common cause on this. I have a letter from Terry Jago, the chief executive of ARCA, who says:

"We are extremely concerned about these allegations, particularly since at no time has any contact been made with the Association with regard to them."

[Mr. Nicholas Brown]

I really think it important that the hon. Gentleman gives us the names and enables me to pursue the matter, probably on behalf of the whole House.

Mr. Bercow: I am genuinely flabbergasted that despite the profuse material supplied on the cases to the Health and Safety Executive, the right hon. Gentleman, whose Department is responsible for and effectively the parent of the Health and Safety Executive, is woefully ignorant of the substantive arguments that are being advanced against those contractors. Is the right hon. Gentleman semi-detached within his Department?

Mr. Brown: Actually, I think that "semi-detached" was a term of abuse used against a former Conservative Minister by his own side. The person making the allegations, according to ARCA, is the hon. Gentleman. The letter says:

"We would therefore suggest that in your response to Mr. Bercow, it may be appropriate for you to ask him to provide details to the Association, giving the names of the member companies about which the allegations are made, to enable these complaints to be investigated."

The hon. Gentleman is making the accusation—give us the names and we can investigate them.

Mr. Bercow: This is extraordinary. I said that I have a high regard for the right hon. Gentleman. He really deserves a better status in life than that merely of unrewarded and unappreciated lackey of ARCA. That will not do at all. The right hon. Gentleman should have some regard for his own status. It is not his job to go taking from me material that is requested by a third party. The material has been provided to the Health and Safety Executive, the cases have been well publicised and the individual victims are well known. I am not proposing to go through all the detailed cases now for the simple reason that other right hon. and hon. Members wish to contribute to the debate. I have already referred to the examples. I stand by them, I will elaborate on them, further and better particulars will be provided, the details will be given to the Minister and the hon. Member for North Durham, who is chuntering from a sedentary position, will have nothing about which to complain. He will be the first to complain if a detailed dilation on those cases causes me to take longer and to stop him making a contribution to the debate. I am a just fellow, and I do not propose to subject the hon. Gentleman to that disadvantage. It is simply not fair.

I want to focus on the cost of the regulations, because the right hon. Gentleman made an important point. He talked about a cost of £1.5 billion over a 50-year period. I thought that he had the figures the wrong way round and had misread his text. Previously, the Health and Safety Executive said that its estimate was not £1.5 billion but £5.1 billion. It then came up with a lesser figure of £3.4 billion, but the TUC, upon which the right hon. Gentleman is happy to rely when it suits him, previously suggested a potential cost of £80 billion.

Mr. Brown: I appreciate the hon. Gentleman's generosity in giving way. The figure of £80 billion that is attributed to the TUC is simply wrong. I contacted the TUC because I wanted to get to the truth. It says that this is not a TUC figure, it never has been and the TUC has never worked out the cost. I do not know where the figure comes from, but it is nothing whatever to do with the Health and Safety Executive or the TUC.

Mr. Bercow: On this occasion, on the Floor of the House, as I do not have the paper in front of me, I note what the right hon. Gentleman says.

Tony Worthington (Clydebank and Milngavie): Will the hon. Gentleman give way?

Mr. Bercow: No, I will not.

Tony Worthington: Will the hon. Gentleman give way?

Mr. Bercow: No, I have made the point clear to the hon. Gentleman and I do not intend to dilate on it further.

I emphasise that the Health and Safety Executive's previous estimate of £5.1 billion represented the largest cost compliance assessment ever given for a new law. Even if we exclude temporarily and in the name of cordiality on the Floor of the House the figure of £80 billion, that earlier proposed by the Health and Safety Executive was the largest ever cost compliance assessment given for a new law. Now we are told that the figure is £1.5 billion; previously we were told that it was £3.4 billion. I believe that there is a serious concern that the regulations could prove much more expensive, and the Minister is not in a position conclusively to rebut that suggestion for the simple reason that the only figures that he has to go on are those supplied to him by the Health and Safety Executive. If the HSE has changed its mind twice, what is to stop it changing its mind a third time when the regulations have been given effect, the cost is being borne and it is too late to reverse or mitigate some of the damage thereby inflicted?

As if that were not bad enough, there are other potential scandals to consider. There is the evidence to which my hon. Friend the Member for Bridgwater (Mr. Liddell-Grainger) referred that surveyors, estate agents and building societies are erroneously advising homeowners or prospective purchasers of the damage to the properties that has been sustained and their reduced value. Also, the alarm generated over asbestos is provoking an ever-rising tide of insurance claims. So large are the sums involved in this sort of compensation that it has now become the fastest growing area of liability.

The reality is that in those circumstances we have a legitimate reason to raise our concerns. I hope that Labour Members will not be gleeful at the thought of multinational insurance companies such as Sun Alliance having to make such massive and unjustified payouts. That company is already proposing to put aside £385 million as a contingency, principally to cover asbestos-related claims. We have to remember that ultimately everyone, including ourselves, will pay the bill in higher premiums.

Ministers, Labour Members of Parliament and trade unions must take care not to allow themselves to become front men and cheerleaders for what could turn out to be one of the most shameless public rackets of our time.

In the first five substantive pages of the regulations I saw no fewer than 25 areas of ambiguity. A colleague has seen no fewer than 45 areas of potential error and uncertainty in the first 15 pages. So, there are real grievances. Questions need to be posed and answered in relation to the proposed code of practice as well as the regulations. The Government are seeking to ram through the House highly detailed and controversial regulations, which hon. Members are not equipped technically to evaluate and upon which, plainly, there is not a scientific consensus.

In the end, it seems obvious that in these circumstances we cannot just rest content with the view of the Government. We have to take account of what the environmental experts in the United States think, and of the fact that the World Health Organisation remains of the view that the controlled use of white asbestos is appropriate. It maintains that asbestos cement products are totally safe. We should also consider that the health and safety and risk management policy spokesperson for the Federation of Small Businesses, Dr. Jacqueline Jeynes, has stressed that

"white asbestos cement based and hard encapsulated products pose a negligible risk, and do not need to be treated in the same way"

as blue or brown asbestos.

The FSB has called for a Select Committee inquiry into the subject. John Bridle, an experienced south Wales surveyor, qualified chemist and unpaid consultant to the Asbestos Cement Product Producers Association, believes that such a study is essential and that a judicial review is likely without it.

The most important point of all is that these regulations appear to take no account of the disposal of the removed asbestos material. The waste regulations are even more ridiculous than the HSE's control of asbestos at work and approved code of practice may prove to be. The total results could be a gold-plated set of bureaucratic impositions that will promote an epidemic of illegal tipping and removal that could create a health hazard where none previously existed.

The HSE has neither the manpower nor the expertise to police these new regulations. The Minister wants to protect public health. Members on both sides of the Chamber share that objective. No one has a monopoly on concern for safety. I yield to no one in my determination that we and our fellow citizens in the workplace should be free of avoidable risks. Equally, however, there is not the slightest merit in legislating on the basis of science that we should not believe at a cost that need not be faced. The public interest demands a thorough debate and the readiness to consider alternative opinion, which the HSE has heard but which it currently chooses to ignore rather than to answer.

The Minister has set out his case. My responsibility is not to parrot the Government in the interests of a quiet life, but to give voice to the concerns of others and to raise questions that Ministers must address. There is still time for a Select Committee inquiry speedily but effectively to hear all the evidence before Parliament acts. That is the right course. To [illegible]e hastily, ignorantly and expensively [illegible] when it is too late would be the wrong course. I appeal to the House to endorse the case for expert debate and to resist the temptation to press the panic button.

Several hon. Members *rose—*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. May I point out to the House that 60 minutes are left for the debate and that there are nine hon. Members seeking to occupy it, including one Front-Bench spokesman? I hope that hon. Members will feel good will one to the other.

6 pm

Mr. Michael Clapham (Barnsley, West and Penistone): My right hon. Friend the Minister approached the matter in a balanced way. He explained that regulation was necessary to give people protection in the workplace. The record should be put straight.

The hon. Member for Buckingham (Mr. Bercow) referred to the ILO—[HON. MEMBERS: "WHO"]. Indeed. The hon. Gentleman said that the WHO had produced no evidence that white asbestos posed a danger. I refer to a recent statement issued by the WHO. Its latest review of the health risks from chrysotile asbestos states as one of its conclusions:

"Exposure to chrysotile asbestos poses increased risks for asbestosis, lung cancer and mesothelioma in a dose dependent manner. No threshold has been identified for carcinogenic risks."

That statement is based on the scrutiny of studies carried out throughout the world, from Japan to France and the UK. The hon. Gentleman will be aware that about two years ago the HSE commissioned a study from Leicester university. After that study concluded that there was a carcinogenic risk from white asbestos, the HSE began to address the matter.

There have been two consultation exercises over a four-year period.

Tim Loughton: The hon. Gentleman could have made an identical statement in which the WHO referred not to white asbestos but to hot alcoholic beverages, contamination by nickel-based coins or contraceptives—a point made by my hon. Friend the Member for Buckingham (Mr. Bercow). If no threshold is given, such statements are almost meaningless.

Mr. Clapham: The statement referred to chrysotile asbestos. As the debate proceeds, the hon. Gentleman will hear evidence presented by my hon. Friends, some of whom in another life were personal injury lawyers. They will explain that they have dealt with cases of mesothelioma caused by white asbestos.

The record needs to be put straight. Last year, 5,000 deaths in the UK resulted from exposure to asbestos, and there were 1,700 new diagnoses of mesothelioma.. Many of those cases were probably caused by white asbestos.

Mr. Ian Liddell-Grainger (Bridgwater): Will the hon. Gentleman give way?

Mr. Clapham: I cannot give way at this point.

The hon. Member for Buckingham should also be aware that when chrysotile is mined, a dangerous and carcinogenic form of asbestos—tremolite—can become

[Mr. Clapham]

mixed with it. The two cannot be separated, so mined white asbestos is highly polluted. Tremolite is even more dangerous than blue or brown asbestos.

Tim Loughton: Will the hon. Gentleman give way?

Mr. Clapham: No, I have let the hon. Gentleman intervene once, and I want to make a little progress.

Given the figures that I have cited for the number of deaths and mesothelioma diagnoses in the past year, it is obvious why we need the regulations: we need to be able to reduce the number of deaths in the workplace. Unless we take action now, we are likely to face the kind of situation in the future that we are facing now, which stems in many ways from the workplaces of the 1960s, when blue and brown asbestos was used without any real consideration for the health problems caused. As a result, we are picking up many of the mesothelioma cases that were caused by exposure in those times.

Let me give the House an idea of the incubation period using a case that I dealt with personally. One of my constituents—a miner—was exposed to asbestos. I represented him at a tribunal and obtained a mining engineer's report. It was proved that there was asbestos in brake linings that that man had used in the latter part of the 1950s. In other words, it took from 1958 or 1959 until 1997 for the tumour to develop. The asbestos had been in his lungs for all that time. So there is a long incubation period, and the fact that we are now dealing with dangers from the 1960s shows that it is necessary to take action now to prevent problems in the future.

Mr. Francois *rose—*

Tim Loughton: Will the hon. Gentleman give way?

Mr. Clapham: No, I shall not give way now; many of my hon. Friends want to intervene.

We are saying that the regulations are necessary because we need to reduce the number of deaths in the workplace. Under the regulations, employers simply have to identify the deadly material and work out a plan to deal with it. That is all we are requesting.

The hon. Member for Buckingham said that the present situation in America results from massive asbestos claims, which are causing multinational companies to face going into liquidation. I understand that, at present, the majority of chapter 11 bankruptcies in America are being caused by the asbestos problem. For example, Federal Mogul, which took over Turner and Newall, has gone for administration under chapter 11. We are now faced with an enormous problem.

SunAlliance has been mentioned, and I understand that it is to appear in court next January in connection with the Turner and Newall cases. There is an argument which says that, although it provided employer's liability insurance, it tried to exempt asbestos cases, and it will be proven in the courts whether it was correct to do that.

Mr. Bercow: The hon. Gentleman is being a trifle gullible and credulous in relation to the behaviour, in the United States and our own country, of insurance provokers on one hand and lawyers on the other. He is a little unwise to take all that at face value. I simply ask him this question: if he is going to slate the record in the United States and to talk about companies going bankrupt because of asbestos, will he identify a single case of company in the United States facing a successful claim because of an incidence involving white asbestos? Name, date and details, please.

Mr. Clapham: I will have experts provide the hon. Gentleman with the information that he requires. I cannot give that information now. We know that white asbestos was widely used in the United States, so many of the claims being lodged against companies will be for exposure to white asbestos. I now come to the reason why the hon. Gentleman has objected to the regulation. He referred to Mr. Bridle of Bridle Associates, who is an apologist for the asbestos industry. The hon. Gentleman said that this man was not in receipt of payment, but I refer him to the "British Asbestos Newsletter". I ask him to read it carefully and follow through Mr. Bridle's linkage to the Canadian asbestos industry. The hon. Gentleman may well find that his statement proves to be untrue. He could contact the editor of the newsletter who will provide him with a great deal of information about Mr. Bridle. It appears that the hon. Gentleman has based much of his case on expertise provided from that direction. I advise caution, if that is what he has done.

Mr. Bercow: My thesis was based on evidence from a number of sources, to which I referred in some detail, and individuals were named. If the hon. Gentleman thinks his case is so strong, why has he refused to debate these issues with John Bridle? Mr. Bridle is not scared of the hon. Gentleman, so why is the hon. Gentleman scared of Mr. Bridle?

Mr. Clapham: I can assure the House that this hon. Gentleman is not afraid of Mr. Bridle or of many other people. Mr. Bridle has made certain accusations in writing that are wholly untrue. He alleged that my colleague and hon. Friend the Member for Tooting (Mr. Cox) and I are in the pay of groups who would benefit by manufacturing substitutes for asbestos. No such payment has been made to me, and I think I can speak with honesty for Tom Cox when I say that no such payments have been received.

Mr. Deputy Speaker: Order. The hon. Gentleman knows that he should refer to colleagues by their constituency and not by name.

Mr. Clapham: In conclusion, information shows clearly that white asbestos is a carcinogen.

Several hon. Members *rose—*

Mr. Clapham: No, I am not giving way. There are 5,000 deaths a year in this country, and the number is increasing year on year as a result of exposure to asbestos. Dr. Peto's work suggests that the number may well reach 10,000 by 2015. We must take the action set out in the regulation now if we are to protect people in the workplace for the future.

6.13 pm

Mr. David Heath (Somerton and Frome): This is an interesting and, I hope, useful, debate despite its rather curious provenance. Apart from anything else, it gives us an opportunity to address matters of health and safety which have newly become the province of the Minister for Work. Under normal circumstances it might have been a good opportunity for him to dilate further on exactly what that means in terms of his work load and responsibilities in the Department. I am aware of the small industry that comes along with the Health and Safety Commission and the Health and Safety Executive, and the wide range of interests that run from dangerous pathogens to nuclear installations, railways and so on. At some stage, probably not today, perhaps the right hon. Gentleman would be kind enough to set out exactly what he is responsible for, and whether next time there is a rail crash—I hope that this does not apply—he will come to the Dispatch Box to explain the circumstances.

I also hope that the move to the Department for Work and Pensions will enable the Government to pursue two areas more actively. One is a single inspectorate for many of the purposes of health and safety and other matters that fall within the Government's province, as we have urged for a long time. The other is the role of rehabilitation, as, clearly, the Minister is in a good position now to examine the responsibilities of employers in terms of rehabilitation after health and safety events and seeing that through to a conclusion that gets an individual back into work.

The genesis of the debate has been referred to by the hon. Member for Barnsley, West and Penistone (Mr. Clapham)—it is the dichotomy between the experience in the United States and in North America generally and what is happening in the United Kingdom. Largely, it is a legal differentiation. As hon. Members know, the Fairchild, Fox and Matthews case has come to the House of Lords, and a helpful interpretation has been given of the rules of causation in this country. In America, the reverse is happening—there is a move away from responsibility. For instance, Patrick Leahy, the chairman of the Senate Judiciary Committee, has made a very unhelpful comment suggesting new legislation to reduce the liability of companies in the United States for asbestos-related injuries.

Part of the reason for that change of attitude may be the differences in scale in judicial terms. I note that, last month, a jury in the United States awarded damages of $53 million. That is a colossal amount of money, albeit in a case based originally on 8,000 claims against 250 defendant companies. Nevertheless, it is a huge award. In comparison, the United Kingdom average award is about £100,000. The legal situation and the parameters are therefore totally different.

We also know, however, that the number of claims in this country is growing—1,500 claims per year and rising—and is likely to go on increasing. That alarm, coloured by the United States experience, has transferred itself to some hon. Members and some people outside the House, who are trying to influence the legislative framework on asbestos within which we work. It is a complicated matter, as the latency of the disease—30 or 40 years—means that it is very difficult to establish the causative factors. Often, it is very difficult to identify the particular companies in question, especially when someone has been employed by a series of companies or when companies have simply changed their corporate structure or disappeared completely. The legal position is therefore murky.

Having listened at length to the hon. Member for Buckingham (Mr. Bercow), I think his argument boils down to three points. First, he maintains, on the basis of his judgment, that there is no risk from white asbestos—chrysotile. Secondly, he argues that, in the absence of risk, the regulation is excessive and would involve excessive cost. Thirdly, he adduces the existence of unscrupulous operators who are profiting from a situation that he believes is contestable. I shall deal with those points in turn.

I am not sure that the hon. Gentleman's science training is adequate to support some of the comments that he made in terms of the nature of iron silicate and magnesium silicate—*[Interruption.]* The hon. Gentleman says from a sedentary position that mine is not either. I do not claim to be a top scientist, but I do claim to have a science degree. I have a degree in physiological sciences, as it happens, but no matter—*[Interruption.]* I have no problem with the hon. Gentleman making fun of my background and training. I simply adduce the fact that he seems to think that one salt, iron silicate, is metallic and that another salt, magnesium silicate, is not. That suggests that he has not understood the evidence before him.

The hon. Gentleman also referred to the carcinogenic effect of various substances. He said that other carcinogens, such as nickel and alcohol, should be dealt with in the same way. I challenge him to name a single mesothelioma that has as its causative agent anything other than asbestos or a similar fibrous material. If he can find someone who has a mesothelioma that is caused by nickel, alcohol or contraceptive pills, I will yield to him on that point. However, I do not think that he will be able to do that, because mesothelioma is exclusively the result of a particular type of fibrous substance.

Tim Loughton: Perhaps I can turn the hon. Gentleman's question round. In response to my question, the Minister previously responsible for this issue said:

"Individual cases of mesothelioma or of lung cancer caused by asbestos are not pathologically or clinically distinguishable from those due to other causes . . . Since every member of the population has been exposed to asbestos from multiple sources, the definitive linkage of individual cases to a particular source is not possible."—[*Official Report*, 18 March 2002; Vol. 382, c. 33W.]

The hon. Gentleman said that that is rubbish, but a Minister made that statement in a written answer.

Mr. Heath: I have not seen the context in which that Minister made that statement. He may have been misled. However, the way in which the hon. Gentleman uses that quote now is grossly misleading. Mesothelioma is not caused by the ingestion of nickel or contraceptive pills. It is caused by the inhalation of fibrous material. That exclusively causes cancers of the pleura and the mesothelium. He must accept that.

No one contests the fact that chrysotile is a less effective agency for the disease than others, and thank goodness for that. Nevertheless, we have already heard

[Mr. Heath]

that pollution from white and other forms of asbestos cause the same effects, which are, in any event, an innate effect of asbestos in the first instance. The hon. Member for Buckingham rubbished the work of Professor Peto, and he did not mention his collaborator, Sir Richard Doll, who happened to be the regius professor of medicine when I studied under him. Professor Doll was the greatest clinical epidemiologist not only of his time, but possibly of all time. I prefer to take his word rather than that of the hon. Gentleman in assessing the evidence before me.

Mr. Liddell-Grainger *rose—*

Mr. Heath: I give way to the hon. Gentleman, who is clearly an expert on the subject.

Mr. Liddell-Grainger: I do not claim to be an expert, but my hon. Friend the Member for Buckingham (Mr. Bercow) made the point that at least 19 other studies have been carried out. He is not the only one to have examined the issue.

Mr. Heath: There is a great deal of scientific evidence on both sides of the argument, and some hon. Members fail to understand that one cannot establish the absence of risk. It is part of the scientific illiteracy of this place that people want to have it proved that there is no risk. If there is evidence of risk adduced by proper scientific experimentation—which there is—the Government are right to take it seriously. They are there to protect the population. It would be a dereliction of duty to assume that there is no risk from white asbestos when the evidence clearly suggests that there is.

The next question is whether the regulations are excessive. I have considered the draft regulations—we have not had an opportunity to do more—and my judgment is that it is not excessive to ask people in a workplace to identify the areas of potential risk. That is not asking for a full structural survey or asking anyone to remove anything. It is merely asking people to identify where there is asbestos in a building. That has been accepted by the CBI, the Federation of Small Businesses, the TUC and the National Farmers Union. All of them have sensibly been consulted and think that the regulation is about right. The argument that it is excessive cannot be sustained.

The hon. Member for Buckingham has one point. He was right to raise cases where asbestos is encapsulated, such as concretised asbestos. A case can be made for further study of that to determine under what circumstances such substances pose a risk. We should reconsider the fact that there is no requirement to remove such a substance that is in place and intact.

The hon. Gentleman also made a good point about cellulose, which is an alternative to asbestos and a potential carcinogen. We know that it causes farmer's lung, which often makes Joe Grundy cough in Ambridge. That disease is a result of cellulose getting into the lungs. There is an argument that more work should be done on that product.

The hon. Gentleman also mentioned unscrupulous operators. If he is right—I am sure he is—that people are abusing the fact that the regulation was introduced and the lack of knowledge about it, the Government should act to deal with that. They need to ensure that everyone knows the circumstances behind the regulation and what they must do and have no need to do.

The hon. Gentleman's argument about the companies involved was seriously damaged by the hon. Member for South Cambridgeshire (Mr. Lansley). His comments in respect of ARCA and its members lacked courtesy. The leader of his party managed to pick up a phone and call the Fire Brigades Union. Why did the hon. Gentleman not call ARCA to explain that unscrupulous operators were at large and to ask what action it was taking?

Mr. Bercow: I would not want the hon. Gentleman to be misinformed. It is not a state secret. The evidence is available. The cases have been publicised. ARCA cannot claim nescience in the matter. It is well aware of the facts and has a responsibility to study them.

Mr. Heath: The hon. Gentleman is, as always, sesquipedalian in his tone. He is really saying that he did not get in touch with ARCA. That is clear from its letter, which states that it is extremely concerned that the allegations were not put to it, as the Minister pointed out. ARCA has a disciplinary committee to consider complaints. However, it appears that no complaints were received so it could not take action. I find that extraordinary, especially as the hon. Gentleman also mentioned members of the Royal Institution of Chartered Surveyors. Chartered surveyors have a professional standing and a duty of care. They should not abuse the trust of their clients and evidence of that should be put before the responsible authorities at the earliest opportunity.

I have four points to put to the Minister. First, he did not address the decision to leave out the previous provision of due diligence. That is interesting. If a company can show that it has acted with due diligence in attempting to identify asbestos within the workplace, that should be an appropriate defence. It is not in the new regulations and there is a strong argument to suggest that it should be.

Secondly, clear guidance from the Health and Safety Executive is essential to determine what is and what is not needed so that people do not spend money unnecessarily removing parts of buildings or on complicated and expensive surveys. Such surveys are not needed when it is possible to identify parts of a building that clearly pose a risk or that give rise to a reasonable suspicion that there is asbestos in the fabric of the building.

Thirdly, the Minister, the commission and the executive need to work with responsible undertakers to make sure that they are not taking steps that are excessive and will involve extra costs to industry.

Finally, I should like the Minister to commission more work on encapsulated or concretised asbestos and on the potential dangers of other fibrous materials being used as asbestos substitutes. I would hate our successors in 30 years' time to be making the same arguments about a different scare, the latency of which is such that people are now inhaling the fibres that will cause them horrible illness and potential death at a later stage in their life.

6.30 pm

Mr. Stephen Hepburn (Jarrow): I welcome the opportunity to speak in the debate, which was initiated by the Opposition. It allows us to expose a crime that has been perpetrated on thousands and thousands of workers in the UK by unscrupulous employers. The extent of the problem of asbestosis-related deaths is revealed by the area that I come from, Tyneside, where two people die each week from that illness.

Tyneside has a history of heavy industry and shipbuilding, so we have a legacy of workers who have used asbestos in the past, largely through ignorance, and who now have asbestosis, which is causing their death. In Jarrow, 109 men are waiting for compensation through the compensation courts. Those are basically 109 dead men walking. They ain't going to recover. They ain't going to get any better. Even though they will die in agony, all they want is to get their compensation. But the problem will not go away once those men have got their compensation and, unfortunately, died. The problem will get worse. It has been estimated that it will not peak until 2010.

The men who have been suffering from asbestosis have had to worry not only about the illness and the fact that they have had to live through the illness with their family, but about the compensation. I have raised the issue twice in Parliament—and I will be brief and take your guidance on the length of speeches, Mr. Deputy Speaker. However, I am reminded once again of the unfairness of the way in which those men have been treated, of the scandal of those rogues at Chester Street Holdings, who potentially robbed 10,000 people on Tyneside of their compensation, and of the ludicrous Fairchild judgment, whereby the person suffering from asbestosis had to prove which employer at which time and in which place was the source of the single fibre that caused his illness. That is an absolute nonsense. I had a constituent, William Cuskin, whom I have mentioned in Parliament before. He was a painter who worked for numerous employers up and down the Tyne throughout his career. How on earth could he say which single employer gave him the disease?

Mr. Kevan Jones: Does my hon. Friend agree that many of his constituents, and many of the people whom I dealt with when I handled asbestos claims at the GMB union, were told when they were working with asbestos that it was safe? Many of them are now dying a horrible and cruel death. The hon. Member for Buckingham (Mr. Bercow) also spoke of a safe type of asbestos.

Mr. Hepburn: I agree with my hon. Friend. We must realise that we cannot save those people who are dying of asbestosis. We can do nothing about the people who will get the illness in years to come because of their past exposure to asbestos. We can do nothing to relieve the stress caused by Chester Street Holdings and the Fairchild judgment. What we can do is reduce, if not eradicate, the risk of people getting asbestosis in the future. That is exactly what the asbestos in the workplace regulations are about. They are commonsense measures. All they say is that an employer must identify where the asbestos is in his workplace so that if any contractor comes to do any sort of work, the contractors and workmen are protected.

I have heard the arguments about white asbestos. One Opposition Member said that it was no more dangerous than talc. If it is no more dangerous than talc, let him put it under his arms for the next 12 months after he has had a wash. I hope he will not contract the disease from which people are dying a terrible death week in, week out in my constituency.

It does not matter what colour the asbestos is. It does not matter whether it is white, blue or brown. It is a killer. Yes, it is a killer to varying extents, but would we ask a person whether he would rather be run over by a mini or by a 10-ton truck? At the end of the day, the person will die; it is only a question of how long it will take.

I welcome the regulations, which I hope will be introduced sooner rather than later to protect people in the workplace.

6.35 pm

Mr. Liddell-Grainger: Having been in the building trade in the area where the hon. Member for Jarrow (Mr. Hepburn) lives, I know that one of the first things to look for when entering a building is where the asbestos is. If someone finds asbestos, they must do something about it. I saw more building projects held up because asbestos had been found than for any other reason, and they were held up for longer than any other projects. As a result, sub-contractors went bust. That happened many times on Tyneside.

The regulations refer to a duty to

"identify . . . where asbestos may be present in buildings".

That is fine, if the asbestos can be found.

The hon. Member for Barnsley, West and Penistone (Mr. Clapham) mentioned Federal Mogul, which is included in chapter 11. It is in my constituency, and it is a big employer. It may continue to be; we will see what happens in a month's time. I know that the factory has major problems, but I also know that whoever goes in to change things will have a problem with asbestos. It will take a long time to clear the site.

Bridgwater is 100 acres short of industrial land. We desperately need land. If the regulations are introduced and we have to explore every part of every building to make them watertight, building and regeneration will be held up. That applies to other areas as well as mine, especially parts of the north-east, which is still changing from a heavy-industry to a light-industry area.

Another problem is the requirement to keep records of location and condition. "Condition" means condition today. Buildings are intended to have a considerable lifespan. Many factors may change their condition, such as water or air. Will it be necessary to re-regulate every five years because checks have to be made again? How will it be possible to make certain that part of a building has not deteriorated to the extent that it must be removed earlier?

Then there is the risk to workers. Those exploring a building to establish where asbestos is must take samples, which disturbs the asbestos. Someone carrying out such a process for a surveyor's report, through the Institution of Chartered Surveyors or any other organisation, might cause a problem while trying to find out where the asbestos is, and the material might have

[Mr. Liddell-Grainger]

to be removed anyway. I may be putting this in a rather longwinded way. What I mean is that the regulations may result in more problems than positive results.

I do not dispute the fact that we must know where asbestos is, but most buildings are that sort of age. White asbestos in particular dates from a time when there was a massive amount of industrial building, and mostly concrete, tin and asbestos were used for the roofs.

The regulations prescribe a duty to establish where premises are, and their condition, before any maintenance work is begun. How will those going into the building know about its condition? Someone examining lengths of piping covered in asbestos will have to establish whether a percentage, or the whole amount, is damaged, whether it can be re-used and whether it can be left. I do not understand how the regulations will regulate that. It must be in the interests of specialist firms to have the stuff pulled out if any of it is not in good condition before rebuilding starts.

If such matters are not addressed, the regulations may be unenforceable. As the Minister knows, there are one or two cowboys in the building industry. We do not want to create a problem because they are looking for ways of getting around the rules.

6.39 pm

Tony Worthington (Clydebank and Milngavie): I welcome the regulations, which should have been implemented many years ago. I also very much welcome the contribution of my hon. Friend the Member for Jarrow (Mr. Hepburn), who treated the issues under discussion with the seriousness that they deserve. They are a serious concern in our constituencies.

Clydebank in my constituency has had the highest rate of asbestos deaths in the country for many years because of the shipbuilding and ship repairing industry and Turners asbestos factory. These are serious matters. People have died because of the material and the regulations seek to prevent people from dying in future. Anyone who turns this place into a public school debating chamber in which we make party political points when deaths are involved is not doing anyone a service.

We all anticipated that the main objection would be made in terms of white asbestos. In such circumstances, we can only look at what scientists have said. Asbestos is one of the most investigated materials ever and it is very difficult to investigate whether something causes disease over a period of 30, 40 or 50 years. In 1998, the World Health Organisation concluded that white asbestos caused asbestosis, lung cancer and mesothelioma, so it is clear that this is not only about mesothelioma. Many diseases, including lung cancer, are affected by asbestos. In 2002, the United Nations ruled that all forms of asbestos should be added to an international list of chemicals subject to trade controls. The international chemical review committee said that such controls were another big step towards eliminating the risks associated with asbestos. A prestigious scientific body concerned with occupational health, the Collegium Ramazzini, called for an international ban on all mining and use of asbestos, including chrysotile, and concluded that it causes cancer.

The International Programme on Chemical Safety, which is sponsored by the United Nations Environment Programme, the International Labour Organisation and the World Health Organisation, concluded that exposure to chrysotile posed increased risks for asbestosis, lung cancer and mesothelioma. The French medical research council established that all asbestos fibres are carcinogenic. The World Trade Organisation, adjudicating on a trade war between France and Canada on the issue, concluded that chrysotile was an established carcinogen and that there was no safe threshold.

Those judgments are not from Select Committees, but from controlling bodies, and they are based on research such as that of Smith and Wright, which says that chrysotile is the main cause of pleural mesotheliomas in humans. Research conducted by Mancuso found that chrysotile is far more hazardous in the induction of mesotheliomas and asbestos cancer risk much higher than was previously thought. The findings of Yano and others show that heavy exposure to white asbestos alone can cause lung cancer and malignant mesothelioma in exposed workers. The conclusion of Chaturvedi and Chaturvedi is that chrysotile asbestos cannot be used without risk.

I am very grateful to Robin Howie, a distinguished Scottish scientist, for writing to me about the issue. He said that the critical study on the effects of chrysotile on health was that initiated in 1966 by the McDonalds and co-workers on Quebec white asbestos miners—people working only with white asbestos. By 1992, those authors had observed 108 deaths from pneumoconiosis, 657 lung cancer deaths and 38 mesothelioma deaths. There were 174 more lung cancer deaths than one would have expected in such a population. Robin Howie tells me that the critical fact is that Canada exports more than 95 per cent. of the chrysotile that it produces. If chrysotile is so safe, why do the Canadians not use more of it?

Many people have pointed out that we should also take into account the evidence heard in courts across the continents. Court after court around the world has concluded that all forms of asbestos have caused thousands of deaths. An article in the *Financial Times* this week showed that ABB was going down because of asbestos claims. Two hundred and fifty of the largest firms in the world are now approaching the United States Supreme Court because they, in turn, are being killed by asbestos. They have been found guilty over and over again, and white asbestos has been involved in those judgments. If they believed that white asbestos was harmless, surely they would have mounted an intensive collective research project to prove it, so that they could win in court. They have not done so because they could not. Now, they are protesting about the level of damages.

There is very little time left, and I am sorry that I shall be unable to respond to any questions about any of those pieces of research. On white asbestos, I would simply say to the hon. Member for Buckingham (Mr. Bercow): "Don't stay in Buckingham. I do not know what the rate of asbestos-related death is there. Come to Clydebank and see what misery and death this substance has caused." The regulations will prevent further deaths, and that is rather more important than the points that the hon. Gentleman was making.

6.46 pm

Angela Watkinson (Upminster): The important thing about this debate is that it is taking place before the Government have signed the statutory instrument relating to the new regulations, which are likely to involve organisations throughout the country in costs exceeding £5 billion. The new regulations encompass all types of asbestos—blue, white and brown—and treat them in the same way. That is why they are fundamentally flawed.

The use of blue and brown asbestos was finally made illegal in 1985, but a study in the same year marked the onset of the confusion that lies at the root of all our present problems. Scientists, lobbyists and, finally, legislators began—through what originally stemmed from a misreading of the scientific evidence—to blur the distinction between the different types of asbestos. The encapsulation of the fibres of white asbestos in cement is by far the most common use of the material. Asbestos cement is used in such products as roofing slates, and accounts for 85 per cent. of all asbestos in use in the United Kingdom. It presents no risk to human health at all. Not a single case of health damage has ever been scientifically ascribed to exposure to asbestos cement products. There is simply no mechanism whereby such damage could occur.

Only a decade later, when Dr. Peto's evidence was re-examined by other scientists, did it emerge that he had made a fundamental error. If there is one point of consensus in the Chamber this evening, it is that there is a plethora of contradictory scientific research evidence, and I endorse the request by my hon. Friend the Member for Buckingham (Mr. Bercow) that that evidence should be heard in Select Committee. Determined attempts have been made to find fresh evidence for the dangers of white asbestos. Further studies have emerged, based on workers exposed to raw asbestos in China, Italy and elsewhere, which seem to indicate that there is a very slight risk from prolonged and intensive industrial exposure.

In recent years, we have seen a deliberate policy to blur any distinction between the different types of asbestos and their uses, and to suggest that all types of asbestos material can be equally dangerous. In this way, the Health and Safety Executive has helped to create the potential for immense unnecessary public alarm, not least because by far the most widely used form of asbestos in the United Kingdom is asbestos cement, which poses no risk to human health.

Mr. Kevan Jones: Will the hon. Lady give way?

Angela Watkinson: If the hon. Gentleman will forgive me, I will not, because I am short of time.

Millions of commercial and domestic properties in the United Kingdom include some form of asbestos in their construction. The commonest of all is white asbestos cement used in roofing materials. No one has been in a better position to exploit the confusion and alarm resulting from the blurring of the differences between the various forms of asbestos than the specialist contractors licensed by the Health and Safety Executive to carry out asbestos-related work. A recent nationwide investigation has shown that property occupiers ranging from farmers, householders and shopkeepers to local authorities and NHS hospital trusts are vulnerable to commercially motivated advice, and can become involved in unnecessarily costly asbestos removal that could be carried out at a fraction of the cost by an unlicensed building contractor.

The HSE's proposed new regulations increase the likelihood that the public will continue to be exploited in this way. The chief purpose of the new law will be to impose on all workplaces—some 1.5 million collectively—the duty to carry out a written risk assessment of all asbestos materials on the premises, combined with a continuing programme for their safe management. According to the consultation paper published by the HSE earlier this year, the new requirements alone will cost the organisations involved £5.1 billion. Other sums have been quoted today, but this figure takes no account of the fact that hundreds of thousands of organisations, bewildered by confusion over the dangers of asbestos, will be reluctant to take responsibility themselves for assessment of the risks posed by asbestos, and will therefore call in the HSE's licensed contractors.

There is too much doubt about the integrity of the scientific research on which new regulations on the control of asbestos have been based for any confidence to be placed in them. I urge the Minister to re-examine the evidence.

6.51 pm

Rob Marris (Wolverhampton, South-West): I should begin by declaring an interest as a member of the Transport and General Workers Union. Also, as has been registered, I was formerly employed by Thompson's, the trade union solicitors, which gives money to my constituency Labour party. I should further inform the House that I am a Canadian citizen, so I have some idea of the asbestos industry in Canada.

As my hon. Friend the Member for Clydebank and Milngavie (Tony Worthington) said, white asbestos is produced in Quebec. In 1988, Thomas Mancuso concluded a study on American railway machinists of the steam locomotive era, which was published in the "American Journal of Industrial Medicine". The machinists used white asbestos, or chrysotile. According to the study, one mesothelioma occurred for every 13 machinists hired. Chrysotile kills people. I accept that there is a scientific dispute as to whether it is as deadly as brown or blue asbestos. From what we know, it probably is not, but it certainly kills through the inhalation of fibres.

The World Trade Organisation—a body not easily swayed, as my hon. Friend said—dealt with a case brought by Canada, against France, relating to the introduction of a ban on white asbestos. That case was lost, as was the subsequent appeal. The WTO does not readily restrict trade, but it will do so when there are health and safety implications. It did so in respect of the chrysotile from Canada because it is dangerous and kills people. Conservative Members should move on in respect of this issue. Enough scientific evidence has been published to justify moving on and supporting measures such as the Government's proposed draft regulations.

According to Library note SN/SC/1641, dated 5 February, there were two consultations on the draft regulations, not one. The first ended on 20 October

[Rob Marris]

2000, and the second was published a year later, on 21 November 2001. The critical comments arising from the first consultation related to two areas: clarification of the phrase "duty holder"—relating to the occupier of premises and the question of who has the duty in respect of asbestos—and widening the scope of the 1987 regulations. Nothing in the Library document suggests that either consultation raised the question of the non-dangerousness of white asbestos at that stage. It is being raised very late in the day, which seems strange.

The draft regulations themselves do not place a great burden on occupiers of premises in which people are employed. Such an occupier simply has to make an assessment of the risk of those premises based on whether there is asbestos in there and, if so, what, if anything, the occupier proposes to do about it at that stage or in the future. It does not put an obligation upon the occupier at that stage to do anything; it depends on the nature of the findings. Regulation 4 is quite clear on that.

On the compliance costs of the regulations, the hon. Member for Bridgwater (Mr. Liddell-Grainger) talked about building works being held up when asbestos is found. However, the regulations will stop that. If the regulations come in, we will know whether asbestos is in a building, so if a development is proposed five years later, it will not catch people by surprise when the building is pulled down.

Mr. Bercow: Why has the Health and Safety Executive already changed twice its estimate of the prospective cost of the regulations and, in the circumstances, what is to prevent it from doing so a third, a fourth, a fifth or even a sixth time?

Rob Marris: The hon. Gentleman knows that estimates are estimates and are open to change. The fact that a body changes its estimates does not automatically mean that the underlying regulation is wrong. The hon. Gentleman and his colleagues talk about contractors. He spent about a minute and half in a short debate saying why he would not do what he urged be done—name and shame. He is protected by absolute privilege in the Chamber, but he would not name and shame any of these unscrupulous contractors.

The hon. Gentleman suggested that the Select Committee should look into these matters. However, as a member of the Committee, I can tell him that when we discussed a programme of work in October, no member of the Committee said anything about looking at the regulations or at asbestos, even though the matter now comes under the remit of the Committee. That seems contradictory and reinforces my view that action is always taken late in the day.

It is too late. Let us move on from this debate. White asbestos kills people; let us regulate.

6.57 pm

Mr. Nicholas Brown: With the leave of the House, Mr. Deputy Speaker, I shall reply. This debate, in Government time, must come to a conclusion at seven o'clock, so I shall keep my remarks brief.

The debate, perfectly properly, has concentrated on the dangers of white asbestos, chrysotile, and the hon. Member for Buckingham (Mr. Bercow) is entitled to his doubts. As the Minister, I must listen to the debate and the views of Members on both sides of the House, but I must also take careful note of the advice available to the Government. That advice is that the best estimate is that exposure exclusively to chrysotile fibres by maintenance workers would give rise to an uncertain but actual—and so unacceptable—risk of cancer. The Health and Safety Executive believes that all types of asbestos present a degree of risk, and, therefore, all are included in the regulations as part of a precautionary approach.

Hon. Members are entitled to make points about uncertainty. I acknowledge that there is uncertainty, but I cannot accept—this is not the advice available to the Government—that there is zero risk. It would be something like 20 or 30 years before we were able to get to the truth of this as far as maintenance workers were concerned. My hon. Friends the Member for Barnsley, West and Penistone (Mr. Clapham), for Jarrow (Mr. Hepburn), for Clydebank and Milngavie (Tony Worthington) and for Wolverhampton, South-West (Rob Marris) have spoken movingly about the impact of this terrible disease on their constituents.

The hon. Member for Buckingham made the same point in a slightly different way. He spoke about the massive payments that are paid in compensation in asbestosis cases and the dangers of the insurance institutions being put under severe pressure if they continually make these massive payments.

Surely the rational thing to do, as a united House, is to bring in regulations that work on a proportionate and precautionary basis to prevent such massive cases from ever coming about for future generations. It is a terrible thing, but there is nothing we can do for those who already have this condition, except to look to financial compensation. But surely, for future generations and those who might be affected in the future, we should prevent such cases from happening. It is the Government's contention that the propositions before the House are proportionate. Incidentally, there is a defence of due diligence—

It being Seven o'clock, the motion for the Adjournment of the House lapsed, without Question put.

BUSINESS OF THE HOUSE

Ordered,

That at the sitting on Monday 28th October the Speaker shall not adjourn the House until any messages from the Lords relating to the Enterprise Bill shall have been received.—*[Mr. Caplin.]*

PETITIONS

Post Office Closures

7 pm

Mrs. Cheryl Gillan (Chesham and Amersham): This petition is from the residents of Chesham and Amersham, and in particular the residents of Chesham Bois. The petition is presented by more than 500 people from Chesham Bois.

The petition states:

The Petition of the residents of Chesham Bois and others declares that the post office in Chesham Bois is in the process of being closed thereby resulting in considerable hardship to the elderly, infirm and mothers with children who wish to use their local post office and not a post office one mile down the road.

The Petitioners therefore request that the House of Commons urge the Secretary of State for Trade and Industry to take appropriate action to ensure the continued operation of this vital service.

And the Petitioners remain, etc.

To lie upon the Table.

Health Choices

Mrs. Gillan: I wish to present a petition from more than 300 constituents in Chesham and Amersham about the health choices of consumers in the constituency.

The petition states:

The Petition of Consumers for Health Choice and its supporters from Chesham and Amersham and others,

Declares that consumers in the United Kingdom have for many years maintained good health by choosing to take safe vitamin and mineral supplements and herbal remedies; and fears that the European Food Supplements Directive and the proposed European Directive on Traditional Herbal Medicinal Products would severely restrict the number and the range of such products on general retail sale in the future.

The Petitioners therefore request that the House of Commons urge the Secretary of State for Health to do all in his power to protect the rights of UK consumers by ensuring that such European legislation does not unnecessarily and unacceptably restrict the availability of natural health products.

And the Petitioners remain, etc.

To lie upon the Table.

Indonesia (Detention of Dr Lesley McCulloch)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Caplin.]*

7.2 pm

Mr. Alan Reid (Argyll and Bute): I wish to start by thanking Mr. Speaker for selecting the important issue of the detention of Lesley McCulloch in Indonesia as the subject for this Adjournment debate. Lesley's parents are also grateful to Mr. Speaker and are present in the Public Gallery tonight. I would also like to thank the Minister for responding to the debate tonight and for agreeing to meet Lesley's parents later.

Lesley has been held in detention in the province of Aceh since 10 September. The only charge brought so far has been one of visa violation. Six weeks detention in terrible conditions is out of all proportion to the charge.

Aceh was an independent state for centuries prior to the Dutch invasion of 1873, and its people fiercely resisted the Dutch forces. When the Dutch left in 1945, the province was incorporated into the Indonesian state. Since then, the Acehnese people have suffered terribly at the hands of the Indonesian army and police, and that has served to reinforce their demand for the restoration of their independence. There is an armed conflict going on between the GAM—the Acehnese independence movement—and the Indonesian army and police.

Dr. Lesley McCulloch works at the University of Tasmania. She is an academic specialising in the politics of the province of Aceh. She currently holds the position of principal researcher for a project on Aceh sponsored by the Honolulu-based East-West Centre as part of its series on internal conflicts in Asia. Her articles on the situation in Aceh have been published extensively in the Australian press. The articles have attracted extreme criticism from the Indonesian Government. In part, that was caused by a public seminar that Lesley gave at the Australian national university on 24 July. As part of the presentation, Lesley showed a map that revealed all the military checkpoints in Aceh and explained how they were used by the military for the purpose of extortion.

The Indonesian embassy officials at the seminar were furious. In particular, their chargé d'affaires in Australia has made a number of public statements condemning Lesley and her work. Lesley, an American nurse named Joy Lee Sadler and an Acehnese student acting as their interpreter were detained at a military checkpoint in south Aceh on 10 September. They were originally held by the military. During that time, they were beaten and subjected to sexual harassment and to long interrogations, during which a knife was held at Lesley's throat. The purpose of that treatment was to try to coerce them into signing false confessions.

I have been told by Lesley's friends that they informed the Foreign Office of her arrest on 12 September. They also provided contact numbers for the police station where Lesley was being held and information about her whereabouts as she was moved. Despite that, no British consular official visited Lesley until 17 September. I hope that the Minister will explain to the House why there was that long delay while Lesley was being held in very dangerous circumstances. Also, what actions were the Government taking during that time to make contact with Lesley and to make known their concerns for her safety to the Indonesian Government?

[Mr. Alan Reid]

Lesley's parents live in my constituency. They telephoned the Foreign Office repeatedly over the weekend of 13 to 15 September to try to speak to an official who had knowledge of Lesley's case. However, although they left their telephone number with the duty officer, no contact was made with them over that weekend.

The Foreign Office switchboard played a recorded message saying that it was only open from 9.30 am to 4 pm on Mondays to Fridays. When Mrs. McCulloch called on the morning of Monday 16 September, all the lines were engaged—presumably because everyone who tried to call over the weekend was trying to get through at the same time. Eventually, Mrs. McCulloch got through and was given some information, but will the Minister explain why no attempt was made to give her information over the previous weekend?

Subsequently, Lesley and Joy were transferred to police custody in Banda Aceh. On 16 September they were charged with misuse of a tourist visa, allegedly through carrying out research. That charge carries a penalty of up to five years' imprisonment or a fine of £2,000. Lesley and Joy maintain that they are innocent of the charge. All the research and academic materials found on Lesley's laptop computer were from previous trips, which had been carried out under an appropriate research visa. Much more worrying than the visa violation charges are statements from the Indonesian military that they want Lesley and Joy to be charged with espionage. That is clearly ludicrous, as there is absolutely no evidence for it.

Lesley is in poor health. She suffers from acute back pain, but the only exercise that she is allowed is in a small courtyard. The Indonesian authorities are not giving her enough food, but perhaps most difficult to bear is the psychological pressure. Lesley has been subjected to long interrogations. On a daily basis, she has to listen to the screams of local Acehnese prisoners being tortured for confessions. Lesley's lawyers in Jakarta raised the possibility of requesting house arrest for her and Joy, but decided not to go through with the request as the police were concerned that the military would try to assassinate the pair if they were out of police custody.

Lesley received a consular visit on 17 and 18 September, and another two-day visit in early October. However, that compares very poorly with the actions of the US embassy, which has sent consular officials to see their citizen on four occasions, and for up to four days at a time. The contrast between what our consular staff are doing for Lesley and what the US consular staff are doing for their citizen is striking. While in Banda Aceh, US consular officials have lobbied the police commander for their citizen's immediate release. They have brought medical supplies and food. They have arranged for all of Joy Sadler's personal luggage to be sent home. Much more importantly, however, they have helped to arrange for adequate legal representation. UK consular officials have lagged far behind. On his last visit on 10 October, a consular official brought medication for Lesley's back pain but it only lasted a fortnight. The fortnight is now up, Lesley has run out of medication, and we do not know how she will get any more because no other consular visit has been scheduled.

Even more worrying is the lack of help with legal assistance. The British Foreign Office appears to take the view that it is unable to recommend lawyers and perform checks on any lawyers to verify their competence or independence from the Indonesian Government. Can the Minister tell the House why the UK Government take this view? If one is imprisoned in a foreign country, surely access to competent and reliable legal advice is of extreme importance. Surely our Government should help their citizens in foreign jails to get legal assistance instead of leaving it up to the prisoner and her friends to arrange it. The lack of consular advice is also sending the wrong signal to Lesley's jailers. The soldiers guarding Lesley keep telling her that they can do what they like to her because the lack of consular visits indicates that her Government do not care.

Lesley's life is clearly in danger. The Indonesian army clearly regard her as a supporter of the Aceh rebel movement and could at any time take the law into their own hands and have her assassinated. In view of that, I ask the Minister to ensure that Lesley receives more consular visits in future and is given the same level of support that the US Government are giving to their citizen.

Lesley managed to send out some text messages giving brief details of the abuse to which she has been subjected and the conditions in which she is confined. However, I am concerned that our consular officials in Jakarta rely too much on the word of Lesley's lawyers and interpreters in Aceh, who tell them that the conditions are not as bad as she claims. Those local lawyers and interpreters cannot be considered independent; they have to live in Aceh and could well be scared of the consequences if they tell the truth.

Many reports have circulated about the abuse that Lesley has suffered and the poor conditions in which she is being held. Friends of hers are naturally concerned when they hear these reports. It is clearly difficult for her friends to find out whether the reports are true or exaggerated. They naturally get in touch with the Foreign Office, but are rebuffed with a statement along the lines of, "Sorry, we can't tell you anything, it's all confidential." I understand that the Foreign Office has to work within the data protection legislation, in the same way as everybody else, but surely the details of the conditions in which Lesley is being held are not confidential. By not revealing accurate information, the Foreign Office has caused Lesley's friends to believe that the worst rumours are true. I think that the Foreign Office needs to revise its policy and give out more information to friends and relatives of detained persons about the conditions under which they are being held. A lot of stress and worry could be avoided if they did.

I hope that the Minister will take advantage of this debate to tell us about the conditions of Lesley's confinement that the consular staff found when they visited her earlier this month. What protests have the Government made to the Indonesian Government about Lesley's treatment, particularly concerning the beatings that she received in the early days of her imprisonment? What are the Government doing to try to persuade the Indonesian Government to improve these conditions?

The Foreign Office's standard response to requests from Lesley's parents that it should be doing more to persuade the Indonesian authorities to release Lesley is generally a bland statement that the British Government cannot interfere in the legal process of another country. However, it is patently obvious that the rules of independence of government and judiciary which apply in the UK do not apply in Indonesia.

A fair trial is clearly impossible. The Indonesian Government have already issued press releases stating that Lesley is guilty. These can be found on Indonesian Government websites. It is clear that any trial will be a political show trial. How can it be otherwise, when the Indonesian Government have already declared Lesley guilty? I hope that the Government will put in the strongest protest about the Indonesian Government finding Lesley guilty without a trial. It is clear that the Indonesian Government want to punish Lesley not for any alleged visa violation, but for the earlier articles that she wrote for the Australian press about the Indonesian suppression of the people of Aceh.

I have noted that the website of our Department for International Development contains a paper stating that the Indonesian judiciary is corrupt. As any trial will be political, political pressure is needed from the United Kingdom Government to help Lesley. If our Government show no interest, the Indonesian authorities, like their soldiers in Aceh, will assume that the British Government do not care about Lesley and that they can do what they like to her. British Government pressure is Lesley's only hope of an early release. Our Government should be making it clear to the Indonesian Government that if Indonesia wants to be part of the international community certain standards of behaviour are expected, and those do not include beating up suspects and declaring them guilty before the trial.

I do not understand why the Government have taken the attitude that they cannot exert pressure on the Indonesian Government. Certain people have suggested to me that the Government are soft-pedalling because they want to maintain good trade relations with Indonesia, particularly with regard to arms sales. I sincerely hope that that is not the case and that the Minister will take the opportunity to refute such suggestions.

I hope that now the Minister is fully aware of Lesley's dire situation he will tonight commit the Government to exert pressure on the Indonesian Government, first, to improve the conditions of Lesley's detention; secondly, to ensure her safety; and thirdly, to release her quickly and allow her to return home. I hope that the Government will act promptly and decisively. Lesley's life may well depend on it.

7.17 pm

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Mike O'Brien): I congratulate the hon. Member for Argyll and Bute (Mr. Reid) on securing this Adjournment debate and bringing this important matter to the attention of the House.

I welcome the opportunity to set out the assistance that the Foreign and Commonwealth Office has provided to Dr. Lesley McCulloch and her family and to explain what consular assistance we can provide to her and other British nationals detained abroad.

On 12 September, the consular division of the Foreign and Commonwealth Office was first advised by Lord Avebury of Dr. McCulloch's arrest the day before. We immediately informed our embassy in Jakarta by e-mail. Consular staff in Jakarta tried to contact Dr. McCulloch on 13 September at the police station at Tapak Tuan. They were refused permission to speak to her without the consent of the head of the station, who was apparently unavailable. Consular staff spent considerable time trying to follow that up with the head of the provincial police headquarters and other senior staff, but continued to be refused contact.

Our honorary consul in Medan managed to speak briefly to Dr. McCulloch on 14 September. I understand that details of her arrest were relayed to her mother on 14 September, which was a Saturday. After repeated requests, on 17 September, FCO officials were able to see Dr. McCulloch. We have continued to update Mrs. McCulloch regularly and, more recently, consular staff have spoken to her on a daily basis. Since the initial difficulties in contacting Dr. McCulloch, our consular staff have had better access and have visited her on four occasions, not two—17 and 18 September and 7 and 8 October—and remain in weekly telephone contact with her.

Banda Aceh is the capital of a dangerous Indonesian province where a separatist movement is active and where we advise against travel. There is a four-hour flight service to Banda Aceh, but despite that, British consular officials have visited Dr. McCulloch on more occasions than any other British prisoner in Indonesia.

We are also aware that Dr. McCulloch is experiencing problems with her back and will eventually need an operation. When our consul visited her on 7 and 8 October, he raised her back problems with the police commandant. I am told that medication for her back has been obtained, and that she is able to take it.

I am aware that Dr. McCulloch is a vegan and I am told that it has been possible to purchase locally the foodstuffs she requires. We understand that she is not being denied access to food of her choice.

The hon. Gentleman suggested that Dr. McCulloch was arrested on 10 September. We need to confirm that, as my information is that her arrest was on 11 September. At the time of her arrest, Dr. McCulloch is said to have been carrying out research. She travelled on a short-visit visa in an area where a special permit is required. Dr. McCulloch stated that she had applied for a social-cultural visa—a research visa—from the Indonesian embassy in Australia but had not collected it as research visas are single entry and she favoured a short-visit visa.

At the time of her detention, Dr. McCulloch is alleged to have had in her possession details of military installations within a restricted area. She reportedly explained that a colleague had written the article in question and that she had been asked to edit it, which explained why it was in her possession.

On 17 September, Dr. McCulloch was charged with violating Indonesian immigration regulations. She is currently being held in a room in the police station at Banda Aceh, where she sleeps on a mattress and has access to her own bathroom. I am told that the door to the room is unlocked. She can walk freely and has access

[Mr. Mike O'Brien]

to a courtyard where she can exercise. Unlike other prisoners, including British prisoners, Dr. McCulloch is not being held in a cell.

On 30 September, Dr. McCulloch's case was handed to the district prosecutor, who, on 2 October, passed the case back to the police, requesting further evidence. I understand that the police have 40 days before the case must be handed back to the district prosecutor. Dr. McCulloch's lawyers believe that the first trial date is likely to be in November, and consular staff hope to visit Dr. McCulloch at the time of the trial. We hope to be able to be present during some or all of the trial.

I must point out to the hon. Gentleman that, since January, our travel advice has advised against all travel to Aceh. A separatist movement is active in Aceh, and shootings and mortar attacks happen almost daily. As from 27 August, the same travel information advised British nationals who were working in the province to review their need to stay; in other words, the advice was that British nationals should leave if they could do so.

From the events of the past week, the hon. Gentleman will be aware that the terrorist bombing in Bali has caused us again to revise our advice. We are advising against all travel to Indonesia, and that all British nationals in Indonesia should consider leaving.

My right hon. Friend the Foreign Secretary has also authorised the withdrawal of some dependants and non-essential staff from the British embassy in Jakarta, but remaining consular staff will continue to monitor Dr. McCulloch's welfare closely and will try to provide all proper consular assistance.

Dr. McCulloch has further stated that, after her arrest, she was threatened, sexually harassed and made to sign a document with which she did not agree. We have raised those matters with Indonesian officials, as we are of course extremely concerned by them. Our ambassador and our consular staff in Jakarta have also raised their concerns about Dr. McCulloch's allegations of ill-treatment and the problems experienced in contacting her soon after her arrest. Those concerns have been raised with the head of provincial police in Aceh and with the head of criminal intelligence in the national police and the Ministry of Foreign Affairs in Indonesia. They have undertaken to investigate the allegations and we await a response.

Dr. McCulloch's case has also been raised with the Indonesian embassy in London. Furthermore, on 19 October, during her visit to Indonesia after the devastating events in Bali, my noble Friend Baroness Amos raised Dr. McCulloch's case with the Indonesian Foreign Minister Mr. Wirayuda. Baroness Scotland, my noble Friend in the Lord Chancellor's Department, has also raised concerns about Dr. McCulloch's treatment with the Minister of Justice and Human Rights during a recent visit to Jakarta.

Dr. McCulloch was given a list of lawyers when we were able to see her for the first time on 17 September. It is not possible for consular officials to advise on particular lawyers, but we have been able to provide a list of lawyers who, as far as we are aware, can deal with this sort of case. It is clearly not possible for consular staff to travel around Indonesia—or, indeed, all the many countries in which we deal with consular cases—to identify which lawyers are good and which are not. It simply is not possible or feasible for us to do that on that scale.

Obviously, if the case were in Jakarta, we would have had dealings with certain lawyers and might have been able to advise on particular ones, but Aceh is not the capital. It would simply be very difficult for consular officials to provide detailed advice on which criminal lawyer is the best to deal with a particular case in towns such as Aceh. However, we were able to provide a list of some lawyers on the first visit on 17 September.

Under international law, we cannot interfere in the judicial process of another sovereign country, but we have urged the Indonesian authorities to deal with Dr. McCulloch's case as quickly as possible. Dr. McCulloch also has English-speaking legal representation and an interpreter, and our consular staff are in contact with her legal representatives. I understand that Dr. McCulloch has had direct contact with friends and family. No doubt, the hon. Gentleman will know about that, so I will not go into it now; we can deal with that issue when we speak with the family afterwards.

In a recent telephone conversation with our honorary consul in Medan, Dr. McCulloch asked that we let friends and family know that she is fine and well, and that they should not worry about her.

There is a clear discrepancy between the allegations made by the hon. Gentleman tonight and what I have been told. I am very concerned by that, and I want to investigate those discrepancies. If Dr. McCulloch is telling us one thing and the hon. Gentleman is presenting the case as being entirely different, I shall be seriously concerned about that matter. I am told that Dr. McCulloch is saying something entirely different to us, and I will make investigations to ascertain whether the hon. Gentleman's version of events is true or whether what I am being told is correct.

I was frankly flabbergasted by the allegation, which the hon. Gentleman made during his speech, that the Government are soft pedalling on Dr. McCulloch's case because we wish to maintain good trade relations Indonesia, especially to sell arms. That is frankly the worst sort of cheap shop party politics on a serious issue. I flatly deny the allegation. I am very angered by it. If the hon. Gentleman wants to be taken seriously he should stop pandering to such conspiratorial nonsense. We deal with a lot of consular cases across the world every day.

Mr. Reid: Will the Minister give way?

Mr. O'Brien: No, I will not.

I regret to say that the detention of British subjects is far from unique. The officials in the Foreign Office—civil servants, who do their job with utmost dedication and integrity—do not deserve to have that sort of allegation made against them. We certainly would not make that sort of instruction to officials. Indeed, they would not accept it if that sort of instruction were given.

We pursue such cases in a proper manner and will continue to do so. We cannot force the Indonesian Government to free Dr. McCulloch. We need to monitor the legal procedure and negotiate with them. Seeking to frighten relatives with untrue allegations, such as the hon. Gentleman's, is simply very wrong. We will continue to provide all proper consular assistance to Dr. McCulloch and will ensure that her family are kept informed of any developments.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes past Seven o'clock.

House of Commons

Monday 28 October 2002

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

COMMITTEE OF SELECTION

Order read for resuming adjourned debate on Question [16 October].

That Mr. John Hayes be discharged from the Committee of Selection and Mr. Peter Luff be added to the Committee—*[Mr. Woolas.]*

Hon. Members: Object.

Debate to be resumed tomorrow.

Oral Answers to Questions

HOME DEPARTMENT

The Secretary of State was asked—

Drug Offenders

2. **Ian Lucas** (Wrexham): If he will make a statement on the provision that his Department makes for treatment of drug offenders. [75310]

The Parliamentary Under-Secretary of State for the Home Department (Mr. Bob Ainsworth): To break the links between drugs and crime, we are taking every opportunity to get offenders into treatment. There is a range of initiatives to ensure early intervention to identify drug misusing offenders and to help them gain access to treatment, for example arrest referral, drug treatment and testing orders, and drug testing and treatment services in prisons.

Treatment works and is the most cost effective tool in tackling drug misuse. Effective treatment, accessible to all who need it and when they need it, is essential to the drugs strategy as a whole. Funding has increased from £234 million in 2000–01 to £401 million planned in 2003–04.

Ian Lucas: I am very pleased to hear the general tenor of that answer. In Spain, this year's national plan for drugs refers to

"a decrease in heroin consumption in all forms"

for the period since 1985, which is in stark contrast to the consequence of drugs policy in this country. Spanish policy is based on harm minimisation and, wherever possible, political consensus in dealing with the issue. Will the Minister take heed of the Spanish experience and accept that better treatment, and the resources that go with it, will achieve far more in confronting this horrible problem than a war on drugs that can never be won?

Mr. Ainsworth: My hon. Friend will be aware that we are conducting a review of the 10-year drugs strategy. My right hon. Friend the Home Secretary has said that he wants harm minimisation to be central to our treatment and demand reduction initiatives. My hon. Friend must wait for a final announcement on that, but I think he will find that Government thinking on harm minimisation is not removed from the regime that he describes.

Mr. Peter Viggers (Gosport): Does the Minister agree that a high proportion of burglaries are carried out to feed a heroin addiction? For that reason alone, there are persuasive arguments why the treatment of the heroin addict should be given a high priority in sentencing.

Mr. Ainsworth: The acquisitive crime that flows from problematic drug use is caused almost entirely by those people who have either a heroin or a cocaine addiction. The hon. Gentleman is right in that regard. We require not only good quality treatment where it is needed but effective criminal justice interventions to make an early analysis of the problem and to get people into that treatment. That is why we introduced drug treatment and testing orders, and why we are considering where and how we can have initiatives that come into effect earlier. We need to be as effective as possible when dealing with such acquisitive crime.

Mrs. Jackie Lawrence (Preseli Pembrokeshire): May I take this opportunity to thank the Home Secretary for the £1.5 million of extra funding that has been given to police forces in my area for drugs intelligence work? Is the Minister aware, however, that only 31 beds are available in Wales for the treatment of drugs offenders? Will he discuss with Welsh Assembly Ministers the need to increase that and to improve the service, bearing in mind the emphasis that he places on the treatment of drugs offenders?

Mr. Ainsworth: My hon. Friend may be aware that we set up the National Treatment Agency to increase the planning of the provision of drug treatment, to improve its quality and to involve the medical profession in such work. We need to be certain that the NTA works closely with the Welsh Assembly to ensure that there are no gaps in what we are trying to provide.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): Although I acknowledge that quite a bit of work has been done on drugs recently, and echo what the hon. Member for Preseli Pembrokeshire (Mrs. Lawrence) said, may I suggest that one way to fund the rehabilitation centres that are so badly needed is to ring-fence drug confiscation moneys, many millions of which are taken every year from drug barons in crown courts?

Mr. Ainsworth: I agree that much could be done with confiscated money. The whole purpose of pushing the Proceeds of Crime Bill through the House of Commons last year was to increase substantially the confiscation that takes place, which is woefully below international levels. That money is available. Some 50 per cent. is earmarked for the communities that have been damaged by the drug problem. We also want to improve our performance on the confiscation of criminal assets. In principle I agree with the hon. Gentleman. We need to use the money as effectively as possible, but for the purposes of reducing crime we need to increase the amount of money that we confiscate from criminals because it is nowhere near as high as it should be.

Ann Clwyd (Cynon Valley): May I say how pleased I am that the Home Secretary came to my constituency on Friday and met the families of drug users, some of whom are dead, some are in prison and some are receiving treatment? Does the Minister agree that we must think about the problem globally? Since 90 per cent. of the heroin on the streets of the United Kingdom comes from Afghanistan, we must offer Afghan farmers alternatives to growing the poppy, and we must do so as quickly as possible.

Mr. Ainsworth: My hon. Friend is right to say that we must think of the problem from end to end. We must not only have a demand-reduction strategy but try to limit supplies as much as possible, which means chasing the problem back to source countries. I assure my hon. Friend that we are trying to do our level best to intervene in Afghanistan in the most appropriate and effective way. We are trying to build civic society in that country; there have been encouraging signs, and we are trying to build on those. At the same time we are trying to tackle the problem of the opium poppy.

Simon Hughes (Southwark, North and Bermondsey): What assurance can Ministers give to society and to Rob, a divorced man in his 30s with two children whom I met on Saturday on a train from King's Cross to the north-east? He was discharged from a prison in south-east England five weeks ago, and he told me that although he has been inside three times for short periods in the last three years, he has had no follow-up support to deal with the drugs problem that was the cause of all three offences apart from four weeks' signing on with the probation service. Given last year's joint probation and prison inspectorates' report saying how important it is to give people follow-up support to keep them off drugs, will next year's sentencing Bill guarantee people discharged from prison as much support outside as they can receive inside? Has the Treasury provided the money for that support?

Mr. Ainsworth: The hon. Gentleman exposes a problem. I cannot announce exactly what we will do as a result of the stocktaking review that is under way, but I can tell him that, like him, I feel that the problem of through-care and aftercare for those leaving treatment or leaving prison is one of the biggest weaknesses in the system, and we seek to tackle that. If the hon. Gentleman will wait for our planned announcement, hopefully he will find that it addresses the issue that he has raised.

Mr. Oliver Letwin (West Dorset): It is encouraging that there is clearly a consensus emerging in the House that to lift people off the conveyor belt to crime we have to find means of dramatically increasing the availability of treatment and rehabilitation for young heroin and cocaine addicts. Has the Minister calculated the number of places that would be required to accommodate all those addicts, and has he compared that number with the effect of the plans that he announced a moment ago?

Mr. Ainsworth: Information on this matter is incomplete precisely because of the illegality involved, but our best estimate of the number of problematic drug users in this country—most of whom, but not all, are heroin addicts—is about 250,000. We have treatment places for more than 118,000, and we are managing to expand our capacity by 8 per cent. a year. If the right hon. Gentleman thinks that there are easy ways of quickly expanding that capacity, we would be happy to hear from him.

As I said, we have substantially increased the amount of treatment available since the drugs strategy was introduced, and we plan to double that amount by 2008. We are on course to achieve that target, and if there is any way to achieve it sooner, we will seek to do so. We have to bear in mind that the treatment must be available where it is needed most, in the areas with the highest levels of acquisitive crime. We are considering those issues with the NTA.

Mr. Letwin: Does the Minister also agree with his hon. Friend the Member for Bassetlaw (John Mann) and with us that we desperately need to find some means of compelling young heroin and cocaine addicts to take up that treatment? Is he aware that at present drug treatment and testing orders regularly fail because they are not properly enforced, and because there is not sufficient available intensive and residential treatment? When will the Department stop treating the matter as a problem that can be handled over many years, and start treating it as the crisis that it has become?

Mr. Ainsworth: I listened to the hon. Gentleman's speech to his party conference, and it was good to hear. I hope that it is true that we have a growing consensus as to how we deal with the problem. However, he should not seek to rubbish drug treatment and testing orders, because they are being used effectively. As magistrates learn and grow confident in the way that they use them, they are indeed behaving flexibly sometimes towards the problems that arise. I was surprised at the absence of a number of issues from the hon. Gentleman's conference speech. For example, having made mischief in south London, what exactly is his policy on the classification of cannabis, and how on earth does he think he will increase treatment places tenfold with £500 million? I wait to see what kind of treatment and what quality of treatment he is proposing. It may look good as a headline figure in a policy document, but I think his maths needs a little refining.

Antisocial Behaviour

3. **Mr. Chris Pond** (Gravesham): What further measures he proposes to deal with antisocial behaviour. [75311]

4. **Mr. John Randall** (Uxbridge): What his policy is to reduce antisocial behaviour in suburban areas; and if he will make a statement. [75312]

12. **Helen Jones** (Warrington, North): If he will make a statement on the impact of the Government's policies for tackling antisocial behaviour. [75323]

The Secretary of State for the Home Department (Mr. David Blunkett): I do not think that there is a Member of the House who does not feel the scourge of antisocial behaviour. Uncontrolled antisocial behaviour is the breeding ground for more dangerous and long-term criminality. The new slimmed-down antisocial behaviour orders, action against vehicles on and off the road, the new community support officers, the street wardens scheme, and now the consultation that has been undertaken by the Office of the Deputy Prime Minister will help us to put in place support mechanisms for those at local level, whether in the inner city, the suburbs or rural areas, who are, first, tackling the problem and, secondly, helping those who are at the receiving end of it.

Mr. Pond: My constituents will be pleased to hear that response from the Secretary of State. He will be aware that the headline figures on crime in north Kent have come down substantially in the past five years—by about 30 per cent.—but the fear of crime persists, because of the loutish and antisocial behaviour of a few people in my constituency, as elsewhere in the country, who blight the lives of the many. What further measures does my right hon. Friend propose to help councils such as mine to push through antisocial behaviour orders, and has he any further plans for the use of parenting orders and final warnings to try and stem the problem of youth offending?

Mr. Blunkett: There is a combination of the strengthening of the powers, the slimming down of the bureaucracy, and the imperative at local level for the crime reduction partnerships. Over 90 co-ordinators now exist at local level to act at local level. We have to deal with the dichotomy between people wanting the Home Office to intervene and do things from the centre, and at the same time wanting to stop the Home Office intervening and doing things from the centre. I appeal to local authorities to pick up the new powers, whether through antisocial behaviour orders or parenting orders, and to co-operate with the police and the community to make them work. So often, the reluctance to use them stems from a fear that they will be overturned. The new powers allow the slimmed-down initial orders to be issued before the hearing, and send a clear message that we will no longer put up with antisocial behaviour.

Mr. Randall: The Home Secretary is right to describe antisocial behaviour as a scourge on all our constituents. I welcome many of the measures that the Government have tried to put in place, some of which have been more successful than others. However, we must all try to deal with the problem. Does the right hon. Gentleman agree that it would help a great deal to have more visible local policing? Will he join with me in urging the Commissioner of Police of the Metropolis to reopen West Drayton police station?

Mr. Blunkett: I would certainly encourage the Commissioner to use his operational accountability to ensure that there is accessibility for local people and that, above all, response times are improved. That is why the initiative taken by my right hon. Friend the Minister of State on the non-999 number will be important. Response times to antisocial behaviour are commensurate with the commitment to reassure and support people rather than to ignore their calls, and to ensure that community support officers and street wardens can play their part. By joining together at local level—I understand that that is happening in Hillingdon by tackling graffiti and other abuse in the environment—an atmosphere can be created in which people believe that they can play a part in improving their community. They can be a strong community that can tackle antisocial behaviour.

Helen Jones: Progress is undoubtedly being made but there are still parts of my constituency where a small minority cause mayhem for those around them. Will my right hon. Friend take more steps to encourage local councils to make better use of the powers that they already have? Will he discuss with my right hon. Friend the Deputy Prime Minister ways of enabling councils to take swifter action against antisocial tenants, to ensure that the system protects the vast majority who pay their rent and do not cause trouble, rather than the small minority who make life hell for the people living round them?

Mr. Blunkett: We are doing well this afternoo[n] because we all agree on that. The review that the offi[ce] of my right hon. Friend the Deputy Prime Minister h[as] been undertaking will be a crucial further strand in the extension of work in the Home Office in tackling the problem. People are sick and tired of cheap housing being bought up and of public funding going into te[n]cies, with no control, no proper contractual a[r]ngements and no responsibility on the part of landlords. If we could combine the action that we are taking with a massive clampdown on what is a complete scam, we would all be much better off at local level.

Lady Hermon (North Down): As antisocial behaviour orders have still not been introduced in Northern Ireland, will the Home Secretary kindly initiate discussions at the earliest opportunity with the newly enhanced team at the Northern Ireland Office to ensure that the orders are extended to Northern Ireland?

Mr. Blunkett: I am sure that my right hon. Friend the newly-appointed Secretary of State for Northern Ireland, with his experiences across the board, including Wales, will be keen to do so. I will take the opportunity, as quickly as possible, to do what the hon. Lady asks.

Mr. Chris Mullin (Sunderland, South): My right hon. Friend will be aware that a great deal of antisocial

behaviour is generated by out-of-control youths with air weapons. What plans does he have to address the problem? Does he have any plans to raise the age limit at which youths can handle these weapons? We have to take our chances where we can.

Mr. Blunkett: Very neat. I know that the issue is close to my hon. Friend's heart. I stress that my hon. Friend the Under-Secretary of State will be bringing forward quickly a series of measures that will proportionately address the matter. It is becoming a scourge and people are genuinely frightened. The nature of the weapons has changed to the point where we need a rapid review.

Mr. Nick Hawkins (Surrey Heath): The Home Secretary will be aware that Opposition Members were pleased when he listened to the concerns expressed by Government Back Benchers, such as the hon. Member for Gedling (Vernon Coaker), and by my right hon. and hon. Friends that the original antisocial behaviour orders were far too bureaucratic.

The right hon. Gentleman will be aware also that there is still a problem in that not enough antisocial behaviour orders are being made. Although we welcome the backing that has been given to the orders by acceptable behaviour contracts, does he feel that enough of those are being used? Does he agree with his hon. Friend, who said to me shortly before the summer recess that the Government had in mind to consider whether police forces were to be allowed to name those who were the subject of antisocial behaviour orders? Many police forces, including Surrey, have been greatly concerned that the courts have not been able to name those at whom the orders are targeted.

Mr. Blunkett: As far as I am aware, the courts are under no restriction in terms of naming those who come before them, although I am certainly prepared to check out the matter. In the spirit of this afternoon, I agree that we have not got in place sufficient behaviour contracts or antisocial behaviour orders. I think that slightly more than 650 antisocial behaviour orders have so far been issued, but we will issue new guidance and support in November to back up the change in the law. I am always amenable to pressure, especially when it is in the direction in which I was already going.

Mr. Gerald Kaufman (Manchester, Gorton): Is my right hon. Friend aware that constituents of mine were both relieved and appreciative when an antisocial behaviour order was imposed on 14-year-old Lorraine Ogden, whose name was circulated by the police in a leaflet? However, she breached the order six times, was arrested by the police and charged six times and, after five months, was subjected to a supervision order, a curfew order and a parenting order served on her mother. Does he agree that although the orders are an excellent institution that was introduced by this Government, to allow people who have been placed under the orders to defy them and to waste the time of police and the courts is to undermine their purpose? Will he consider what action he can take to stop that happening?

Mr. Blunkett: My right hon. Friend demonstrates the very worst tip of an iceberg in terms of constant reoffending leading to action that is too weak and failure to reinforce the agreed penalties. With my right hon. Friends the Lord Chancellor and the Attorney-General, I am doing everything possible to get the sensitive, proportionate message across. It is important that magistrates, as well as district judges, who sometimes overturn the decisions of magistrates on enforcement, understand the damage that they can do to the signals that need to be sent out to young people in particular saying that they can no longer make a monkey of the police and the judicial system. That will be one of the tasks of the new criminal justice legislation that will be introduced following the Queen's Speech.

Mrs. Annette L. Brooke (Mid-Dorset and North Poole): Is the Home Secretary aware that, in parts of my constituency, there will be cuts in youth programmes for 11 and 12-year-olds, even with Connexions and the children's fund? What will he do to ensure joined-up thinking in this very important area of tackling antisocial behaviour?

Mr. Blunkett: I sincerely hope that that will not happen and that the local council and the Connexions service can respond with the Youth Justice Board. The board announced only last week that, with resources allocated by the Home Office, we will be developing for eight to 13-year-olds youth inclusion panels and programmes to link up with the work done over the summer, including the Splash programmes and the very imaginative work done in excellence in cities areas, and carry it forward throughout the year. Instead of carrying out youth policies appropriate to the 1950s, we are now adapting our policies to the 21st century.

Open Prisons

5. **Mr. Tom Cox** (Tooting): What plans he has to review the procedures to be followed by inmates on day release from open prisons; and if he will make a statement. [75315]

The Parliamentary Under-Secretary of State for the Home Department (Hilary Benn): It is important that prisoners in open conditions can re-establish links with the community, for all the reasons set out in the social exclusion unit report on reducing reoffending. That is the purpose of granting release on temporary licence. The Prison Service is currently reviewing all forms of such release and will report to Ministers in due course.

Mr. Cox: While I note that reply, is my right hon. Friend aware of the enormous publicity that a convicted criminal has recently received as to the sort of lifestyle that he was leading while on day release, including driving to work in his own car and having lunch in top restaurants? Did the prison authorities know about that, and if so, why did they not stop it? Is my hon. Friend further aware that public confidence in the day release system has been seriously eroded? It really is time that prison governors are clearly told what inmates can and cannot do when they are on day release from prison.

Hilary Benn: Although I entirely understand the concerns that gave rise to my hon. Friend's points, it is important that we do not allow the activities of one individual—who could not in any way be described as a "quiet man"—to undermine the use of release for rehabilitation and resettlement. The fact is that prisoners on facility or resettlement licences are advised of the terms of those licences, and they are placed on trust to comply with their requirements.

As for travel arrangements, it is not uncommon for prisoners in open establishments to use their own transport to travel to work placements. Indeed, while Lord Archer was at North Sea camp, about 24 prisoners did that each day. The fact that the Prison Service has been criticised both for being too harsh and for being too lenient on Lord Archer suggests that it has got it about right bearing in mind the unusual challenges posed by this particular prisoner.

Mr. Douglas Hogg (Sleaford and North Hykeham): May I put it to the Under-Secretary that too many prisoners are held in overcrowded local prisons such as Lincoln and that they could quite well be held in open prisons? It would be a great help if he could expedite the process of categorisation so that yet more people now held in the crowded local prisons could be transferred to the open prisons.

Hilary Benn: I agree about making sure that categorisation is undertaken as quickly as possible, and I have recently raised the issue with the Director General of the Prison Service for precisely the reason that the right hon. and learned Gentleman has given. However, it is important to ensure that the prisoners allocated to open conditions are suited to those conditions. The proof of the success of the current arrangements is that, from memory, about 250,000 licences for leave from open prison were granted last year, and the failure rate is 0.1 per cent. That is testament to the robust nature of the current arrangements.

David Winnick (Walsall, North): Does my hon. Friend accept that more prisoners should be allowed on day release schemes when that is considered appropriate and that any abuses committed by Archer should not be used as an excuse to discourage such schemes? They can be very useful in making sure that, when the prisoner leaves prison, he or she can lead a useful life. Are there not other ways of reducing the prison population? When the offence is less serious or there is no danger of violence, could not non-custodial sentences be used more than at present? Our prisons face a crisis, and I believe that my hon. Friend understands that.

Hilary Benn: My hon. Friend is entirely right to say that the prison system currently faces considerable pressures. He will have heard the statements on sentences made by my right hon. Friend the Home Secretary, the Lord Chief Justice and the Lord Chancellor and about the need to consider the appropriate use of custody and to reserve it, in particular, for dangerous offenders, sex offenders and persistent offenders. My hon. Friend is also right to speak about the importance of allowing prisoners to resettle within the community. My original reply referred to the social exclusion unit report, because all the evidence demonstrates that, if prisoners lose contact with their families and lose their job or their home, it is much more difficult for them to resettle when they come out of the prison gates. Having a job is an effective crime prevention measure, because the statistics clearly tell us that a prisoner who walks out of the prison gates with a job to go to is half as likely to reoffend as someone with no job.

Community Policing (Nottingham)

7. **Mr. Graham Allen** (Nottingham, North): What recent discussions he has had with the chief constable of Nottinghamshire about community policing, with particular reference to the city of Nottingham division. [75318]

The Minister for Policing, Crime Reduction and Community Safety (Mr. John Denham): My right hon. Friend the Home Secretary and I have met the chief constable of Nottinghamshire on several occasions on which a variety of issues, including community policing, have been discussed. My right hon. Friend visited Nottingham on 18 April.

Mr. Allen: I thank the Home Secretary and the Minister for the personal interest they have taken in Nottinghamshire constabulary. They will know that we in the city of Nottingham division are losing bobbies on the beat. In addition, our local police stations are losing large numbers of officers to response units—in effect, those stations are being hollowed out. Is the Minister aware that, at a time when the Government are, rightly, being congratulated on having more officers employed in the United Kingdom than at any other time in history, people on some of our estates and in some of our communities are seeing less of those police officers? Will he please keep a watchful eye on the issue, so that the Government's rhetoric about community policing, which we all support, is matched by the reality of policing on the ground?

Mr. Denham: I recognise that my hon. Friend has deep concerns about the reorganisation of policing in the city of Nottingham. There is honest disagreement between him and the chief constable about the implications of the reorganisation—the chief constable would argue that it is increasing the number of officers available for beat work. We need to find a way forward. In January, the city of Nottingham will be subject to a routine basic command unit inspection by Her Majesty's inspectorate of constabulary. Having listened to my hon. Friend, I have written to the regional HMI and asked it to ensure that it examines those matters during the inspection.

Mr. David Cameron (Witney): Is the Minister aware that Nottinghamshire, like many other areas, will be a beneficiary of the unfortunate fact that police officers are fleeing the Thames valley in record numbers because of the high cost of living there? Is he aware that, within months, half of our police officers will be probationers? Will he comment on the concern felt by many superintendents about rumours that the Government are to tax pension lump sums? The Police Superintendents Association has announced that 20 to

25 per cent. of total numbers might be lost. Will he have a word with the Treasury and tell it to drop that stupid plan?

Mr. Denham: We recognise the concerns about the south-east of England, which is why I, as Minister with responsibilities for the police, took the initiative a few weeks ago to bring together a team of people from police forces in the south-east and London to examine those concerns, as well as a range of issues including housing and transport. However, it is worth bearing in mind that in the next couple of years those forces will receive a ring-fenced part of their settlement—equivalent to 2 per cent. of their current pay bill in two years' time—for special priority payments; that funding can and should in part be used to address retention issues. As for the hon. Gentleman's final point, I have no knowledge of any such proposals.

John Mann (Bassetlaw): Is the Minister aware of the fact that, despite the major problems that my community has with drug-related crime, while I was carrying out an inquiry into those problems, the chief constable of Nottinghamshire, as part of his Nottingham city community policing scheme, transferred 10 experienced officers from north Nottinghamshire into the city of Nottingham? Is it not about time that areas such as mine had equal priority with cities in policing matters?

Mr. Denham: All areas have crime problems that must be tackled. My hon. Friend has rightly been persistent in raising his concerns about drug problems, but the chief constable of Nottinghamshire has to be able to make tactical decisions about priorities from day to day, and problems such as crack cocaine and gun-related violence in Nottingham have demanded a response. My hon. Friend mentions 10 officers, but let me put that in context: last year, the number of police officers in Nottinghamshire increased by 55, and this year—according to current projections—it should increase by a further 104. That is a substantial increase.

Mr. James Paice (South-East Cambridgeshire): Does the Minister not recognise that it is not only in the city of Nottingham—or, indeed, in the county of Nottinghamshire—that there is concern about police numbers, whether for community policing or any other purpose? Does he agree with the assessment that his proposals for the distribution of police grant might result in 34 rural or semi-rural forces—similar to Nottinghamshire's—losing large numbers of police officers? Dorset might lose 270 officers, Surrey 260, North Wales 300, and so the list goes on.

What will he say to people in those areas who, despite the Government's assertions about record numbers of police officers, are seeing their forces being denuded of resources for other forces and the replacement of those resources by a very small number of community support officers? Would not the chief constable of Nottinghamshire, along with every other chief constable, prefer to have the lump sum of resources that he is supposed to have and to make his own decisions about how many officers or community support officers he employs to provide the existing—and, preferably, enhanced—levels of policing that people expect in rural and semi-rural areas?

Mr. Denham: The hon. Gentleman should wait to see what happens about the police funding formula. The Government have published a consultation paper that proposes six or seven different options, some of which point in one direction and some in another. It is ludicrous for the hon. Gentleman and his hon. Friends to calculate the worst possible case for every police force and say that that is what the Government are going to do. I recall that, when his party was in power, police officer numbers were falling. We now have record numbers of police officers, and my right hon. Friend the Home Secretary recently announced a new target of 132,500 police officers. That option was never on the table in the 18 years when the hon. Gentleman's party was in power.

Migration Schemes

9. **Lawrie Quinn** (Scarborough and Whitby): If he will make a statement on his plans to set up new sector based migration schemes next year. [75320]

The Minister for Citizenship and Immigration (Beverley Hughes): My right hon. Friend the Home Secretary announced on 7 October two new schemes to help employers in the hotel, leisure and food manufacturing sectors to recruit workers from abroad to fill vacancies that they have been unable to fill from the resident work force. This is part of the continued development of our comprehensive policy of managed migration.

Lawrie Quinn: Does my hon. Friend agree that such managed schemes are good news not only for the economy but for key cutting-edge technology areas such as engineering, information technology and medical research? People can enter the country legally and make a great contribution to our future wealth, thereby providing extra jobs that can give a real boost to the economy. In addition, are we not sending a clear signal to those who try to smuggle individuals into this country by clandestine measures that we want to undermine their terrible acts and put a stop to the despicable smuggling of people?

Beverley Hughes: My hon. Friend is absolutely right. Recent estimates suggest that migrants contribute a net benefit of about £2.5 billion to the economy, over and above any resources they consume. My right hon. Friend the Home Secretary is chairing a new Cabinet Committee that is looking into the social and economic impacts of migration. My hon. Friend is also right that the White Paper marked a radical shift in policy, based on a recognition of the positive contribution of migration while acknowledging that we need to manage it, return asylum to its proper purpose and bear down on the gangs that encourage people to enter the country illegally to work. We need better integration of refugees, including a UNHCR gateway, and to open up legitimate

routes into the United Kingdom for people to work. These schemes will be additional to the work permit and other existing schemes.

Mr. Julian Brazier (Canterbury): Everybody accepts the terrific benefits that this country has enjoyed over the years and centuries from the immigration of people with key skills, but is not this scheme one more example of the Government trying to paper over the disaster that is their asylum policy? Are not we still failing to deport even one in 10 of failed asylum seekers? At what stage will the Government recognise that they must look at more imaginative ways of tackling the asylum problem if they are going to avoid the sort of pressures that Members on both sides want to avoid?

Beverley Hughes: We are already removing more failed asylum seekers than the Conservative Government did—indeed, we are now removing more than any other European country. The hon. Gentleman misses the point. We will not get on top of the extent to which the asylum system is being used by people to get into the country unless we send out the right signals to the countries that they come from, and part of that is being clear that we will bear down strongly on traffickers and smugglers and that people who arrive here will be dealt with swiftly and removed if their claim fails. At the same time, we want to make it clear that we welcome people coming here legitimately and that we are opening up new legitimate routes.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Does my hon. Friend agree that the attitude that all immigrants should be used as cheap labour should be stamped on firmly? Will the working party examine closely the way in which immigrants are constantly and deliberately being used in an attempt to keep down wages and conditions in certain industries?

Beverley Hughes: Indeed, the role that illegal working plays in encouraging people to come here, with the consequences for indigenous workers in some parts of the labour market and the economy that my hon. Friend describes, is a serious problem. That is precisely why the strategies of bearing down strongly on abuse of the asylum system and opening up legitimate routes in, as I outlined, are the two essential strands of a coherent policy—one that the Conservative party signally failed to introduce when it had the opportunity.

Mr. Humfrey Malins (Woking): I listened with interest to the Minister's comments on the new migration schemes. Will she amplify as fully as possible the meaning, effect and means of implementation of the new external gateway proposals?

Beverley Hughes: I am not sure whether the hon. Gentleman is referring to the new migration schemes that the original question was about or to the UNHCR gateway. That gateway, to bring in refugees from out of country, is currently being discussed with UNHCR and the voluntary organisations. We intend to institute a pilot scheme from April next year. We aim to start fairly small, with about 500 people. We are currently working up the details of the scheme, considering both how the gateway will work and how we can ensure more effective integration of those people once they are here. Several European countries already operate such schemes, and we will draw on their expertise to ensure that we have an efficient and effective system in place early next year.

Coroners Service

10. **Mr. Kevan Jones** (North Durham): If he will make a statement on the review of the coroners service. [75321]

The Secretary of State for the Home Department (Mr. David Blunkett): We established the review group last year. It published a consultation document in August and will report back by the spring.

Mr. Jones: Does my right hon. Friend agree that local coroners should be both accountable and sensitive to their communities? Clearly, that has not happened in Durham. I raised serious concerns about the death of one of my constituents, Maureen Malta, in the local accident and emergency department, but the local coroner, Mr. Andrew Tweddle, arrogantly refused to publish the letter or even to give reasons for that refusal. Will my right hon. Friend take a look at that case and have a meeting with me and others who have concerns about the service in Durham?

Mr. Blunkett: The Under-Secretary, my hon. Friend the Member for Leeds, Central (Hilary Benn), will write to my hon. Friend shortly. We certainly need to open up consultation on how to improve the services. I do not want to make a statement about the individual case, other than to say that openness and transparency are very important and I hope that the health care trust will respond positively to his approaches. The consultation paper in August showed that existing systems for the investigation of deaths were fragmented and failed to provide clear participation rights or standards of service for the bereaved. They lacked appropriate mechanisms for skilling and training those involved, and a proper auditing processing system. They did not even respond to modern legal baselines, so there is a great deal of room for improvement in a process that has been left to fester for too long in the 19th century rather than being brought into the 21st century.

Mr. Colin Breed (South-East Cornwall): May I make a plea that, as part of the review, the Home Office examine the need for a formal appeal procedure for coroners' decision processes? The relatives of people who have been killed are often left in an unhappy state of mind because of their lack of ability to appeal against the coroner's decision.

Mr. Blunkett: I certainly do not rule that out, but we need much greater clarity as to what an inquest is for, how it fits in with the wider criminal justice system, and what the rights of the bereaved should be. We also need to narrow the number of occasions on which an inquest would be appropriate, so that we can use the resources, not least the pathology services, more effectively. I am always listening to the radio or watching the television and learning, as we did from ancient films, about the "Home Office pathologist"—but of course there are no Home Office pathologists, only a range of people who are taken on, for individual payments and on individual

contracts, to do the job. All that needs to be brought together if we are to ensure that the whole system is geared to providing answers to questions, to a search for the truth and to action on the findings, rather than the present vagaries.

Vera Baird (Redcar): My right hon. Friend will be aware that the Law Officers' Department is holding an inquiry into the way in which deaths in custody are investigated and dealt with by the justice system. Clearly there is some overlap with the review of coroners, especially with regard to the investigative process. Although suspicious deaths in custody are few, one could argue that there is not currently great public confidence in any of the investigatory processes. Can my right hon. Friend assure me that the coroners service review team and the Law Officers' inquiry will liaise to work towards a better and more open mechanism for dealing with this difficult problem?

Mr. Blunkett: Yes, I shall be happy for the review to do that, and to do it in conjunction with the development work for the establishment of the independent police complaints mechanisms that will provide a more transparent route for those who raise complaints about what has happened to people in custody. My right hon. Friend the Minister for Policing, Crime Reduction and Community Safety will publish the latest statistics shortly.

Mr. Andrew Mackay (Bracknell): Does the Home Secretary also accept that all too often the coroners service is signally failing the public? I shall give him a specific example about which I have been in correspondence with the Under-Secretary, the hon. Member for Leeds, Central (Hilary Benn). The parents of constituents of mine were killed in a car crash in Teesside more than 18 months ago, but because of incompetence and alleged short staffing, there has been no inquest, and the coroner has still not acted. Is there really a shortage of staff, and is the Home Secretary doing anything about it? When will my constituents who are suffering have their minds put at rest?

Mr. Blunkett: Those are all extremely good questions, but because the Home Secretary has no remit in such matters at the moment, the review will need to tell us how to develop sensible accountability, which will not take away the responsibility at local level, but will enable us to ensure that there is consistency and proper monitoring, and that we train those involved to be able to do the job. There is a kind of "ad hocism" here, which dates back to a distant bygone era. It is time to shed light on the process, and ensure that we use it sensibly so as to link it in with the criminal justice system in a meaningful fashion.

Police (Paperwork)

14. **Dr. Stephen Ladyman** (South Thanet): What plans he has to reduce the paperwork police officers have to deal with. [75325]

The Minister for Policing, Crime Reduction and Community Safety (Mr. John Denham): We published the report of Sir David O'Dowd's taskforce on policing bureaucracy in September. It shows us how the police service can cut administrative burdens and reduce inefficient working practices, which together keep police officers off the streets. The Government have set up a joint group co-chaired by the Association of Chief Police Officers to take forward and implement the taskforce report.

Dr. Ladyman: I am very appreciative of my right hon. Friend's answer, but what progress has so far been made in implementing the report? More importantly, since this is really about getting police officers back into front-line policing, how are we going to monitor whether reducing bureaucracy is in fact equalling more policemen doing what they are employed to do?

Mr. Denham: On my hon. Friend's first point, we kept in close touch with the taskforce while it was doing its work, so we were able to make a number of changes to, for example, the powers that can be exercised by civilian custody staff in the context of the Police Reform Act 2002, which received Royal Assent in July. We have therefore already made a start on the issues identified by the taskforce. Equally, we are discussing with the police service the best way to measure the taskforce's impact. My hon. Friend is absolutely right—we need to develop an effective measure that indicates to us and to the public how we are gaining greater visibility and more officer hours on the front line as a result of these and other changes. When we have completed that work, we will publish that indicator for the police service.

Bob Spink (Castle Point): Will the Minister tell us when the new computer systems in respect of arrest and taking into custody will be available for use in the service?

Mr. Denham: The case and custody system, to which I think the hon. Gentleman refers, is being successfully trialled in Warwickshire. I hope that, during the three years from next April, the system will be rolled out across the police service. We are looking in detail at the deadlines and timetables, but that is the time scale towards which we are working.

Fiona Mactaggart (Slough): Has my right hon. Friend seen a piece of paperwork that is doing more to reduce the number of police officers on the streets of Slough than any other? It is an advertisement, issued by the Metropolitan police, showing a photograph of two terraced houses, both of which are occupied by police officers. The rubric states the following about the occupiers:

"Both in their late 20s, both became police officers 6 years ago. One earns £22k a year and pays to travel to work and one earns £29k a year and travels to work for free."

What can the Minister do to help those police forces on the periphery of London whose members are being poached by the Metropolitan Police Authority? In the

case of Slough, such activities are leading to an increase in crime in precisely those areas that we are targeting for reduction.

Mr. Denham: I have not seen the advertisement to which my hon. Friend refers, but if that is what it says, that is not the way in which forces should compete for police officers. A few years ago, an agreement was reached and police forces did not attempt to recruit from each other's areas. At the instigation of the Association of Chief Police Officers, that was changed some time ago, when it was agreed that such recruitment exercises be carried out. However, it is essential that they be conducted in a responsible manner.

Reoffending Rates

15. **Mr. Andrew Robathan** (Blaby): If he will make a statement on reoffending rates among young offenders in the last five years. [75326]

The Parliamentary Under-Secretary of State for the Home Department (Hilary Benn): Reoffending rates are not normally measured, as they rely on self-reporting by offenders. Our target is therefore to achieve, by 2004, a 5 per cent. reduction in reconviction rates for young offenders within 12 months of original conviction, reprimand or final warning. Statistics published in June this year for the group dealt with in July 2000—just after the start of the main youth justice reforms—showed a 14.6 per cent. reduction in reconviction rates compared with 1997.

Mr. Robathan: Notwithstanding the hard work put in by many staff, does the Minister agree that young offenders' institutions such as Glen Parva in my constituency are not happy places? Contrary to what the Minister says, the number of those in such places who are reconvicted has increased by 58 per cent. in the past five years throughout the country. Does the Minister think that there are any lessons to be learned from past regimes—for example, approved schools—in terms of why the offending rate was so low then? Does he think that a case exists for a challenging regime of support, rehabilitation and training after custody, to prevent people from re-offending and being reconvicted?

Hilary Benn: I do agree with the hon. Gentleman's last point. If he looks at the work that the Youth Justice Board is undertaking, what he describes is precisely what makes up the intensive supervision and surveillance programmes that youth offending teams are running up and down the country. They provide the rigour that is required to get young people to face up to the consequences of their offending, and they give them the support that they need to live their lives differently in future. That is precisely why we have invested in youth justice reforms, and the whole House will doubtless welcome the early indication that those reforms are succeeding in helping to reduce reconvictions.

European Council

3.30 pm

The Prime Minister (Mr. Tony Blair): With permission, Mr. Speaker, I would like to make a statement about the European Council in Brussels on 24 and 25 October.

This European Council set the framework for the final stage of the enlargement negotiations. We are on course to finish those negotiations in December, sign an accession treaty with the candidate countries next spring and welcome them into the European Union at the beginning of 2004.

Enlargement has been a goal of successive British Governments. It was an historic obligation to offer membership to those nations that won their freedom after the collapse of the Soviet Union. Their membership will establish a single market of some 500 million people. We hope that those 10 countries will be joined by Bulgaria and Romania no later than 2007.

The European Council also welcomed the reforms undertaken by the Turkish Government. The Council agreed that Turkish progress had brought forward the opening of accession negotiations. At the Copenhagen European Council in December, we will decide on the next stage of Turkey's candidature. For our part, the British Government look forward to Turkey's membership of the European Union in accordance with the conditions that all candidates have to meet.

The last stage of any negotiation is always the most difficult, and the last stage of the negotiation between the existing members of the European Union and the candidate countries is of course about money: what they pay into and receive from the EU budget, including structural funds and the common agricultural policy.

The European Union will be generous to the new member states. It is right that we should be, given our own interest in their stability and prosperity. But at the same time, we do not want to jeopardise the progress that has been made in reducing agriculture's share of the EU budget from more than 60 per cent. 20 years ago to 45 per cent. now. The reforms agreed in Berlin in 1999 are worth €7.5 billion to EU consumers and taxpayers. We want to extend that reform in two ways. First, the Commission has brought forward proposals for the mid-term review of agriculture under paragraph 22 of the Berlin conclusions of 1999 which, if agreed would de-link agricultural subsidies from production for the first time in the history of the European Union. Secondly, we want to limit the growth of direct payments to farmers once the candidate countries become full members.

Before the summit, the main argument was whether enlargement could be blocked by the disagreement between France and Germany over limiting agricultural spending. Fortunately, before the summit, they reached agreement that future agricultural spending should be capped up to 2013 at the levels of 2006 envisaged by the Commission. In effect, because of allowances made for an inflation rate of only 1 per cent., that will mean a real-terms reduction over and above the original Commission proposals. That aspect of the agreement was welcomed by all. However, there then arose the question of whether in return for that, reform of the CAP, prior to 2006 when the current financial perspective runs out, would be postponed. That then dominated the latter stages of the summit.

In our view, such a blanket opposition to reform would have been wholly unacceptable. It would mean effectively destroying the current reform proposals of the European Commission. It would seriously inhibit the offer the EU can make in the World Trade Organisation Doha trade talks. Those talks are vital both for free trade and for the developing countries of the world. Those poor countries need agricultural reform in Europe and they need it badly.

Eventually, we agreed specifically that the limit on agricultural spending would be without prejudice either to the European Commission's mid-term review of agriculture based on paragraph 22 of the Berlin conclusions or to the Doha trade round. Those issues can now be taken forward by the Agriculture Council, which, of course, operates by qualified majority voting. Despite the difficulty in negotiating that, it would have been quite wrong for the possibility of CAP reform to have been hindered in that way. As a result of the summit outcome, enlargement remains on track and fundamental CAP reform remains on the agenda.

During the European Council, I also discussed with colleagues the issue of Iraq. We are all agreed on the need to ensure that Saddam has no chemical, biological or nuclear weapons programmes. We are working hard for agreement on the terms of a tough new Security Council resolution. The key point has to be that the weapons inspectors should return, free to do their jobs properly, without any of the restraints wrongly imposed before. Should there then be a further breach by Iraq, I have no doubt that action must follow.

We also discussed the development of European defence. We agreed that Macedonia would be a good place to start and that we should therefore work urgently to complete the agreement between the EU and NATO.

In addition, we had a presentation from President Giscard d'Estaing on the convention on the future of Europe. In his speech today, I am pleased that the president makes it clear that Europe should co-operate as a union of European states, not a federal super-state, and I believe that his proposals on subsidiarity, the role of national Parliaments and Council reform will be welcomed, at least here. We are well placed in this vital debate.

Before concluding, I would like to update the House on the hostage crisis in Moscow that ended tragically with the loss of so many lives. At 9 pm local time on Wednesday, around 50 armed Chechens took several hundred hostages in a theatre in south-east Moscow. Among the hostages were three British nationals: Peter and Sidica Low and their son Richard. Peter Low and a few others were released on Thursday morning. I spoke to President Putin from Brussels on Friday. Britain sent a team of counter-terrorist experts to help. President Putin told me that he had no doubt that the terrorists were prepared to kill all the hostages; that they were heavily armed with explosives; and that whatever decision he took would be immensely difficult. After the siege had ended at 5.30 am local time on Saturday, I rang him again to welcome the ending of the siege. I asked him and he was able to tell me that the safe release of Sidica and Richard Low had been ensured.

It is too early yet to know the full facts of what happened, but I ask people to understand that when it was clear that the terrorists were starting to execute the hostages, the Russian authorities had to act. I know how hard it will have been to make the right decisions. But there are no easy, no risk-free, no safe solutions to such a situation. And I hope that people will understand the enormity of the dilemma facing President Putin as he weighed what to do, in trying to end the siege with minimum loss of life and recognising the dangers of doing anything that conceded to this latest outrage of terrorism from Chechnya.

Although it is clear that hundreds survived, many did not, and the loss of each innocent life will be mourned not just in Russia but throughout the world, and we in Britain send our deepest condolences to the Russian people at this time.

The attacks in Bali, the occupation of the Moscow theatre, the other terrorist attacks around the world, the murder of the American diplomat in Jordan this morning are all brutal and horrifying reminders of this new form of terrorist extremism. A deadly mixture of religious and political fanaticism is being pursued by those who have no compunction about taking human lives, no matter how innocent, and little about losing their own. The only answer is to defeat them by security, intelligence and policing but also to tackle head on, especially within the Muslim world, their perversion of Islam in the cause of extremism. I remain of the view that it is not only the methods of extremism but the extremists' ideas that must be countered.

Thanks to the outcome of the summit, the way is clear to finish the enlargement negotiations by December. In the worst days of the cold war it would have seemed incredible that countries that were under Soviet rule for nearly half a century could find their freedom. But they did. This opportunity and the challenge of enlargement have helped them catch up half a century in the last decade. I hope the House will welcome this important step towards a Europe united, democratic and free.

Mr. Iain Duncan Smith (Chingford and Woodford Green): I start by thanking the Prime Minister for his statement and I join him in offering the Opposition's condolences to the Russian people for the terrible tragedy that they faced during the past few days. I also join the right hon. Gentleman in expressing our horror at the actions of terrorists in Moscow and in extending our sympathies to all the victims and their families.

As the Prime Minister said, hostage taking and terrorism are utterly unacceptable whenever and wherever they occur. I also agree that a huge and terrible dilemma faced the Russian President. No matter what we discover during the next few days and weeks, it was no less than one of the most difficult decisions that could have been made, although in due course we shall need to understand more fully exactly what weapons were used. Our condolences go also to the family of the US diplomat. As the Prime Minister rightly said, those events bring home to us the fact that the war on terror must continue and that those who say that we can take a break from it, or that we do not need to pursue it with so much vigour, are fundamentally wrong. They must remain on the sidelines of the argument.

On Europe, I congratulate the Danish presidency on keeping EU enlargement on track. The Prime Minister is right to say that enlargement is a great prize that is worth fighting for. The 10 new countries seeking membership of the EU will bring 70 million customers for British goods and services in a single market extending from the Atlantic to the Baltic. The prospect before us is of a new Europe built on co-operation between stable democratic nations and the prosperity of open markets—*[Interruption.]* I know open markets make Labour Members very uncomfortable but they will have to live with them.

The choice will be between an old Europe that is always seeking to centralise power or a new Europe that is apparently about open markets and less regulation. In that context, it is a pity that the Prime Minister allowed the forces of old Europe to sideline him so convincingly at Brussels. Only four months ago, he told the House of the EU's commitment to breaking down the trade barriers, including those in agriculture. Yet he comes back from the summit saying that it was fortunate that France and Germany reached agreement. Well, if ever there was spin to cover failure, that was it. The Prime Minister welcomes a reduction from a position that should never have existed in the first place.

If the deal after Friday is so welcome, why was the Prime Minister storming around on the sidelines of the meeting saying that he was furious and angry. Apparently he even insulted President Chirac—*[Interruption.]* Terrible!—*[Interruption.]*—Oh yes, be careful; he will be joining us.

If the deal was so welcome, why were British officials unable to comment on the details of the deal between France and Germany for about 24 hours from the moment they arrived? Was that not because neither the Prime Minister nor his officials knew anything at all about the deal because they were not present in the first place? How does that square with the fact that, six months ago, the Prime Minister told the House:

> "Britain is in there, shaping Europe's future ... We will continue to get the best for Britain out of Europe. Under this Government, the days of weakness and isolation will not return"?—[*Official Report*, 18 March 2002; Vol. 382, c. 23.]

The Prime Minister said that reform of the common agricultural policy remains on the agenda. I assume that he means that reform is on the agenda in the same way as his colleague in No. 11 Downing street believes that leadership of the Labour party remains on the agenda for him.

Will the Prime Minister tell us what the total cost of the CAP will be after enlargement and how he will pay for it? *[Interruption.]* Labour Members hate the idea that the nonsense they have been pushing that they are at the heart of Europe has been exposed—they are not.

Will the Prime Minister tell us about the total cost of the CAP after enlargement and how it will be paid for? Will the money be found by cutting existing EU budgets? If so, why has so little been done to reform the EU structural funds and why did the Prime Minister not raise the fact that about £3 billion of the EU budget is still wasted in fraud and mismanagement?

The Prime Minister has made much of the fact that the British rebate did not make it into the presidency conclusions, yet President Chirac even today continues to state publicly that it is part of the deal. So will the Prime Minister confirm what we believe his Foreign Secretary said last week? *[Interruption.]* Oh yes. He said that the rebate won by Mrs. Thatcher is not up for

[Mr. Iain Duncan Smith]

negotiation and never will be up for negotiation. If the Prime Minister agrees with that, when did he first tell President Chirac that he should drop the whole issue of the rebate; or did he ever tell him at any point during the conference?

Only two years ago, the Prime Minister assured the British people that the charter of fundamental rights would not impact on national law, yet his former Minister for Europe said that Britain would be prepared to compromise on allowing the CFR to be legally binding. So in the light of the report that was tabled at the meeting on the convention and given at the Brussels council, will the Prime Minister make it absolutely clear that Britain will veto any proposal to compromise and make the CFR in any way legally binding?

I have lost track—*[Interruption]*—of the number of times that the Prime Minister has come to the House. *[Interruption.]* Oh no. Again and again, we hear that this country is leading for Britain in Europe, but seldom has his failure to practise what he preaches been so transparent: a deal to extend the life of the common agricultural policy has been struck behind Britain's back; proposals to give away yet more powers from national Governments to the Commission have been tabled over British objections; and fundamental reforms that would secure the financial future of an enlarged European Union have been passed over despite the warnings.

The Prime Minister normally gets up at this point and lectures everybody about how he has been ahead of everybody else in leading for the Government. Instead of getting up and blaming the last Government or the Opposition, will he now tell British taxpayers how much more they will have to pay to foot the bill for his failure?

The Prime Minister: First, on Russia, we are in agreement. May I echo—I should have referred to it in my statement—the right hon. Gentleman's praise of the Danish presidency? It handled a difficult meeting extremely well and prepared the Council very well indeed, and the Danish Prime Minister's handling of the summit was excellent.

In relation to the agreement between France and Germany, I have to point out to the right hon. Gentleman that there are two quite separate aspects of the agreement—one was an agreement about limiting expenditure in the European Union. That is actually an advance on what was there before. Before the summit, there was no agreement that, after 2006, spending on agriculture should be limited at all. That was one aspect of the French-German deal, which was struck as a result of the disagreements between them.

There was then a second aspect: what France wanted in return for that deal was the abolition of any possibility of common agriculture reform prior to 2006. That is precisely what was resisted at the summit. That is why it was important to make sure that, after the summit, the mid-term review of the Agriculture Council continued. The purpose of the French proposals was to ensure that that review was effectively dead in the water. That review now carries on, and, as the EU Commissioner said in his statement today, it is important that the mid-term review is there, and it should be completed at the earliest possible opportunity. *[Interruption.]* With great respect, whatever is shouted at me from the Opposition Front Bench, we are fully supportive of the first point of the agreement—an additional limit on expenditure. We are not in support of the price for it—no CAP reform—and that was defeated at the summit.

Secondly, of course, it is extremely important to ensure that the European Union can make a proper commitment in the Doha WTO round. If we had ended up saying effectively that there would be no CAP reform prior to 2006, it would have been very difficult to make a constructive EU offer next year. I want to make it clear that I believe that it is in the interests not just of Britain but of Europe that we are able to make an offer in that WTO trade round that is of benefit not just to the developed world but to those poor and developing countries that desperately need access to our markets.

That is the importance of CAP reform. The reason why it is important that CAP reform is still on track is that the decisions on it will not be taken in the Prime Ministers' Council but in the Agriculture Council. That is important because the Agriculture Council will take its decisions by qualified majority voting.

In relation to the abatement, it is not up for grabs, for a very simple reason: the abatement compensates Britain for what would otherwise be a wholly unfair distribution of contributions. Even with the abatement, our contribution is three times that of France, for example, and without it our net contribution would be 13 times that of France. Only after enlargement, even with the abatement, will our contributions for the first time—as a result of the deal struck in 1999 at Berlin—come into line with those of France and Italy. It is therefore extremely important that we maintain it. As for French designs on it, that is a classic example of how Britain must take a sensible view. Of course, the French will want to take action against the British abatement, just as we want to take action on the common agricultural policy. They will make their position clear, and we will make ours clear; that, I am afraid, is the way that things happen. What is absurd, however, is to take the view that, just because there is an attack on the British abatement, we must give it up. We held firm at Berlin, when the Conservative party was telling us that we were going to give it up, and we will hold firm again.

In relation to the right hon. Gentleman's points about the charter of fundamental rights, we have made it absolutely clear that it should not extend the legal competence or jurisdiction of Europe in any way at all.

In relation to the issues that he raises about leadership in Europe, it is, of course, important that the Conservative party—which, effectively, has an anti-European position—says that Britain loses all the time in Europe. It must say that Europe is essentially something done to Britain against our interests and our designs. The shadow Leader of the House is nodding, unsurprisingly. [HON. MEMBERS: "Again!"] The shadow Deputy Prime Minister is nodding, too, as well as one or two others with an eye to the main chance. On economic reform, European defence and the future of Europe, I believe that, with other countries, we play a key leadership role. The right hon. Gentleman's problem is that, in order to make the case against Europe, he must always say that we are losing in Europe. In fact, Britain is not losing in Europe; Britain is gaining through a

constructive attitude in Europe. I say unhesitatingly something that he did not say: our membership of the European Union is in Britain's interests, and we will carry on playing our full part in Europe because it is the right thing to do.

As for the right hon. Gentleman's comments about the leadership of political parties, if he wants a piece of free advice, he should not raise that topic again.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): I associate my right hon. and hon. Friends entirely with the expressions of condolence and sympathy for all the Russian people who have lost their lives in the terrible events in Moscow at the weekend, and I express our relief that at least the Low family from our country have escaped with their lives. I thank our ambassador and all the diplomatic staff, who, as we know from media reports, have worked so hard on our behalf and on behalf of the British citizens immediately involved in that terrible situation.

Does the Prime Minister acknowledge that the grotesque events in Moscow again underline the fact that, even in this day and age, some within the wider perimeter of Europe are still prepared to wage conflict on an indiscriminate basis? Although we rightly talk about the detail of these summits, it is surely always worth bearing in mind the fact that the whole European ideal was built out of the ashes of the second world war—out of two grotesque conflicts in the last century—and that the goal of growing stability, security and maintenance of peace and prosperity is something of which we should never lose sight.

In the context of this weekend's summit, we welcome the further progress made on enlargement, although perhaps the Prime Minister, like me, reflected just a few minutes ago on the fact that, if enlargement is to be made a reality, those who pay lip service to the practicality of enlarging the European Union also have to go through the motions and the Division Lobby of the House to give effect to treaties such as the Nice treaty, rather than opposing them at every juncture. Some of the comments that we heard a few minutes ago need to be viewed in that context.

Will the Prime Minister also acknowledge that aspirant states wish to come into the Europe Union? Although it is marvellous that they are at last being liberated from old-style central command-and-control economies, they are none the less finding that existing member states and the Commission are still putting too much red tape and bureaucracy in their paths. Further emphasis needs to be given on ensuring that the enlarged Europe that evolves is more liberal and more free-trading than it is at the moment.

On the specific issue of common agricultural policy reform, which has to be the big disappointment of the weekend, too little progress—if, indeed, much progress at all—was achieved. Will the Prime Minister acknowledge that the agreement reached simply to cap subsidies is not a long-term solution? Does he agree that Commissioner Chris Patten was correct yesterday when he said that far-reaching reform remains inevitable? In that context, we have to get away from the wastage of EU resources and the unfair discrimination against emerging economies elsewhere, in the third world in particular. We also have to recognise the unfair penalties that the existing CAP imposes on our hard-pressed agricultural community in Britain.

How does the Prime Minister reconcile the outcome of the summit with the commitment to the phased withdrawal of EU subsidies in favour of the wider Doha commitments, to which we are already a signatory? Does he see any potential in coming times for assembling a coalition of interests within existing EU member states towards that end? Will the Prime Minister also reaffirm that the British budget rebate still requires unanimity for reform, and that some of the scaremongering in the media and elsewhere in politics is simply trying to mislead people on that fundamental issue?

Will the Prime Minister acknowledge that our country would have greater leverage, not least on agricultural reform, if we were seen to be more of an active participant at the top table in Europe, especially as we are the fourth largest economy in the world? Are we not in danger of missing the boat at the formative stage of the single currency in the same way as we did at the outset of the establishment of the CAP? Did the Prime Minister have bilateral discussions on the single currency with other Heads of Government over the weekend? In that context, when will the next bilateral summit between France and Britain take place, and what items does the right hon. Gentleman propose to discuss with the President of France?

The Prime Minister: I am sure it will be a wide-ranging discussion as always.

The position on the single currency is the same. We are in favour of it in principle, and in practice the tests have to be passed. The right hon. Gentleman is absolutely right about the abatement. Unanimity is required. It is important to explain, however, that abatement is merely a form of compensation. Sometimes it is treated as if it were a marvellous and unusual device that allows us to get an unfair advantage. That is not the case. In fact, it is the minimum necessary to compensate us for what would otherwise be a highly unfair situation. That will change over time because of the deal struck in Berlin in 1999. In the ensuing years after enlargement, Britain's net contributions to the EU will come into line with those of France and Italy for the first time since we joined the Common Market. At the moment, however, even with the abatement, our net contributions are three times those of France. It is hardly surprising if we are vigorously defending our position.

Again, it is important to understand the two completely different aspects of CAP reform. The summit was originally not about CAP reform, but about enlargement. Germany took the same view as Britain, which is that we need some cap on overall agriculture spending. This summit delivered such a cap, and we can do more on that if we do more on agriculture reform. That is why it was so important to resist the notion that, as the trade for the spending cap, reform should be taken off the table. It was never the case that the nature of reform would be decided at the Cou[illegible] but it had to remain on the agenda, otherwise the co[illegible]uing work of the Agriculture Council would have [illegible] suspended. Reform is on the agenda.

The right hon. Gentleman remarked on the Doha treaty, which is vital. He is right about the Nice treaty. I had forgotten that the Conservatives voted against the

[The Prime Minister]

Nice treaty. [HON. MEMBERS: " They did."] In that case, it is a little difficult for them to say that they are in favour of enlargement, but we shall leave them to sort that out.

Finally, to emphasise a point made by the right hon. Gentleman, it is important that the next few months are remembered as those in which enlargement takes place. If anyone had said two or three years ago that we would have 10 new countries in the EU, they would have been thought very bold. Those 10 countries will join the EU, and they have made enormous strides to do so. When all is said and done, and leaving aside all the differences that emerge at any summit, what should be remembered is the enlargement of the EU, which is an historic and massive step forward for Europe.

Donald Anderson (Swansea, East): Will my right hon. Friend confirm that so far as the Government are concerned, enlargement is not a means of slowing down or hampering the development of the EU but an investment in democracy in the new member countries and, positively, a means of enhancing the potential of our new Europe? Does my right hon. Friend expect the new European force to be in Macedonia by 1 January? Is it the Government's view that Turkey should be given a start date for negotiations at the Copenhagen summit? What are the prospects of that happening?

The Prime Minister: I am sure that, over the next few weeks, there will be discussion of timetables for Turkey, and I do not want to prejudge the results of the Copenhagen summit, but I hope that we can give further significant welcome to the steps that Turkey is taking. On the possibility of European defence taking over the Macedonian operation, I think that that is an excellent idea, and it underlines why European defence is a good, sound project, because these are circumstances in which NATO does not want to be engaged. Obviously, it is important that European defence is used only in light of an agreement between Europe and NATO because it is important that European defence is seen as wholly complementary to the existence of NATO.

Mr. David Curry (Skipton and Ripon): The Prime Minister is right to welcome enlargement and to talk about the importance of the world trade round, but on agriculture reform, he has clearly taken his eye off the ball. Does he not recall that on 23 September the *Financial Times* carried a letter from six EU farm Ministers entitled "The CAP is something we can be proud of", and that as France, Italy and Spain were all signatories, there is a clear blocking minority?

Is the Prime Minister further aware that on 3 October the *Financial Times* had on its front page a story headed "Berlin and Paris close to deal on farm reform"? What have the Government been doing in the meantime? Why did the Prime Minister's great friend Herr Schröder, whom the right hon. Gentleman is supposed to have rescued from election defeat, team up with the French and apparently defeat his own interests? Faced with that coalition, how can the Prime Minister believe that the mid-term review of agriculture reform is still on track?

The Prime Minister: I shall tell the right hon. Gentleman precisely why—for the very reasons that the European Commissioner Franz Fischler gave today, when he said:

> "the fundamental issues and the aims that we addressed in the MTR remain unchanged . . . The underlying question is: Is there an urgency to arrive at a decision on the future common agricultural policy . . .?' My answer to this is clear. We must seize the opportunity to build a strong and sustainable CAP before it is too late."

That is what he said today.

The point that I am trying to make to the right hon. Gentleman and his colleagues is that one part of the French-German agreement, the limit on CAP expenditure after 2006, is an advance on what existed before the summit. Before the summit, there was no such agreement. If we had simply had the European Commission proposals, there would have been no limit on agriculture spending after 2006; now there is.

What was unacceptable was the idea that in return for that, we should abandon CAP reform in the Agriculture Council and the mid-term review. As Franz Fischler has just stipulated and as was agreed at the summit, that mid-term review continues, so the way is open for agricultural reform. Of course there will be attempts by countries to get together a blocking minority; that is the same as it was before the summit—but the important thing is that, as a result of the decision of the Council summit, there is no way that the matter can now be taken off the agenda.

Mr. Tam Dalyell (Linlithgow): We welcome the progress that has been made on Turkey. But have we misunderstood the Prime Minister? Did he undertake that there would have to be a breach by Iraq of the freedom of weapons inspectors before military action was taken? How does that lie with the statements over the weekend by Colin Powell that there would be no difficulty in getting a coalition, and that this was the key week in relation to Iraq? If there is no difficulty about getting a coalition, who is to form that coalition, other than the British and Ariel Sharon?

The Prime Minister: I think that there is a large measure of agreement. We are obviously working on a UN resolution now. Most people accept that the weapons inspectors should go back in, without any restraint or hindrance, unlike what happened before, but that if Iraq again plays the same game as before, action should follow. Most people can agree to that. It is a reasonable position which gives Saddam the chance to come back into compliance with the UN, but makes it clear that compliance will be enforced.

Sir Peter Tapsell (Louth and Horncastle): What is the point of the policy of step-by-step sacrifice of aspects of British national sovereignty as the price of being, as the Prime Minister likes to put it, at the heart of Europe, if, when a crucial negotiation about the future of the common agricultural policy is held, the matter is settled at meetings between the French and German leaders behind his back, and all he gets is an unprecedented insult from the President of France?

The Prime Minister: The hon. Gentleman should make up his mind who is insulting whom. He is wrong

about the summit. The part of the deal that was unacceptable was the part of the deal that was resisted, with the greatest respect—a point that, no matter how many times one makes it, does not seem to have penetrated the Opposition. The reason for that is exactly the point that he makes in the first part of his question. He and his fellow Conservative Eurosceptics must say the whole time that Europe is something terrible. They therefore have a view of British national sovereignty that really means in the end that Britain being in Europe is a giving up of British national sovereignty. The fact is that Britain gains as a result of co-operating with other European countries. We gain through the single market, we gain through co-operation on issues such as defence, we are gaining on issues such as economic reform, and it is important for Britain to be in Europe and at the centre of Europe—*[Interruption.]*—yes, I believe that, because I believe it to be in the British national interest.

Mr. Dennis Skinner (Bolsover): Does the Prime Minister agree that there is an air of unreality about the arguments on the common agricultural policy? I listen to the Tories every time the matter is raised. They give the impression that they do not like it. The truth is that if it were ever proposed in the House, every Tory MP would vote to put the money in the pockets of the farmers and the Countryside Alliance. As for the dust-up with President Chirac, if there is to be another row, let us have it about the euro. I will give my right hon. Friend a bit more advice: he should take the Deputy Prime Minister with him. He would put President Chirac in his place.

The Prime Minister: I always get immensely constructive and occasionally idiosyncratic advice from my hon. Friend, and I will reflect upon it.

Mr. Michael Portillo (Kensington and Chelsea): I welcome the Prime Minister's reference to Turkey in his statement. Does he agree that Turkey is a particularly valued ally because it is an Islamic state, but it is also pluralist and pro-western? Does he also agree that it occupies one of the most important squares on the strategic chessboard? Have not the EU leaders sometimes been unwise in the past to appear to shun Turkey? Given that Britain understands our strategic interests, will the Prime Minister become a positive advocate of Turkish membership of the EU in the future?

The Prime Minister: I agree exactly with what the right hon. Gentleman is saying. It is important for Britain to be an advocate for Turkey, on the basis that Turkey abides by the rules of the European Union. I hope that there is a growing recognition within Europe and within Turkey that Turkish membership of the EU is in the end a good thing for Turkey, for Europe and for the wider world. We have tried consistently to support the case for Turkey while making it clear that it must abide by the same rules as everybody else in Europe.

Joyce Quin (Gateshead, East and Washington, West): I welcome the progress that has been made towards enlargement. However, is not one of the strongest cards in the hands of those who want CAP reform the fact that an excellent alternative to the CAP already exists through the rural development regulation, which is a much more flexible way of helping rural areas and avoids distortions and the effect on the world economy that the present CAP has? Therefore, will it not be vital during the review of the CAP to build as wide a coalition of support as possible in favour of the rural development approach?

The Prime Minister: My right hon. Friend is absolutely right. The rural development regulation is important. Our ability to move forward on that was untouched by any deal at the summit.

Mr. Alex Salmond (Banff and Buchan): My hon. Friends welcome enlargement. Indeed, we would rather see Europe even larger.

Did the Prime Minister have the opportunity to discuss the fishing industry at the European Council? The industry will be affected by enlargement and it faces an immediate crisis with the proposed closure of the white fishery around Scotland, which will cost thousands of jobs and economically dismantle entire communities. Can the Prime Minister offer two commitments? The first is that the fishing interest will not be traded away in pursuit of wider British interests in Europe, as has happened so often in the past; and the second is that, over the coming weeks he will fight as hard for our fishermen as the French do for their farmers.

The Prime Minister: On the common fisheries policy, hugely difficult decisions will have to be taken because of the depletion of fishing stocks. Of course we shall fight very hard for the interests of our fishermen; we do so on every occasion. As any Government will find at present, the situation is difficult. There is no doubt, as the scientific report shows, that there is significant depletion of stocks. I am well aware of the effects of that on fishing communities not only in Scotland, but throughout the United Kingdom. We will do our utmost to ensure that any deal that is secured protects, in so far as it is possible, the interests of British fishermen.

Mr. Gerald Kaufman (Manchester, Gorton): I welcome my right hon. Friend's careful and precise words on Iraq, which should have wide support on the Government Benches, and I share his pleasure that the year after next we are to be joined in the European Union by two Commonwealth countries—Malta and Cyprus. Does he agree that it is out of the question for Turkey to become a member of the European Union as long as its armed forces are occupying a third of Cyprus? Does he also agree that the best way to get Turkey into the EU, as we would wish, is for its Government to facilitate and use their influence to obtain a settlement in Cyprus?

The Prime Minister: I am sure that my right hon. Friend will understand if I say simply that we are working very hard to try to secure an agreement in respect of Cyprus, and I hope that that can be done. That is in the interests of everyone within the EU and it is in the interests of Turkey. We are supporting strongly the United Nations efforts in that regard. It is probably better if I do not comment on the matter further as the negotiations are at a delicate stage.

Dr. Julian Lewis (New Forest, East): As the Prime Minister raised the question of hostage taking in

[Dr. Julian Lewis]

Moscow, will he tell us whether he can think of one good reason why President Putin is refusing to divulge to his own doctors the nature of the poisonous gas that has made so many of the hostages so ill? Will he use his good offices to make representations to President Putin to enable his own doctors to know what antidotes they need to apply? Otherwise, much of the sympathy which President Putin deservedly had for his dilemma will promptly evaporate.

The Prime Minister: I understand the concern behind the hon. Gentleman's question. I am sure that, consistent with Russian security, further answers will be given to such questions. I hope that people understand that the Russian President, as I could tell when I spoke to him on Friday, was faced with an agonising and painful decision. These people will stop at absolutely nothing and have no hesitation in killing large numbers of innocent people. We know that those taking hostages had explosives strapped to their bodies and were willing to give their lives in a massive terrorist attempt to destroy as many lives as possible. These are difficult decisions, but I am sure that, in due course, we will get some answers on those points and others.

Mr. Peter Pike (Burnley): My right hon. Friend will know that throughout the countries in eastern and central Europe whose joining the European Union has been agreed to, the part played by him and the Government in seeking and supporting enlargement has been very much welcomed. Does he recognise that his statement with regard to Romania and Bulgaria and the target date that he envisages for them is seen as very important? Once the other 10 countries have joined, it is vital that those two countries can also do so at the earliest possible opportunity, in line with the indications that he gave.

The Prime Minister: I very much hope that we will see the inclusion of Romania and Bulgaria not later than 2007. I know that both countries are making enormous efforts to ensure that that happens. When we reflect on Europe and the balance of advantages and disadvantages, there is no doubt that it is the prospect of membership of the European Union that has had a transforming effect on the countries that used to be under the control of the old Soviet Union. Indeed, even in parts of the Balkans that have troubled this nation and other European nations for 100 years or more, there are signs of change and improvement as a result of their hope that in due course, obviously over a long period, they will secure European Union membership.

Mr. Roger Gale (North Thanet): Further to the Prime Minister's equivocal answer to the right hon. Member for Manchester, Gorton (Mr. Kaufman), will he give the House an absolute assurance that at Copenhagen he will not agree a rendezvous date for Turkish entry into the European Union unless a settlement on the Cyprus problem has also been reached by that time?

The Prime Minister: I will not give such an undertaking. Very difficult issues need to be resolved. We both want Turkey to be inside the European Union if we can possibly achieve that and we want a resolution of the Cyprus issue but, frankly, I do not think that that will be encouraged by my laying down ultimatums or adopting fixed positions at this point in time, in the light of a set of circumstances that is obviously changing.

Keith Vaz (Leicester, East): I congratulate my right hon. Friend on his continuing to play a pivotal role in the enlargement process. He will know of the case of Catherine Meyer, which has been raised with him before. He will also know that last week at the Foreign Office an undertaking was given to Lady Meyer that he would raise her ease with Chancellor Shröder. Was he able to do so and what action does he think Chancellor Shröder will take to improve the operation of the German courts?

The Prime Minister: As my hon. Friend knows, the issue to which he refers has been raised many times in the past few years. I should tell him that I have today written a letter to Chancellor Shröder about the subject. I am well aware of the concerns that he expresses and he will know that they are shared by many people.

Mr. Michael Jack (Fylde): Commissioner Fischler is entirely correct to say that the CAP should be reformed, but in my reading of the written presidency conclusions, there was nothing in terms to say that all parties would be committed to the process of reform of the CAP. The statements from the French and Germans indicated a postponement in that process until 2006. Where can I find a clear written statement that France, Germany and others will actively support and participate in all the discussions about CAP reform?

The Prime Minister: The short answer is that, certainly in relation to France, some countries may well not agree with common agricultural policy reform. It is their right not to do so. However, the fact is that, with regard to the attempt to ensure that that reform would not take place—or, in other words, that the discussion would end—their position on such reform was the same before the summit as it is afterwards. They are entitled to take whatever position they choose. What they were not entitled to do, in my view, was to say that the issue of CAP reform should be taken off the agenda. That is what was prevented at the summit and what is important.

Although I understand that it is sometimes difficult to follow such issues all the way through, I emphasise again that the basic part of the French-German agreement on limiting CAP expenditure was a step forward on what existed before the summit. *[Interruption.]* With the greatest respect, it was. Prior to the summit, there was no agreement that there should be any limit on CAP expenditure. There is now a limit on CAP expenditure, and—*[Interruption.]* The shadow Foreign has not understood, which is hardly surprising or, indeed, unusual.

As a matter of fact, there is already a financial perspective up to 2006, so we have already got a financial deal up to 2006. The question was what would happen after that. Before the summit, there was no agreement to limit CAP expenditure, but the demand of Germany—supported by Britain, Sweden, the Netherlands and other countries—was that there had to

be a limit. What was unacceptable was that, in return for that limit, CAP reform bit the dust. That is not now going to happen. Of course, France will carry on arguing its position, but we are able to argue our position in the Agriculture Council where, unlike the Council of Ministers, the decision is taken by qualified majority voting.

Mr. Derek Foster (Bishop Auckland): I warmly welcome my right hon. Friend's report on progress towards enlargement. This must be a historic moment for European peace and democracy. He also holds out the prospect of further progress on reform of the CAP. Does he agree that if, by the end of the negotiations in the Agriculture Council, the European Union is not able to grasp this unique opportunity radically to reform the CAP, that would be greatly to the EU's shame?

The Prime Minister: It would be. The other thing that means that CAP reform must happen in the end is the world trade round. Nothing is more important than making sure that the trade round succeeds. Europe will have to make an offer in the trade round and that offer will have to be about reform and about the reform of agricultural subsidies. That is why it is so important that we carry on the fight for that.

Mr. John Wilkinson (Ruislip-Northwood): The Prime Minister will be aware that the office of the United Nations High Commissioner for Refugees has said that, for the first six months of this year, the United Kingdom had the highest number of asylum seekers in the world, with the Federal Republic of Germany coming second. Is there any prospect of the Dublin convention being made to work by our EU partners? Following enlargement, will it not be even more difficult to control immigration in the wider EU, particularly if there is visa-free access to and from the Kaliningrad enclave, as the Russians propose?

The Prime Minister: It is correct to say that Britain and Germany have the highest number of asylum seekers in Europe, though countries of a similar size, such as France and Italy, use different ways to calculate the figures. However, the hon. Gentleman is right to raise this subject and the Dublin convention as a serious issue. I had lunch today with the Prime Minister of Greece, which takes over the presidency of the EU in the first six months of next year. We discussed the issue at length and we agreed that there had to be fundamental reform of the asylum system in Europe. Otherwise, in exactly the way that the hon. Gentleman indicates, the problems will intensify on enlargement. That is why it is important that we get the reform in place, and we will certainly support it. However, the position has changed in that there is now a common will across Europe that recognises that we all face the problem and that we must return integrity to the asylum system in Europe.

Mr. Chris Bryant (Rhondda): Notwithstanding the significant constitutional changes that there have been in Turkey over the past couple of years, notwithstanding Turkey's strategic importance to the EU, and notwithstanding most people's hope that Turkey will eventually join the EU, does it not have some way to go in terms of respecting human rights before its admission into the EU can be hastened along?

The Prime Minister: As my hon. Friend knows, certain criteria have to be met by any country that joins the EU. It is worth pointing out that Turkey has made progress, and the summit specifically welcomed that progress. Of course, Turkey has to abide by the same rules as any other member of the EU.

Mr. John Maples (Stratford-on-Avon): Did the Council have any time to discuss the stability and growth pact? Presumably, the Prime Minister agrees that fiscal discipline is an important ingredient of currency stability, but that agreement is now being deliberately flouted by major members of the eurozone, in particular France and Germany, where, he tells us, he has good contacts. If that agreement is to be so flouted, does it make him more or less inclined to take Britain into the euro?

The Prime Minister: There are two issues. The first, which Britain has raised on many occasions, is the flexibility of the stability and growth pact, in particular the differences between borrowing for different reasons—for example, for investment or for consumption. That is why we have an attachment, born out of experience, to the rules set out by my right hon. Friend the Chancellor. On the other hand, it is important that any changes in the stability and growth pact reinforce discipline within the eurozone and do not undermine it. It is for that very reason that the current discussions about the best way forward are taking place.

Mike Gapes (Ilford, South): Mr. Putin would have been damned if he did not act and damned if he did. Is it not clear that extremist terrorist actions involving suicide bombers will be with us for the foreseeable future? Will the Prime Minister hold urgent discussions not only with our EU partners, but with other members of the Security Council and NATO, to co-ordinate best practice, advice and techniques for dealing with the more extreme forms of hostage taking?

The Prime Minister: We will continue to discuss that important issue at every level. One thing is clear: those groups are operating anywhere and everywhere in the world and they will stop at nothing. I entirely agree with my hon. Friend.

Sir Teddy Taylor (Rochford and Southend, East): As a major part of the CAP is spent on dumping surplus food production, and as the EU is still increasing its food production and as east Europe has fantastic potential for increasing food production, how on earth can the Germans and the French propose that spending increases be restricted to 1 per cent.? Does that not remind the Prime Minister of the accountancy principles used by Enron? Seriously, is he not beginning to find, like all his predecessors did, that the policy of co-operation and reform in Europe simply does not work?

The Prime Minister: Actually, for once, the hon. Gentleman has rather effectively made the point that I was trying to make to his colleagues. He is absolutely

[The Prime Minister:]

right to say that by, for the first time, limiting spending after 2006—in other words, limiting overall spending, including for the accession countries—a squeeze will be put on agriculture spending. That has now been agreed—

Sir Teddy Taylor: It will not happen.

The Prime Minister: The hon. Gentleman says it will not happen, but instead of trying to predict the future, let us both agree—unlike his party's Front Benchers—that it would be a very good thing if we did manage to achieve that limit. That is the very point that I am making, and I am glad that he has come to my assistance in educating his party's Front Benchers.

The part of the French-German agreement that is right and should be supported is the limit on common agricultural spending. The hon. Gentleman is saying that we have to ensure that that is achieved, and I agree. However, one of the things that people wanted to do in return for that is to abandon any idea of delinking subsidy from production—delinking the two being part of the Fischler proposals from the European Commission. It is for precisely that reason that we rejected the idea that we should abandon reform and abandon those proposals, and that is what was secured at the summit. For once, in a European debate, I thank the hon. Gentleman.

Several hon. Members *rose—*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. We must move on.

Points of Order

4.28 pm

Mr. Tam Dalyell (Linlithgow): On a point of order, Mr. Deputy Speaker. I have in my hand the 22nd edition of "Erskine May", and I seek your guidance. Many of our constituents would consider it extraordinary that tomorrow the Commons is to discuss whether we close down at 7 o'clock or 10 o'clock on Tuesdays and Wednesdays, rather than Colin Powell's statement that this is a key week and that there would be no difficulty in forming a coalition against Iraq.

My point of order is this, Mr. Deputy Speaker. Can you advise me where in "Erskine May" the parliamentary rules suggest that there is any rule to prevent an hon. Member raising an issue of urgent public importance under what used to be Standing Order 9 and then 10, and which is now 24?

As I understand it, pages 309 and 310 suggest that it is practice and custom rather than rules that prevent an hon. Member who is determined to do so from raising an issue under Standing Order No. 24. If it is custom and practice, it is one thing; if it is rules, it is another. Were it not so important a subject, I would not be difficult about custom and practice. However, the issue that I wish to raise—war and peace—should surely take precedence over tomorrow's business, which, however important it is to Members of Parliament, can surely wait.

Will you, Mr. Deputy Speaker, allow me to move as a matter of urgency that the House discuss Colin Powell's statement at the weekend that this was a key week and that there would be no difficulty in finding a coalition? If that is so, the only coalition that one can think of is the British Prime Minister and Ariel Sharon. When Secretary Powell spoke about there being no difficulty in getting a coalition—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I am sorry to interrupt the hon. Gentleman, who has long experience as a Member of Parliament, which we all respect. However, he is in danger of turning a point of order into a point of debate. I must advise him that, within the powers given to Mr. Speaker to interpret the Standing Orders, Mr. Speaker has already ruled that he cannot accept the hon. Gentleman's subject for debate. I certainly cannot alter the ruling that the Speaker has made in that respect.

Mr. Dalyell: Further to that point of order, Mr. Deputy Speaker. Will you confirm whether the ruling existed before Madam Speaker Boothroyd and whether it is enshrined in the rules of the House of Commons? Perhaps there could be reflection on that subject, because custom and practice is one thing; rules are another.

Mr. Deputy Speaker: It has been the custom and practice of this House for 10 years, as was established during the time of Mr. Speaker Weatherill.

Mr. Quentin Davies (Grantham and Stamford): On a point of order, Mr. Deputy Speaker. On the Order Paper, the Government propose to move two orders tomorrow suspending the devolved Administration—the Executive and Assembly—in Stormont. You would

not want me to go into the substance of that issue, and I will certainly not do so. However, the proposal involves the suspension of the constitution of part of our country and imposing, essentially, a form of colonial rule on Northern Ireland. This is an important and controversial matter. Obviously, the Government do not want the arguments to be aired too publicly and the issues to be exposed to public view, so they have decided to take the orders in Committee, rather than on the Floor of the House—where, self-evidently, they belong. Is there any power open to you to enable us to debate that controversial procedural decision?

Mr. Deputy Speaker: The short answer is no. This is a matter for the Government to decide, as is laid down in the Standing Orders, and is not a matter that the Chair can determine.

Mr. Dalyell: Further to my previous point of order, Mr. Deputy Speaker. At your convenience, could we have the reference for when Mr. Speaker Weatherill made such a ruling? Mr. Speaker Weatherill was a very benign Speaker in these matters, and I am curious about when the ruling was made.

Mr. Deputy Speaker: It was 16 October 1991. I should say to the hon. Gentleman and to the House that all Speakers are benevolent.

Opposition Day

[20TH ALLOTTED DAY]

Access To Facilities Of The House

Mr. Deputy Speaker (Sir Alan Haselhurst): We now come to the first Opposition motion. I have to advise the House that Mr. Speaker has selected the amendment in the name of the Prime Minister.

4.34 pm

Mr. Quentin Davies (Grantham and Stamford): I beg to move,

That this House notes the serious breaches by Sinn Fein/IRA of their obligations under the Belfast Agreement and the ceasefire, which have been recognised by the Government in the decision to suspend the devolved institutions in Northern Ireland; believes that good faith has not been observed by Sinn Fein/IRA; and, unless Sinn Fein honourable Members commit themselves to a public statement that all terrorist organisations, including the IRA, should rescind violence, resolves to rescind the resolution of 18th December 2001 granting facilities and other support to Sinn Fein honourable Members who have chosen not to take their seats.

I should like to take this opportunity to welcome, very sincerely, the Secretary of State to his new responsibilities. He comes to this delicate task with a distinguished record of service in Northern Ireland and knows the position well, which is encouraging for all of us.

Although we shall no doubt disagree from time to time, I hope that I shall be able to co-operate constructively with him in tackling an issue that both our parties agree is of great importance.

Let me try to dispose of a rather unattractive, although I fear all too characteristic, piece of cant and spin doctoring that this issue has suffered from over the past couple of weeks. The Government know perfectly well that the special status conferred on Sinn Fein Members last December has not worked. They know that it was a mistake: a part of at least four sets of crucial mistakes in their Northern Ireland policy. They know that we were right to oppose it, and they are now trying surreptitiously to distance themselves from it and imply that the resolution last December was not their fault. They want to make it sound as though the House spontaneously decided that the creation of a special status—what Baroness Boothroyd called an associate status—would in itself be a desirable reform, and that if it was a mistake, that is nothing to do with them.

When questioned on the special status by my hon. Friend the Member for South Staffordshire (Sir Patrick Cormack), the former Secretary of State said:

"that is a matter for the House."—[*Official Report*, 15 October 2002; Vol. 390, c. 204.]

He simply dismissed the question and evaded all responsibility. The Prime Minister used the same formula last Wednesday, when he said: "I understand"—what a wonderful way of distancing oneself—

"that office facilities are a matter for the House, not me."—[*Official Report*, 23 October 2002; Vol. 391, c. 272.]

In fact, that is mere eyewash—I might have been tempted to use a less parliamentary expression. The decision to confer the special status and override

[Mr. Quentin Davies]

Baroness Boothroyd's ruling in 1997, as well as the ruling in 1924, was taken solely and exclusively at the Government's behest, purely and simply as part and parcel of their misconceived Northern Ireland policy. Before it was even revealed to, or discussed in, the House, it had been discussed with, and offered to, Sinn Fein. I do not say that the changing of our parliamentary rules was bartered or sold to Sinn Fein, as that would hardly be the appropriate word, given that nothing was received in return, but it was secretly and squalidly promised to them by the Government, who must take full responsibility for that act, about which they now evidently feel guilty enough to wish to dissociate themselves from it.

I said that the decision was part of four grave sets of errors in the Government's Northern Ireland policy. The first mistake was the decision to release all the terrorist prisoners without any decommissioning having occurred. That was a fundamental error—I should perhaps say a foundational error, as it is the origin of the other mistakes. It sent the wrong signal from the start about how the Government intended to manage the peace process and may well have sacrificed the best opportunity that we had to get decommissioning concluded within the time scale set out in the Belfast agreement.

The second mistake was not to respond at all to successive Sinn Fein-IRA breaches of the agreement and the ceasefire. We all know what they were: Florida; Colombia; the evidence of active targeting in March this year; the Castlereagh break-in in April; and the spy ring in the Northern Ireland Office, which the Government have apparently known about for some time. In short, we are talking about the Government's whole policy of turning a blind eye. No wonder those in the republican movement who are least committed to the peace process were encouraged to believe that they could get away with almost anything. The Government had given them an irresistible argument to use against their colleagues in the army council who might genuinely have wanted to take their obligations seriously and move towards adopting an exclusively democratic and peaceful course.

The third error—an egregious and unpardonable one—was not merely to fail to respond with any sanction or penalty to those breaches, but to offer new concessions, going beyond the agreement, to Sinn Fein-IRA during that period. There were several such concessions, but the worst were the promise to give an amnesty to on-the-run terrorists—so far we have succeeded in resisting the implementation of that—and the special status for Sinn Fein MPs, which unfortunately we did not succeed in resisting.

The fourth error was the suspension of devolution, rather than the exclusion of Sinn Fein from the Executive, as a result of the latest crisis. That was an error in two senses: it was a moral and political error because it penalised the innocent—indeed, the whole peace process—rather than the guilty alone; and it was a pragmatic error because, although it is easy to suspend institutions, it is very much less easy to envisage, still less to bring about, the circumstances in which they can be restored. It is generally a mistake, in politics as elsewhere, to walk into a problematic situation when one cannot see the exit on the other side.

There was another way; we spelt it out for the Government in the debate in Opposition time last July. It was not to propose an exclusion motion in the Assembly—although that is what the previous Secretary of State promised, but failed, to do. We explained in July why that procedure would not work. We said that it was unfair and unreasonable to expect one party in the nationalist camp to bear the main onus of the exclusion of the other. We therefore offered to support the Government in taking the powers here in Westminster, and permitting the Secretary of State to exclude from the power-sharing Executive any party in breach, or associated with persons in breach, of the ceasefire or the agreement.

Of course the Government, with their vast majority, did not take the slightest notice and, when the crisis came, that power was not even in the Government's armoury; that option was not available to be considered. Government policy has now brought us to this regrettable and worrying impasse. However, the Opposition do not intend to satisfy ourselves simply by pointing out the Government's errors. We have an obligation to say what we would do if we had those responsibilities now.

We would do two things. First, we would pass the Opposition motion tonight. Let me make our position on special status clear. In case anyone needs reminding, let me repeat that we wholeheartedly support the Belfast agreement—*[Interruption.]* We support the Belfast agreement, and that concession was never required by the agreement—*[Interruption.]* Perhaps the Leader of the House wishes to quarrel with that idea, but the concession never had anything to do with the agreement itself.

Secondly, we find special status obnoxious in principle, and I am surprised that the Leader of the House and the rest of the Labour party do not feel the same. Anyone elected to a democratic Assembly or Parliament should take his or her seat on the same basis as everybody else who has been duly elected, or not at all.

Chris Ruane (Vale of Clwyd): If the rules of the House were changed so that the oath of allegiance was made, say, to our constituents, so IRA Members—or rather, Sinn Fein Members—said that they would be prepared to sit in the House, would the hon. Gentleman object to their having offices in the House of Commons then?

Mr. Davies: Of course we would not object to Sinn Fein members taking their seats on the same basis as everyone else. If for some reason the rules of the House were changed—indeed, we are to discuss certain changes in those rules tomorrow night—the changes should apply to everybody. Whatever the rules happened to be at any time, we would expect all Members who wished to take their seats, and get offices and public money, to abide by them. I should have thought that that was a pretty simple idea.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Does the hon. Gentleman nevertheless accept that those of us who take the oath do so in the belief that we come here to serve not only our constituents, but the state as well? That is the very basis on which we serve here.

Mr. Davies: Indeed. I echo entirely the hon. Lady's words, and I do not think that any difference exists

between us in that regard. She is a very distinguished parliamentarian indeed, and she must have been as offended and concerned as the rest of us were when the Government suggested creating special status for some in this place. I should make it plain that we would not expect special status for ourselves, and we would oppose giving it to the Scottish nationalists, the Liberal Democrats or anybody else.

We hope that, in due time, Sinn Fein MPs will, just like other hon. Members, take the seats in this House for which they were duly elected. I remind the House that, for a long time, Sinn Fein had a policy of abstentionism from all democratic assemblies. In the case of the Dail in Dublin, it has overcome that inhibition; its representatives take their seats there and they play a normal part in the democratic life of the Republic of Ireland, which is how it should be. Sinn Fein also overcame that difficulty in the case of Stormont, and before the Assembly's recent suspension its representatives took their places in it. I hope that, in due time, it will overcome the problem here and Sinn Fein MPs will take their seats. But whether or not they do so, the same rules must apply at all times to all duly elected Members of this House, and on the same common basis.

Kevin Brennan (Cardiff, West): I agree entirely with the hon. Gentleman in hoping that Sinn Fein MPs will one day take their seats in this House, but how will excluding them from its facilities in the manner suggested in the motion encourage them along that path?

Mr. Davies: If I may say so, I think that the hon. Gentleman has got it precisely 180 degrees wrong. If Sinn Fein were considering overcoming its particular difficulty and changing the policy of abstentionism—as it has done in respect of the Dail and of Stormont—the Government have relieved it of that dilemma by introducing special status last December. They have made it unnecessary for Sinn Fein to take that third step.

Kevin Brennan *rose—*

Mr. Davies: I have just given way to the hon. Gentleman, and if he wants to intervene again he will have to catch your eye later, Mr. Deputy Speaker. He will certainly not prevent me from finishing a point that I am glad to make, and which he has enabled me to make.

The fact is that the Government's ill-conceived decision to confer special status on Sinn Fein last December has actually released it from that dilemma; it has not had to take, or has at least been able to postpone, that decision. If we had gotten our way and that provision had not gone through, Sinn Fein would indeed have had to face that dilemma. It would have needed to decide whether there was any sincerity in its claim to want to represent its constituents' interests in this House, or in its signing of the Belfast agreement, which states explicitly that, until the matter is changed by majority opinion in Northern Ireland, Northern Ireland remains a full part of the United Kingdom. Sinn Fein should therefore have no objection to taking its seats, even though, perfectly honourably and respectably, it wants—like the Social Democratic and Labour party—to change the position in due time. Of course, the SDLP has always pursued that objective by entirely constitutional and democratic means.

I hope that I have made it clear to the hon. Member for Cardiff, West (Kevin Brennan), to whom I am grateful for his intervention, that the Government have got the matter precisely 180 degrees wrong.

Mr. Nigel Waterson (Eastbourne): Can my hon. Friend confirm that one Sinn Fein MP went to the heart of the issue in pointing out that one reason why he has not taken the oath and sat as a full Member is that he regards this as "a foreign Parliament"?

Mr. Davies: Yes, I remember that clearly, and that has been Sinn Fein's position for a very long time. If we are democrats, we have to accept a majority decision that goes against us. One would hope that, if there is any sincerity in Sinn Fein's signing up to the Belfast agreement, its representatives would accept that, for the time being and under the terms of the agreement, Northern Ireland is part of the United Kingdom and that this Parliament is not, therefore, a foreign Parliament.

They can come and take their seats here without in any way weakening that desire ultimately to change Northern Ireland's status. In that event, Northern Ireland would be part of a different country. There is no contradiction between Sinn Fein saying that its aim is to have a reunited Ireland and a separate Parliament and, in the meantime, its representatives taking their seats here. Until such time as Sinn Fein is able to persuade a majority of people in Northern Ireland, in accordance with the Belfast agreement, to vote to change Northern Ireland's status, there would be no contradiction in taking those seats, as long as Sinn Fein is prepared to abide by democratic rules and live up to the promises made in the agreement. Those two conditions go to the heart of the quandary about Sinn Fein's behaviour.

Mike Gapes (Ilford, South): Will the hon. Gentleman give way?

Mr. Davies: I agreed so much with what the hon. Gentleman said about terrorism a moment ago that I shall give way to him.

Mike Gapes: I am sorry to disappoint my hon. Friend—I call him that because we have similar views on Europe—but does he accept that the logic of his position would be much stronger if the Northern Ireland Assembly had voted to exclude Sinn Fein? His argument does not take account of the fact that the Sinn Fein members are in the same position regarding the suspension of the Assembly and, therefore—although there are reasons why it was suspended, which we can doubtless debate later—his position is premature.

Mr. Davies: The hon. Gentleman's point is slightly convoluted, but I think that I followed it. He has not followed what I have said. We have never suggested that anybody should be excluded from the Assembly in Northern Ireland; we say that they should be excluded from the Executive, and that is a different matter. The power-sharing Executive is an artificial construct—the Unionists sometimes call it an involuntary coalition—

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and people sit on it not by virtue of having received a majority of the votes in Northern Ireland but by virtue of the Belfast agreement. Therefore, if they cease to comply with the Belfast agreement, they lose that entitlement to sit on the Executive. On that basis, the exclusion of Sinn Fein would be justified by its bad behaviour, as I have outlined.

Mr. David Wilshire (Spelthorne): Does my hon. Friend accept that the only person being premature in this debate is the hon. Member for Ilford, South (Mike Gapes), because his argument would mean that we would have to wait to catch Sinn Fein-IRA spying on us in this place before we could exclude them?

Mr. Davies: The evidence for the breaches that I have listed is overwhelming. The Florida gun-running episode, for example, was the subject of a determination by an American court—in other words, a legal process in a country with a recognised judicial system. Moreover, it is a country that is not known for a bias against Irish nationalism or republicanism—far from it. It is difficult to think of a more objective validation of an accusation. Similarly, the Colombian situation was the subject of a report by the international affairs committee of the House of Representatives, so it was also objectively validated. The other breaches that I listed have been subject to a determination by the Chief Constable, and all parties have accepted that.

Of course, the guilt or innocence of individuals must be determined by a court, but whether a crime has been committed is normally determined by the police. If someone burgles my house, I may have to wait some months before it is decided whether the suspect whom the police have arrested is guilty, but the fact that a burglary took place can be determined on the spot by the police. I have been rigorous when I have talked about the breaches. They happened and that cannot be denied. I would be sorry indeed if the Government were in denial about those breaches, because that would be very alarming. They are such grievous breaches of the ceasefire and the agreement that the Government should have done something about them. It was indefensible that they did not.

We lost the vote last December, but it was passed on the basis of assumptions by the Government that have proved excessively optimistic. It has now become clear that the hope of better behaviour from Irish republicanism, on which the Government were counting, has simply not materialised. We have seen all the breaches that I mentioned and we have also seen very little progress in decommissioning. However, the Leader of the House expressly said last December that we would be "more likely" to see more decommissioning if we granted the special status.

Of course, there has been no progress on other implementation issues in the Belfast agreement, such as Sinn Fein accepting the new Police Service of Northern Ireland.

The expectations that the Government were counting on—some would say naively—which the Leader of the House made explicit when he was trying to justify the unjustifiable last December, have been shown to be false. The Government made a major miscalculation and, in my view and that of my right hon. and hon. Friends, the position should be rectified.

The motion represents a sanction, and a sanction is badly required, but the motion itself is conditional. That is a vital point. I have said that special status is not viable or acceptable in the long term, but we have a choice about when and how we end it. Under our motion, it would still be open to Sinn Fein to keep its special status for the time being—pending a global solution, when I hope that its members take up their seats in full—if it unequivocally renounces violence. That must of course mean a commitment to disband the IRA, renounce the armed struggle definitively, abolish its military structures and complete decommissioning in accordance with the agreement to the satisfaction of General de Chastelain. In other words, we have lived up to the tactics that we have consistently urged on the Government. Our sanctions are contingent and balanced, as our concessions would be. They are not unilateral and unreciprocated.

What has happened over the weekend further vindicates our approach. When we called the debate in July to press for the power of exclusion from the Executive, on the very hour of the very day that that debate was timed to start—5 o'clock in the afternoon—we had the IRA apology. This time, within 36 hours of our putting down a relatively robust motion, Gerry Adams has made his most encouraging statement yet—not excluding disbandment. [*Laughter.*] Perhaps it is all coincidence, or perhaps we should initiate debates on Northern Ireland more frequently, and put the matter to the test.

Lembit Öpik (Montgomeryshire): Is the hon. Gentleman saying that he and his party genuinely believe that, on account of their motion, the IRA and Sinn Fein altered their strategy?

Mr. Davies: It was an extraordinary coincidence, was it not? The Opposition debate in July, which had the clear and announced aim of introducing a motion to enable the Secretary of State to exclude Sinn Fein from the Executive, coincided with the IRA apology. It was timed for that very moment. It could, of course, be coincidence, as could the link between this motion and the statement made by Gerry Adams over the weekend. I merely say that perhaps we should initiate more debates and put the matter to the test. Presumably, in good scientific fashion, when the correlation recurs after a certain number of experiments have been conducted, we shall be able to draw a conclusion.

We have been urging another issue on the Government for more than year. We first asked them last October to attempt to negotiate a global and comprehensive accord that is multilateral, interlinked and timetabled, which I have called a programmed process, covering the implementation of the Belfast agreement and the resolution of all other outstanding matters, including the Weston Park matters. I urge the Government once again to take on board, as they sadly have not done yet, what I said over and over again and at great length in our debate in July. No party in Northern Ireland will make a significant move unless it knows in advance what proportion of the total price to be paid that move represents, what it will get in return,

and when, so timetables must be involved as well. Everyone needs to see the end game and to know the details and timing of each step towards it. There must be clear provision for what happens if there is non-compliance along the way. All the concepts that, until now, the Government have resisted—linkage, penalties for non-performance, timetables—will be essential if real progress is finally to be made.

Michael Fabricant (Lichfield): Is my hon. Friend satisfied that even if the Government set down such a timetable they will adhere to it? He will recall that the Government said that the release of convicted prisoners from the Maze would be phased with decommissioning. They made that clear but, at the end of the day, every convicted terrorist was released before any decommissioning took place.

Mr. Davies: My hon. Friend is right. I made that point myself and we should make it over and again. The Government should never be allowed to forget it. The Belfast agreement provided that decommissioning should be completed within two years and that prisoner releases should be completed within two years. It is hard to believe that anybody could be so naive as to have delivered 100 per cent. of their side of the bargain while nothing whatever on the other side was delivered. That was not merely an error, but a fundamental error which set the Government on the wrong course, and they have been following that course ever since. Through this debate, I am trying to ensure that they get back on the right course and go forward in the right direction.

I hope that the Government have learned that their policy of unilateral concessions and turning a blind eye, or even their attempts to reach piecemeal agreements or understandings with one party or another individually—a course that immediately arouses the suspicions or opposition of others—simply will not work.

My hon. Friend asked what guarantees there would be that, if we set a deadline, Sinn Fein or others would meet it. I have not suggested that anybody should set a unilateral deadline; I have been putting forward a multilateral and comprehensive concept. It is extremely important that everything in the package is interlinked and that everybody knows precisely who has to do what and by when.

I hope that I have made it clear that there is a fundamental conceptual difference between us and the Government on the right tactics to be pursued. Their tactics have not worked and we are in a terrible mess, so I hope that they will pay serious attention to good advice from the Opposition.

Mr. Peter Mandelson (Hartlepool): Will the hon. Gentleman clarify his argument? I thought that he was arguing that giving special status to Sinn Fein MPs was unacceptable and unsavoury, and wrong in principle. However, he also seems to be arguing that the Government's tactics of negotiating and horse trading are not being followed perfectly. The process that he describes is one of horse trading, negotiation and concession, inducements and rewards to Sinn Fein. Can he confirm that that is his argument and that there would thus be nothing wrong in principle with agreeing to what he describes as an amnesty for on-the-run terrorists, to changes to the policing legislation or to giving access to facilities in this place, but merely that he wants the horse trading to be done more perfectly? Is that right?

Mr. Davies: As always, I am grateful for the right hon. Gentleman's intervention. He is known for both his experience of Northern Ireland and his mental agility, so if anyone were able to defend the Government from the Back Benches it would be the right hon. Gentleman. I notice that the Leader of the House has been remarkably silent during all my strictures against the Government.

The right hon. Member for Hartlepool (Mr. Mandelson) is wrong, however. He is right to the extent that the type of comprehensive solution that I have set out involves incentives and deterrents. I am happy to agree that those concepts are involved.

However, introducing the whole issue of special status was the Government's doing, and it was quite otiose, gratuitous and extremely foolish; it was never in the Belfast agreement.

The right hon. Gentleman probably knows the Belfast agreement backwards—I have tried to learn it at least forwards if not backwards during the past few months—and there was no suggestion of special status. It was wrong to offer it because it was wrong in itself. First, it is obnoxious in principle, as I have already said, and, secondly, it was perverse. I have already explained why it was perverse: it prevented Sinn Fein from grappling with the real issue of whether it would end up taking its seats here properly.

Mr. Mandelson *rose—*

Mr. Davies: I shall have to wind up my speech in a moment. I know that the right hon. Gentleman will catch your eye, Mr. Deputy Speaker, if he wishes to do so later, and I look forward to his contribution. He is right to say that a package approach is required, but introducing into the package an element that was not required under the agreement, such as special status, seems to have been extremely damaging from every possible point of view.

The new Labour Government have a vast majority and are protected by their army of spin doctors—*[Interruption.]* Of course, that is the case, and the whole country knows it now. However, I am particularly sad that they chose to play fast and loose with the honour of Parliament, with the procedures of the House and with the fundamental equity that ought to exist between all Members who are elected to take their seats.

I shall end on a positive note. The Government are now embarking on at least a change of personnel, and I have sincerely welcomed the right hon. Member for Torfaen (Mr. Murphy) to the Front Bench. If, in the light of the disappointments of the past four years—they must be extremely disappointing to the Government privately—and the failure of their tactics, they are prepared to reconsider and to go forward on a more realistic and robust basis, we shall be delighted to support them, and I mean that very sincerely.

However, we can make a good start tonight by making it clear that, if there is no movement and no compliance, we must have the courage to withdraw

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concessions as well as to make them, and that the concession of special status for Sinn Fein cannot stand if there is no countervailing and appropriate response from those who have benefited from it. I hope that the House will think that a reasonable and sensible signal to send to all concerned in Belfast, and I look forward to hearing the Government's response.

5.7 pm

The Secretary of State for Northern Ireland (Mr. Paul Murphy): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

"recognises the fundamental need for the affairs of Northern Ireland to be settled on an exclusively peaceful, democratic and inclusive basis; and does not believe that expelling any party to the peace process from the parliamentary precincts is likely to encourage them to renounce violence and to pursue a political settlement within that process."

I am grateful to the hon. Member for Grantham and Stamford (Mr. Davies) for his kind words of welcome, and I look forward to working with him and other Conservative Members who are interested in Northern Ireland.

I am very conscious of the accomplished act that I have to follow: my right hon. Friend the Member for Hamilton, North and Bellshill (Dr. Reid) led Northern Ireland affairs with a very sure touch. I have admired—I am sure that many others have done so, too—his commitment, toughness and breadth of thinking, and Northern Ireland will miss the unique contribution that he was able to make. The nature of his new role as Minister without Portfolio means that the House may hear less of him for a while, although those listening to the "Today" programme may well be more fortunate.

Despite my sadness at leaving my previous job as Secretary of State for Wales, it is very good to be back among so many people in Northern Ireland's political life with whom I worked closely when the Belfast agreement was prepared. I still believe that that agreement was one of the greatest achievements of statesmanship anywhere in the world in recent years. That is not just, or even mainly, to the credit of the British and Irish Governments: the main contribution came from those in political life in Northern Ireland who worked on it, and often took great risks for it, and they deserve our admiration. Some of those people are Members of the House—the right hon. Member for Upper Bann (Mr. Trimble) and the hon. Members for Foyle (Mr. Hume) and Newry and Armagh (Mr. Mallon). Some are members of the Northern Ireland Assembly, which I profoundly hope we shall see up and running again before long. However, many in both of the governing parties in the House have also shown great breadth of vision and willingness to take risks. Without those qualities on the part of the last Prime Minister, as well as the present one, and on the part of my predecessors before and after 1997, we should not have made the strides that we have. We should have in mind their insight and their courage as we consider the motion this evening.

Of course, some political parties in Northern Ireland disagree fundamentally with aspects of that agreement. I respect their convictions, too, and I believe that they are driven by a commitment to advance Northern Ireland towards a happier and more peaceful future. I look forward to discussing those matters with them in the coming days.

I have happy memories of my encounters with those in Northern Ireland politics. I am therefore very sorry, in many ways, that on my first appearance in the House as Secretary of State the motion obliges me to disagree with a number of hon. Members, including some who would support the Belfast agreement. As the motion refers to larger questions about the circumstances that have led to the suspension of devolved government in Northern Ireland, I hope that I may set out some of my impressions of those matters, of how we might move forward and of how the issue of facilities here may impact on that.

Four and a half years on from the conclusion of the agreement on Good Friday 1998, I still believe that it offers the only way forward for Northern Ireland. I believe that Northern Ireland has benefited substantially from it, and many of those benefits were delivered through the mechanism of devolved government. The hon. Member for Grantham and Stamford referred to the fact that mistakes have been made over the last few years—mistakes by Governments, perhaps mistakes by the Assembly, and mistakes by politicians. The thing that I remember most vividly about Good Friday 1998—probably no one in the House this afternoon was present for those negotiations—was that, when the business was concluded in the late afternoon, George Mitchell, who chaired the talks, said that the agreement had been signed but that the difficulties lay ahead, and that, inevitably, the road would be bumpy in the years following the agreement.

The hon. Member for Grantham and Stamford also said that, in his view, the Government could have done certain things during the past four years to improve the situation. I am not saying for one minute that this Government or any Government do everything right, but I know that governing with a big majority in the House of Commons—the biggest for many years—was not the answer to the problems of Northern Ireland. It helped, of course, but, as far as Northern Ireland was concerned, if the agreement was to be successful—as I believe that it will be—majorities in the House of Commons did not matter. Ultimately, it does not matter what a British or Irish Government can do. With a majority of 100, or whatever it was, of course we could have passed the Belfast agreement, perhaps in a matter of weeks. We could have imposed an agreement on the people of Northern Ireland, but it would have failed miserably, as we know, and an agreement is only possible if it has support among all political parties in Northern Ireland, as far as that can be ensured.

Of course, not every party in Northern Ireland agreed with the agreement. Those who did agree, however, knew full well that, without each other, it would surely fail. That is the fundamental error in the remarks of the hon. Member for Grantham and Stamford. He thinks that the Government or Governments can achieve that end, but we cannot. It can only be achieved through the parties, and, of course, through the endorsement of that agreement by the people of Northern Ireland in the referendum.

Mr. John McFall (Dumbarton): I welcome my right hon. Friend as Secretary of State. I know of the great

work that he did in the lead-up to the Good Friday agreement. He will make mistakes in the future, because the political situation is imperfect, but he will listen to the politicians and, more than anything, he will listen to people in the community.

Will my right hon. Friend keep the headline issue in mind as he undertakes his privileged job? Since 1994, when the IRA ceasefire began, many families have been able to stay intact because fewer people are in their graves as a result of the disorder. That is the success of the Northern Ireland peace process. The aim of ensuring that there is safety and peace in those communities should keep my right hon. Friend and others going.

Mr. Murphy: I agree with my hon. Friend, who was a Minister in Northern Ireland for some years and played his part in the development of the process. Anyone who returns to Northern Ireland and reflects on what it was like before the agreement will understand that irrespective of what problems we face now and have faced since the agreement was signed, the world has changed in a remarkable way. I started to take an interest in Northern Ireland when on the Opposition Front Bench in the mid-1990s. Anyone who compares the earlier Belfast, or any other town or village in Northern Ireland, with the city now will see the difference not simply in the number of people who have died, which is the most important consideration, but in the quality of life.

As Secretary of State for Wales, I worked with a successful Assembly in Cardiff and I know that the benefits of a devolved Assembly are enormous, as are the benefits of the agreement. It is not just what the Assembly has done in Northern Ireland, but the fact that people from Northern Ireland run their own affairs.

Mr. Quentin Davies: Used to.

Mr. Murphy: Of course, and we aim to ensure that the Northern Ireland Assembly is up and running as soon as possible.

Real achievements have been made and there is greater potential in the devolved government system. Northern Ireland has been changing rapidly and for the better. For example, there have been new policy initiatives on travel for old people, the organisation of industrial development promotion and the better performance of services for agriculture and health. The physical fabric has been improved with, for instance, the building of the Odyssey centre, which is new since I last worked in Belfast. I believe that people in Northern Ireland want devolution back and I shall apply all my efforts to securing that at the earliest opportunity. I am glad that the hon. Member for Grantham and Stamford and I have at least that much in common.

Chris Grayling (Epsom and Ewell): The Minister must realise that the fundamental problem is the lack of trust in Sinn Fein-IRA. The hon. Member for Dumbarton (Mr. McFall) highlighted the improvements in Northern Ireland, but there have been increased terrorist activities in Colombia as a result of Sinn Fein-IRA's activities. Sinn Fein-IRA could not be trusted in Stormont. Can they be trusted here?

Mr. Murphy: Trust is important, but it has to be between all parties. Everything that might go wrong, everything that has gone wrong now and again and everything that went wrong before the agreement was signed stems from the lack of trust. That is not confined to one side, however. Both sides have a problem with trust, which has been the case traditionally and historically. Trust cannot happen overnight.

The hon. Gentleman is right to tell the House that events in the past months and years have caused trust to evaporate. The suspension of the Northern Ireland Assembly is a direct result of a lack of trust between political parties there. It is the job of the Government and Members of the House of Commons to ensure that that trust is restored. The motion does not help to achieve that end and trust between parties in Northern Ireland will not be helped one jot if the House agrees to it. I am not suggesting that hon. Members who believe that the motion is right are insincere, but it will not do the trick.

Mrs. Dunwoody: Will my right hon. Friend address the fundamental problem that there are two classes of Members in the House of Commons? There are some who accept responsibility to the United Kingdom and their constituents and some who do not. The Leader of the House may shake his head, but that is the case.

Does the Secretary of State accept that situation, because it is not only fundamental but extremely dangerous?

Mr. Murphy: My hon. Friend raised those issues in a previous debate, and of course she is entirely right to say what she thinks. However, the motion that we are debating would perpetuate the situation, because if Sinn Fein agreed with the conditions that it sets down, there would continue to be two classes of Member in this House. The Leader of the House will deal with the matters specifically related to the House when he winds up the debate. He will have heard what my hon. Friend said. My interest in all this, which I am sure is the same as that of most Members, concerns the fact that if there is any action that the House can take to improve the chances of peace in Northern Ireland, we should take it—it is as simple as that.

Mr. Quentin Davies: I entirely agree with what the right hon. Gentleman said about the importance of trust. He said that passing this motion would not enhance trust in Northern Ireland, but when trust has been given, as it was given by the Government last December, and abused, should nothing be done about that?

Mr. Murphy: Indeed it should, and I hope to address some of the points raised by the hon. Gentleman later in my speech.

Mike Gapes: I add my voice to those that have congratulated my right hon. Friend on his new appointment. I had the pleasure of serving as his Parliamentary Private Secretary when, as Minister of State, he played such a vital role in negotiating the Good Friday agreement, and his appointment is well deserved.

Does my right hon. Friend accept that the agreement is not the property of any of the eight parties who signed it or of the two Governments but remains the property of the people of Northern Ireland because of the referendum in which they endorsed it? It is therefore

[Mike Gapes]

foolish for people to try to play games with issues surrounding the agreement which could undermine it and reverse the progress that my right hon. Friend so excellently negotiated.

Mr. Murphy: I agree with my hon. Friend. When he was my PPS he, too, played an important role in the events leading up to the Good Friday agreement.

As the Prime Minister and the Taoiseach jointly emphasised when devolved government was suspended, an inclusive Executive built on trust, along with the other related institutions established by the agreement, offer the only means whereby Northern Ireland can be governed in the best interests of the community. They offer a sustainable basis for fair and honourable accommodation between Unionists and nationalists.

Mr. Andrew Robathan (Blaby): Will the right hon. Gentleman give way?

Mr. Murphy: In a moment.

As the Prime Minister and the Taoiseach also stressed, it is essential that concerns about the commitment to exclusively democratic and non-violent means are removed. The time has come for people clearly to choose one track or the other. I know that the hon. Member for Blaby (Mr. Robathan) will agree with every word of that.

Mr. Robathan: I am grateful to the Secretary of State for giving way, and I genuinely wish him well in his new appointment.

On the question of trust, is it the case that Gerry Adams and Martin McGuinness have been not only inextricably linked to the IRA but heavily involved in the IRA for several years, and they are probably still on the army council? Is it the case that Sinn Fein-IRA were plotting and spying in the Stormont Administration with a view to possibly using the information later in terrorist activities? What leads the Secretary of State to believe that Sinn Fein and the IRA are not using the facilities in the House of Commons to plot and to spy on Members here, including himself, with a view to possibly using the information later in terrorist activities?

Mr. Murphy: The hon. Gentleman knows that it would not be right for me to comment on those matters because they are the subject of an inquiry.

Kevin Brennan: I echo the words of congratulation to my right hon. Friend. I have known him for some years so I will not go into detail, as others have.

Does my right hon. Friend agree that it would be equally, if not more, dangerous to deny normal facilities to Members of this House, even if they have not taken the Oath, when they have been democratically elected in their own constituency by people who may not believe that they should be part of the United Kingdom?

Mr. Murphy: The answer is yes. It would be wrong to deny the constituents of those constituency MPs the right that every one of us shares. I will touch on that matter in a moment.

Mr. Laurence Robertson (Tewkesbury): The motion seeks to deny access to this place not to the electorate in Northern Ireland, but to the people who were elected to it and who will not take their seats. If they do not take their seats, they cannot participate in the House. What, therefore, does the Secretary of State imagine their allowances are being used for?

Mr. Murphy: The hon. Members to whom the hon. Gentleman refers made it clear in their election campaigns that they would not take up their seats. Under our constitution, the way in which we elect Members to the House means that they were elected by a majority of the people in their constituencies. There is still an onus on them to represent not only those who voted for them, but those who did not vote for them. My right hon. Friend the Leader will return to that.

As the Prime Minister made crystal clear in Belfast earlier this month, nothing other than what I have described can work. The essential trust underpinning the agreement cannot be restored unless it is clear to everyone that debate and peaceful resolution of differences is the only track being followed. With that exclusive commitment, we can make very rapid progress. Without it, the Government will do all they can to secure the continuing benefits of the agreement, but the future of the devolved institutions, and of Northern Ireland more generally, is inevitably cast into doubt.

There is of course a need for commitment. Everyone must be assured that there is a willingness to work in the institutions on a genuinely inclusive basis. Again, all parties in Northern Ireland—and all parties in this place—must leave that in no doubt. It is highly relevant to the motion that we are discussing tonight.

As the hon. Member for Grantham and Stamford said, the question of violence, and preparations for violence, is crucial. The Prime Minister has said that he believes that the leaders of Sinn Fein, who are Members of this House but have not taken their seats, want the agreement to work. From what I knew of them in the past, I am also convinced of their commitment. I believe that they have brought their movement a very long way in the cause of peace. I believe that they are dedicated to making the agreement work on a constitutional basis.

Let us not forget how far the republican movement has come in its record in making constitutional politics work in Northern Ireland. The conscientious and industrious participation of Sinn Fein Members in the Assembly and Executive in recent years could not have been imagined a few years ago, and I interpret the remarks of the president of Sinn Fein at the weekend as continuing in the same direction. It was a thoughtful and detailed speech, which merits careful consideration. I hope to discuss it with him shortly when I meet all the parties in Northern Ireland this week.

However, much that has happened in Northern Ireland in recent months has led to doubts—doubts that I entirely understand—about the commitment to exclusively peaceful means, in line with the Mitchell principles, on the part of the republican movement as a whole. There has been deplorable violence on the part of loyalist paramilitaries as well. It is one of the most acutely painful reminders of the past that we had hoped that Northern Ireland had left behind. We will make every effort to deal firmly with that violence, as we will with violence and criminality from any quarter.

My predecessor took resolute steps, as has the new Chief Constable. That work will go on with vigour while I am Secretary of State. But there is a difference, in that the loyalist parties have not formed part of the Administration in Northern Ireland, whereas Sinn Fein has.

Activity appearing to be the work of parts of the IRA has had a profoundly destabilising effect, and we must tackle it. However, we must be clear about the extent of that activity. The context of the motion would have been different had that activity been considered a breach of the ceasefire. Both my right hon. Friend the Prime Minister and my predecessor set out how they would deal with the question of ceasefires in their statements on 24 July. I, of course, stand behind that approach, and I will act with no less resolution.

There has been much to cause worry, and entirely understandable worry. My right hon. Friend the Minister without Portfolio expressed concerns about violence from paramilitary groups on all sides in Northern Ireland. He had not reached the conclusion that there had been a breach of the IRA ceasefire of 1997. However, as my right hon. Friend the Prime Minister made clear in his recent speech, we need to move beyond ceasefires to acts of completion.

The challenge that my right hon. Friend the Prime Minister has laid before the republican movement is to complete the transition to exclusively peaceful means. I believe that all who uphold the agreement should do all that they can now to help the republican movement to do so. I do not believe that the motion would help lead the republican movement to that further transformation.

We are asking that those within the movement who still believe that violence, or the implicit threat of violence, still has a place in the advancement of their legitimate political aims should change that position. I do not see how the withdrawal of office facilities and other associated entitlements in this place could realistically influence the paramilitaries to abandon the course of violence. I cannot for one second agree that the debate has led to what the president of Sinn Fein said during the weekend. I am sure that that is not so.

Withdrawal of the facilities that were accorded at the end of last year would give only further grounds for saying that both Parliament and the Government are unreliable, and that their word to nationalism can never be relied on. Whatever we may think of the merits of that view, it is a widespread one. *[Interruption.]* I shall repeat that because those who know Northern Ireland will understand that whatever we may think of its merits, it is a widespread view there. We must do all that we possibly can to neutralise such suspicions and make it clear that legitimate nationalist aspirations, like legitimate Unionist aspirations, will be allowed the fullest opportunity to advance by consent within an exclusively non-violent and democratic process.

Mr. Nigel Dodds (Belfast, North): I too welcome the right hon. Gentleman to his post as Secretary of State for Northern Ireland. I am interested in hearing his argument about not applying sanctions to IRA-Sinn Fein. Why did the Government take sanctions against the Ulster Defence Association and why did they not believe in that instance that that would not help to bring the UDA into a democratic process?

Mr. Murphy: The sanctions to which the hon. Gentleman is referring would have had an entirely different impact from the sanction that the motion would introduce. The motion would not move Sinn Fein in the direction that we want it to move. If the motion were passed, it would have exactly the opposite effect. That is my fear. In my mind, we have been left in no doubt that that would happen. That was the central thrust of the speech of my right hon. Friend the Prime Minister last week. That is central to the full implementation of the agreement. Indeed, on entering the political talks in 1997, it committed itself to the Mitchell principles. One of Martin McGuinness's concerns was to subscribe to a commitment to non-violence and exclusively peaceful and democratic means, as one of the elements derived from the Mitchell principles, in the pledge of office when he took the post of Minister of Education in Northern Ireland.

David Burnside (South Antrim): I also congratulate the Secretary of State on his new position. We have had Englishmen, Scotsmen and Welshmen, and I look forward to the day when we will have an Ulsterman as Secretary of State for Northern Ireland. Then we will truly be British.

Before the right hon. Gentleman concludes his remarks, will he define what a ceasefire is? We still await the resolute action from his predecessor on defining the term. The present definition, from the Provisional IRA, is that it does not kill British soldiers or shoot members of the police force. Everything else, both nationally and internationally, is allowable. Does he accept that definition?

Mr. Murphy: As the hon. Gentleman knows, the terms were laid out in the conditions of 24 July and have been repeated over a number of years. The Secretary of State has to take into account all the difficulties that he or she might have, consider the circumstances in the round and take a decision on whether the ceasefire has been breached. The hon. Gentleman knows the conditions that must be met. My predecessor took the view that they did not apply and that the ceasefire had not been broken. However, I agree with the hon. Gentleman inasmuch as I, too, look forward to the day when an Ulsterman is in charge of devolution and the Northern Ireland Assembly—the day when the right hon. Member for Upper Bann returns as First Minister.

All those who know Northern Ireland politics, including, I suspect, the authors of the motion, know how a condition of the sort that is proposed would be seen. It would be taken as a clear snub to people whom the Prime Minister and I believe are sincere in trying to bring the necessary transition to a conclusion. The fact that that transition has been too slow is not a reason for making it more difficult for the journey to be concluded. Hon. Members may protest that that is not their intention, but in the light of recent history, that is how it would appear. Both the Prime Minister and the

[Mr. Murphy]

Taoiseach have made it clear what steps are needed. I do not believe that the proposed declaration adds anything to them.

Mr. Paul Goodman (Wycombe): The Secretary of State is arguing that it is generally right to exert pressure on Sinn Fein-IRA to observe peaceful and democratic means. In that case, why is it wrong specifically to exert pressure on them as my hon. Friend the Member for Grantham and Stamford (Mr. Davies) proposed, by denying them facilities in this place? Why would that not exert pressure on them to use peaceful and democratic means?

Mr. Murphy: Negotiations are dealt with and pressure—if that is the right term—is applied to everybody in the process in the proper way, within the terms of the process. It strikes me that the tabling of Opposition motions on the Floor of the House is not the right way of developing a peace process in Northern Ireland or anywhere else. The hon. Gentleman knows that that is the case. At the end of the day, as one of his colleagues said, for the people of Northern Ireland, the question is one of trust. How should trust be restored? I do not think that one restores trust by supporting Opposition motions in the House of Commons. The points that have been made in the debate should certainly be made, but deciding unilaterally to take a course of action outside the proper process will not necessarily mean that we arrive at the desired outcome that all of us want—the restoration not only of trust between the parties in Northern Ireland, but of peace. The combination of the two is very important.

The message that all of us who wish Northern Ireland well and want to see it advance politically need to send out is that Sinn Fein and its associates must pursue their objectives in purely constitutional ways. The resolution on facilities was passed last December as a further opportunity for them to proceed down that constitutional path. It was not an endorsement of their abstentionist policy. It would be much more satisfactory if Sinn Fein Members took a full part in the proceedings of the House, but for the present, they decline to do so. Their attitude is regrettable, but a very curious message, liable to be interpreted in a very negative sense, would be sent out if we agreed to the motion at a time when we are pressing Sinn Fein more intensely than ever before to follow constitutional ways. The motion would at least conditionally cut off an avenue to constitutional activity. I do not believe that that makes sense.

Kate Hoey (Vauxhall): The Secretary of State said that the motion would send a very negative sign to the nationalist-republican community and especially to IRA-Sinn Fein. What sort of sign does he think it sends to ordinary, decent pro-Union people in Northern Ireland?

Mr. Murphy: I agree that everybody in Northern Ireland wants peace and prosperity whether or not they agree with the Belfast agreement and that, of course, everybody's views must be taken into account. We must understand that. However, I return to the central point: if we want Sinn Fein and the republican movement to take a certain route, I do not believe for one second that we would improve prospects in that regard by taking away what this House granted some months ago. There are other ways in which pressure should rightly be exerted on everybody who is involved in violence in Northern Ireland, but we delude ourselves by thinking that people will look at this debate and say that taking away facilities will somehow completely change the atmosphere in Northern Ireland. Of course that will not happen.

Instead, it will send the signal that we in the House of Commons have unilaterally used the motion to go down this path when everyone knows that the only way to bring back the Assembly and to get Sinn Fein and the republican movement into the process is to go through the process that was set up by the Belfast agreement. The agreement was not formed after a couple of debates in the House of Commons or anywhere else. It happened because people in Northern Ireland voted for it and because there had been months and years of negotiations involving my right hon. Friend the Prime Minister, the previous Prime Minister and previous Secretaries of State for Northern Ireland of both parties. The only way to proceed is by continuing that process, not by having debates every now and again and hoping that they will change the world. It will not work like that. The only way that the process will develop is by sticking to what we have already done in the agreement and ensuring that we implement it in the fullest possible form.

Mr. Mark Francois (Rayleigh): The Secretary of State appears to be arguing that allowing Sinn Fein-IRA to have facilities in the House of Commons is integral to the Belfast agreement. That is his argument and the whole tenor of his speech. Will he therefore tell the House, on his first outing in his new role, which particular sections and paragraphs of the agreement state that that is the case?

Mr. Murphy: That is not my argument. If the hon. Gentleman had listened to what I said, he would not have said what he has just said. I am saying that the only way that we can move forward in Northern Ireland is to ensure that we implement the agreement in all its forms and ensure that there are proper discussions, negotiations and talks with all the parties in Northern Ireland—and between Governments as well—so that we arrive at a settlement that would satisfy all sides. That is the only way to proceed.

The House decided some months ago to give these privileges to the Members concerned, and I do not believe that taking those privileges away today would help the peace process at all. In fact, I think that it would probably hinder it. However, this debate is not central to the peace process—far from it—and that is why I am saying what I am saying.

Mr. Waterson: The Secretary of State may be right that the debate will make not a jot of difference to what happens in Northern Ireland. However, does he not think that there is a hint of irony in the fact that one reason why it may not is that those hon. Members who might have something to contribute to the debate from

their side of the argument may be in their offices watching it on television without the slightest intention of coming to the Chamber to participate?

Mr. Murphy: I do not know whether those hon. Members are watching the debate on television. However, if they are, I hope that they will take the main message in my remarks. If they commit themselves to exclusively peaceful and non-violent means and people in the republican movement understand that they have to earn the trust of those in the Unionist community—and vice versa—we will have an Assembly back in Belfast working for the benefit of all the people in Northern Ireland. That is what we want. To repeat what my right hon. Friend the Prime Minister has said, we have reached the stage when we must address such issues. We cannot carry on in the way that we did in the past. What the president of Sinn Fein said at the weekend was a move in that direction, but I wait with interest to hear what he will say to me later this week.

As my hon. Friend the Member for Cardiff, West (Kevin Brennan) said, we should bear in mind another important interest group—the constituents of hon. Members who follow the policy that I have described. There are about 250,000 of them and some will have voted for Members who sit for their constituencies, and others will not have done. They should all be entitled to a proper constituency service. That was another reason why we provided last year for these facilities to be made available in the House. That reason remains as valid as ever.

I also know that many hon. Members on both sides of the House had serious concerns last December about the resolution that was approved. It was a departure for the House, and I understand why they hesitated over it. I nevertheless believe that it was the right thing to do. In my view, it has led Sinn Fein Members to more engagement with other hon. Members, and that is wholly beneficial. I am aware that a number of Members have attended open sessions that Sinn Fein Members have organised. That kind of opportunity for dialogue should not be lost.

Helen Jackson (Sheffield, Hillsborough): I welcome my right hon. Friend back to the Northern Ireland Office team. Does he acknowledge that during last December's debate the point was made, and accepted by the Leader of the House and by the House itself, that any facilities that the House offered should be offered to Sinn Fein Members on exactly the same conditions—in terms of constituency work and the purposes for which office costs allowance was used—as exist for any Member of Parliament; and that, in addition, Sinn Fein Members were equally required to fulfil the obligations of the Register of Members' Interests and so on?

Mr. Murphy: I understand my hon. Friend's points. I am told that those requirements have been met.

Much though the position in Northern Ireland has improved over the years, everyone who has spoken today, whatever their point of view, understands that we are at a sensitive juncture. On the question of those who are involved in government being committed to exclusively peaceful means, we have come to what the Prime Minister described as a crunch. Unless we have such a demonstrable commitment, we risk all the progress that we have made being stalled.

I come back to the Northern Ireland Office after an interval and with a determination to see the process brought to a conclusion. The Prime Minister has made clear his view about what is now needed. My first step will be to listen carefully to what all the parties have to say about the way forward. It will be very important for us to work in close consultation and partnership with the Irish Government to ensure that the implementation of the agreement continues and that the obstacles to an early restoration of the devolved institutions are removed.

The motion before us is not likely to speed us towards that objective. Indeed, I think that it would take us in the opposite direction. I believe, therefore, that the House should reject it.

5.47 pm

Lembit Öpik (Montgomeryshire): I welcome the right hon. Member for Torfaen (Mr. Murphy) to his new appointment. As I am the longest-serving Northern Ireland spokesperson in the House, I was hoping to get the job myself and thus fulfil the dream of the hon. Member for South Antrim (David Burnside) that an Ulsterman would finally be Secretary of State for Northern Ireland. However, I bear the right hon. Gentleman no malice and look forward to continuing the close and constructive working relationship that he and I enjoyed when he was Secretary of State for Wales.

I congratulate the right hon. Member for Hamilton, North and Bellshill (Dr. Reid), who is now Minister without Portfolio and chairman of the Labour party. No doubt, his experiences in conflict resolution as Secretary of State for Northern Ireland will be barely adequate to the task he faces in his new role.

It is clear both from this afternoon's debate and from previous debates that Sinn Fein having access to the facilities of the House is a highly sensitive question and one that has caused division in all the major parties represented here today. It is easy to understand why the pressures have grown recently, given the dramatic television pictures of the police raids on Sinn Fein's offices in the Assembly and the subsequent suspension of the devolved institutions. The arrest of a Sinn Fein member of staff at the Assembly and the accusations of an informer in the Northern Ireland Office have brought the process, which was already under massive strain, to near breaking point. However, I remind the House that those pressures have been building for 12 months and that they have always been present. To draw short-term conclusions from what is simply another step in a long-term process is therefore rather inappropriate.

Little more than a month ago, some two weeks prior to the police raids on Sinn Fein's offices in Stormont, the collapse of the Assembly appeared to be inevitable because the First Minister, the right hon. Member for Upper Bann (Mr. Trimble), had already promised his party's ruling council that he would pull Ulster Unionist Ministers out of the Executive if the IRA had not disbanded by January. Now let us be clear about this. It is inappropriate for the Conservatives to suggest in their motion regarding Sinn Fein Members' access to the facilities of the House that the recent activities of Sinn Fein—or a breach by it of the ceasefire—have directly, specifically and unilaterally led to the suspension.

This is not the first time that we have discussed these matters, nor is it the first time that some parties have sought to gain political capital out of a difficult

[Lembit Öpik]

situation. Last November, after much negotiation, the Assembly met to elect a First Minister and Deputy First Minister. More than 70 per cent. of MLAs voted for the right hon. Member for Upper Bann and Mark Durkan but, because of the divisive voting system in the Assembly, they were not elected. A few days later, the vote was repeated, with a similar number of MLAs voting as they had done before. This time, the vote was carried because some members of the anti-sectarian Alliance party pretended to be sectarian to maintain a framework within which everyone has declared that we hope to build a non-sectarian society.

So we are discussing today a series of difficulties that are not that different from what we have observed before. It comes as little surprise to me that the strains have come to the fore, but it is somewhat disappointing that the question of access to facilities in this House is being tied into a strategy for long-term gain when what is under discussion today is a tactical question.

The political crisis in Stormont has been brewing against a backdrop of continuing violence across Northern Ireland. There is no question about that, and I agree with what the hon. Member for Grantham and Stamford (Mr. Davies) said. He is right to suggest that a number of people in Northern Ireland have not experienced a peace dividend and still suffer punishment beatings and the underlying levels of violence that they would have expected or hoped to cease by now on account of the Good Friday agreement four years ago. Ordinary and decent citizens who support the agreement are fed up with the daily toll of stone throwing, graffiti painting, sectarian intimidation and pipe bombs.

However, in considering the access to facilities and how to move forward, we must remember that various parts of the community that have been involved in violence in the past are still involved in violence. There are loyalist elements in Northern Ireland who are doing every bit as much to destabilise parts of Northern Ireland as republican paramilitaries.

It is in that context that I want to focus on what the hon. Member for Grantham and Stamford said in moving the motion. It is rare that I find myself so much at variance with the hon. Gentleman. Although I will seek to disagree with much of his argument, he is perfectly entitled to take that position, as is the Conservative party.

Mr. Eric Forth (Bromley and Chislehurst): That's very good of you.

Lembit Öpik: I am pleased to hear how heartened and relieved Conservative Members are that the effective Opposition in this Chamber have granted them the right to be wrong.

The argument of the hon. Member for Grantham and Stamford gives us the opportunity to take a cool-headed and deeper look at the true dynamics of the question of how we move forward. He suggested that, a mere 48 hours after the Conservative party had tabled the motion, the IRA had acted accordingly to move forward. That is fantastic and if, on that basis, 48 hours from now, similar progress can be made, a tremendous service will have been provided to the peace process. If, as the motion says,

> "Sinn Fein honourable Members commit themselves to a public statement that all terrorist organisations, including the IRA, should rescind violence"

within 48 hours, I might be tempted to join the Conservative party myself, and I have little doubt that the Secretary of State will do the same. The right hon. Gentleman shakes his head. Perhaps that is a bridge too far in the world of hope. If it were that simple, we would have made more progress in the past.

I am concerned about the four fatal errors that the Conservative party believes the Government have made. The first is the decision to release all prisoners without conditions at the time. The second is the policy of turning a blind eye to transgressions; presumably primarily on the republican rather than the loyalist side. The third is to offer new concessions on what, by implication, was a unilateral basis. The fourth is the suspension of the Assembly, instead of the exclusion of Sinn Fein from the Executive. I want to examine those criticisms and compare them with what the Conservatives themselves had to do in government to move forward.

Let us examine the real world of Northern Ireland politics, and the dealing, bartering and pragmatic decision making in which any Prime Minister of any party and any Northern Ireland Secretary must engage to make progress in Northern Ireland. There are four things for which the Conservatives could have been criticised up to 1997: first, the squandering of an opportunity by having talks with the IRA at a time when the IRA had not even declared a ceasefire; secondly, turning a blind eye to all the carnage of the bombing, which, thankfully, has ceased in large part, but which was going on when discussions were held at the top level of a Conservative Government with people who had in no sense renounced violence; thirdly, giving concessions to terrorists—and let us remember that the whole debate about amnesties was commissioned by a Conservative Government, not by a Labour or a Liberal Democrat one; and, fourthly, failing to suspend those talks when some particular atrocities took place and before the discussions came to public light.

Unsurprisingly, other parties who understand the need to interact responsibly in this Chamber did not condemn John Major when he took a risk by having background talks at a time when the level of violence was significantly higher than it is today in England and Northern Ireland. It is to the credit of John Major, and not his damnation, that he was willing to do that.

I find it disingenuous in the extreme that the Conservative party in 2002 is willing to condemn a Government who are making rather less dangerous decisions on negotiations with former and allegedly current paramilitaries than it did when in government six or seven years ago. My counsel to the Conservatives would be that hypocrisy is the most dangerous strategy of all to pursue in Northern Ireland. Even though the hon. Member for Grantham and Stamford is being perfectly sincere in what he says, the mere semblance of hypocrisy is dangerous. As the Secretary of State

implied, what is said here can on occasion be interpreted in a damaging way among those who take a moderate line on both the Unionist and nationalist side in the discussions.

Mr. Quentin Davies: Will the hon. Gentleman give way?

Lembit Öpik: I am happy to give way, but let me stress again that I am not seeking to score points but to make progress.

Mr. Davies: The hon. Gentleman has mentioned hypocrisy several times and connected me with it, implying that I am speaking or behaving hypocritically. In other words, he assumes that I do not believe what I am saying. He knows that I have said consistently exactly the same thing about Northern Ireland and delivered exactly the same analysis and recommendations since I assumed these responsibilities. On what possible basis does he think that I do not believe what I am saying?

Lembit Öpik: As the record will show, not 30 seconds before the hon. Gentleman got to his feet, I was very careful to say that I did not question his sincerity. It is not my style to seek to gain political points against individuals by personalising attacks. I shall underline again the point that I am making, which is an important one. The semblance of hypocrisy, or the appearance of a contradiction between what the Conservative party says in opposition and what it did in government, right up to the Prime Minister himself, is what can cause damage to those, particularly on the Unionist side, who seek to take a moderate course, because we all know that there are significant elements that are seeking to move the Ulster Unionist party in particular in a more hard-line direction. I have absolutely no axe to grind about the sincerity with which the hon. Gentleman speaks.

I often disagree with his analysis, but he is perfectly entitled to his view. I am not denigrating him but simply suggesting that the Conservatives have some explaining to do—perhaps they will take this opportunity to do it—about why their policy is so different now from what it was six years ago.

Mr. Hugo Swire (East Devon): In the pushmi-pullyu world of Liberal Democrat thinking, can the hon. Gentleman clarify whether he is castigating the Conservative Government for talking to the IRA or congratulating them on getting the peace process rolling?

Lembit Öpik: The great thing about being a Liberal Democrat is that we tell the truth, so we do not have to remember what we said. I think that I have made it pretty clear today, and in other debates that the hon. Gentleman may or may not have attended, that I do indeed congratulate John Major and Conservative Secretaries of State on having initiated the very process that the current Government are seeking to proceed with. I would like to think that there is not a soul in the House who would detract from that achievement. Indeed, I have said that it was the one enduring contribution that John Major made to British politics. I hope that I do not have to spell it out any more clearly than that. It is disappointing that that achievement is apparently being fogged by the party's current move away from his strategy.

A cool analysis of the motion reveals an inference that the ceasefire has been breached. Individuals may believe that, but as the Secretary of State clearly stated, there has been no determination that the IRA has breached the ceasefire and it is not helpful to suggest otherwise. *[Interruption.]* No, there is a clear process to determine whether the ceasefire has been breached, and we could have a separate debate on that.

Let me emphasise again that the trigger for the suspension was quite evidently a judgment call that this was the best way to continue the peace process. Allowing the institutions to collapse by the walk-out of loyalist politicians would have been much more destabilising than the current situation. The motion does not appropriately reflect what is going on in the real world of Northern Ireland politics. That may be a drafting issue, but the record does not make allowance for that, so we should not approve it simply on the grounds that it makes the erroneous inference that the ceasefire has been breached, quite apart from the question of facilities.

The subject of facilities is one on which I would be less inclined to take strong issue with the hon. Member for Grantham and Stamford and his party. Different views are taken on it, even within my party. My hon. Friend the Member for Cheadle (Mrs. Calton) and I take the view that it would be inappropriate to take away the facilities, as Sinn Fein moderates have done a lot to try to convince their hardliners that political dialogue is the most effective way of achieving their objectives. To his credit, the hon. Member for Grantham and Stamford often visits the Province, as I do. I have been left in absolutely no doubt that the vast majority of Sinn Fein activists and officers now recognise that peaceful dialogue is the best way forward. Let us not pretend or suggest that Sinn Fein or the IRA now actively desire violence as an outcome. However despicable or unforgivable it may be, it was always regarded as a process.

There are divisions between hardliners and moderates on both the loyalist and the republican side. In my judgment, allowing access to facilities in the House has considerably helped the republican moderates in trying to persuade their sceptics—those who would be more inclined to revert to violence—that peace can work and political dialogue can be effective, and that the republican cause is best served by moving away from the damaging approaches of the past.

Those who take a different view should consider that not as a profound matter of principle—although some have expressed it in those terms—but as a judgment about the best way of strengthening the hand of the moderates in the republican community, whom we desperately need to support, allowing them to point to what is going on in Westminster and show what will be destroyed by reverting to violence. As the hon. Member for Grantham and Stamford said, it depends whether we take a carrot or a stick approach. By and large, I believe that in this situation the carrot will work better than the stick.

If we take away the facilities, it will be a gift to the hardliners and those who would say that we were never sincere about giving them the chance to participate

[Lembit Öpik]

actively in Westminster. Still worse, there could be a change in the power arrangements on the republican side, simply because the promises that had to be made from the inside to maintain what has been largely an effective ceasefire would have been broken.

There is an even more fundamental reason why I believe that the access to facilities should continue. In truth, all the major parties have taken advantage of the fact that they can now have direct dialogue with individuals from Sinn Fein. Only a few days ago, I witnessed a heated discussion between Mitchel McLaughlin and a Conservative spokesperson. There was no love lost in that discussion, but I was pleased to see the dialogue, because dialogue has probably been the single most important key to unlock progress on peace.

Continuing to allow access is a relatively modest measure. Access has afforded us much better opportunities to talk to Sinn Fein and understand its perspective, and it further ties the party into the democratic process. I have been grateful for the opportunity to speak informally to Sinn Fein Members in the Corridors, just as I talk to colleagues from other political parties. That is where much of the work gets done in Northern Ireland politics.

This is a free vote for the Liberal Democrats, but I advise my colleagues not to support the motion. Those who seek to deny Sinn Fein access to facilities should tell us the answer to this question: why would the removal of the opportunity to be at the heart of the democratic process in the United Kingdom make republicans more likely to want to participate?

Several hon. Members *rose—*

Madam Deputy Speaker (Sylvia Heal): Order. As time for the debate is somewhat limited, I make a plea to hon. Members to be brief so that as many as possible can contribute.

6.9 pm

Mr. Tom Harris (Glasgow, Cathcart): I share hon. Members' profound sense of disappointment about the suspension of the devolved institutions. Surely we all agree that the sooner they are back up and running the better. The motion, which stems from that suspension, represents yet another departure from the bipartisan consensus that used to exist on Northern Ireland affairs, but seems to have disappeared along with Conservative Members' ministerial cars and red boxes. That seems an irresponsible approach to Northern Ireland affairs, which I have criticised in the House before, as I did in the July debate. It is symptomatic of the Tory party's failure not only to act as an Opposition, but to emulate a Government in waiting.

Let us compare the Tory's stance with the stance taken by the Labour party in the 1992–97 Parliament. At every opportunity, those on the Labour Front Bench avoided trying to score political points off the Government, not only because we agreed with the general thrust of the Conservative Government's policy in Northern Ireland, but because we understood that scoring political points not only undermined political reputations but risked people's lives. We also understood that if we were to form a Government, which we fully intended to, we would have to live with the consequences of all our pronouncements on Northern Ireland policy. Because the Labour party took a responsible approach to Northern Ireland, it could build cross-community support for the Good Friday agreement when it came to power.

The current Conservative policy and approach to Northern Ireland can only mean one of two things. Either the Conservatives do not believe that they will be in Government any time soon—that is the explanation that many of my hon. Friends think is true—or they would like to sound the death knell of the Northern Ireland peace process if they were in government. Does anyone seriously believe that if the hon. Member for Grantham and Stamford (Mr. Davies) became Secretary of State for Northern Ireland, the peace process could continue for five minutes after his appointment? It would be dead and buried, and all the effort that has gone into securing the peace in Northern Ireland would be behind us.

I must conclude that the Conservative motion is nothing but a red herring and an excuse for the Conservative party to attack the Good Friday agreement and the Government's policy of implementing it. It does not deal with the substantive issues that led to the suspension of the Northern Ireland Assembly. It is opportunistic, partisan and cynical, and does nothing to address the real issues facing the people of Northern Ireland.

I ask the Conservative Front-Bench spokesmen to tell me, given what they know about Northern Ireland's history and the personalities and parties involved today, in what way the motion, if carried, would benefit the peace process? What would be achieved for the people of Northern Ireland, not least for the constituents of the four Members of whom we are talking, if we returned to the situation that prevailed before? Nothing. The motion is simply an excuse to kick the Government and the Good Friday agreement—and, consequently, the people of Northern Ireland.

Last time the Opposition arranged a half-day debate on Northern Ireland, I said that when I voted to allow Sinn Fein office accommodation in the House, I did not do so with joy in my heart or a spring in my step. However, I can honestly say that I am glad that the Members for Mid-Ulster (Mr. McGuinness), for Belfast, West (Mr. Adams), for Fermanagh and South Tyrone (Michelle Gildernew) and for West Tyrone (Mr. Doherty) now use the facilities here.

I remember how, when members of the IRA were invited to come to Westminster during the 1980s, often at the invitation of Ken Livingstone, they would set up their soapboxes with slogans such as "Troops out" or something similarly sophisticated. However, now Sinn Fein has office accommodation in the House, when its Members come into the Palace they are confronted by other MPs who want the Good Friday agreement to succeed, and they have to justify their position. Because that courageous step was taken, we now have the opportunity to challenge Sinn Fein Members on the real issues, instead of their surreal sloganising of 10 or 20 years ago.

It should be remembered that, whatever the wording of the motion, the former Secretary of State, my right hon. Friend the Member for Hamilton, North and

Bellshill (Dr. Reid), did not cite the activities of Sinn Fein when, on 15 October, he told the House the reasons for the suspension of the devolved institutions. He said:

"the recent difficulties in Northern Ireland stemmed from a loss of trust on both sides of the community."—[*Official Report*, 15 October 2002; Vol. 390, c. 191.]

I will not say that it is dishonest, but it is certainly misleading for the Conservative party to suggest that anything that has happened in the past month should change the decision of this House to allow Sinn Fein office accommodation. Surely the question that we must now ask is not whether we should take away Sinn Fein's right to accommodation, but what we can do to foster trust between the different parts of the community in Northern Ireland.

Mr. Peter Duncan (Galloway and Upper Nithsdale): I appreciate the hon. Gentleman's loyalty in being here for his Front-Bench colleagues today, but can he ever foresee a situation in which it would be appropriate for a Labour Government to withdraw those facilities?

Mr. Harris: The hon. Gentleman makes a salient point, but I have to remind him that it was not the Government's decision to allow Sinn Fein office accommodation in the House of Commons. If Sinn Fein—or rather, the IRA—were to stop the ceasefire and return to violence, I would certainly consider voting to take away Sinn Fein's right to offices in the Palace—but the decision was made by the House of Commons, not the Government.

Mr. Duncan *rose—*

Mr. Harris: I think that I have answered the hon. Gentleman's question pretty truthfully.

Bob Spink (Castle Point): Does the hon. Gentleman accept that Sinn Fein-IRA have been involved in breaches of the ceasefire? What positive action would he recommend the Government to follow to try to stop those breaches of the ceasefire?

Mr. Harris: The hon. Gentleman is completely wrong. There is an accepted process for deciding whether any party to the agreement has broken the ceasefire, and that has not happened. Under the agreement, the IRA has maintained its ceasefire. May I remind the hon. Gentleman that in the three years leading up the signing of the Good Friday agreement 343 people lost their lives in Northern Ireland, whereas in the three years following the signing 53 people lost their lives? That was 53 too many, but if the hon. Gentleman thinks that that reduction is not a prize worth holding, I have to doubt the priorities of his party's policy on Northern Ireland.

Bob Spink: I accept that, as the hon. Gentleman says, there have been tremendous advances over the past decade—advances started by John Major. However, does he accept that there is not a perfect peace in Northern Ireland now, and that we need positive action to try to return Northern Ireland to peace?

Mr. Harris: I find the whole basis of the hon. Gentleman's argument spurious. I believe that the hon. Member for Grantham and Stamford was a member of the Conservative Government, although I am not sure; I could be wrong, and the hon. Gentleman can correct me if he wants to. I echo the comments of the hon. Member for Montgomeryshire (Lembit Öpik) when I say that that Conservative Government conducted negotiations with the IRA before a ceasefire was even—

Madam Deputy Speaker: Order. May I bring all hon. Members back to the motion under discussion?

Mr. Harris: Thank you, Madam Deputy Speaker. I shall conclude now, because I realise that some of my hon. Friends would like to speak.

I would welcome the day when the Conservative party decided to contribute positively to the debate on Northern Ireland—but the motion before us makes no positive contribution, and in the meantime I deeply resent having to waste precious House of Commons time debating an utterly pointless and cynical motion that adds nothing to the debate and provides nothing—not even a glimmer of hope—for the people of Northern Ireland, whom the Conservative party claims to want to represent.

6.18 pm

Mr. Andrew Mackay (Bracknell): The best news in last week's Government reshuffle was the news for Northern Ireland, and I am genuinely delighted to see the new Secretary of State take his place. Those of us who have been involved in Northern Ireland matters for some years warmly recall the immense amount of work that he did as a Northern Ireland Minister of State—work that often went unsung, and was not often in the headlines or the publicity. The right hon. Gentleman will have the confidence of all parties in the Province in what will clearly be a difficult job in the months ahead, with direct rule. Naturally, like my Front-Bench colleagues, I wish him well.

I must point something out to the hon. Member for Glasgow, Cathcart (Mr. Harris), although I shall do so gently because he is a new Member of the House and was not present when there was a Conservative Government and, as he said, a so-called bipartisan policy with the Labour Opposition. We immensely resent the suggestion that there has been a breakdown in the bipartisan policy now, whereas it was sacrosanct when there was a Labour Opposition.

I should point out to the hon. Gentleman that year after year, when we renewed the prevention of terrorism orders—*[Interruption.]* If he thinks that they have nothing to do with Northern Ireland, he should not be representing Glasgow, Cathcart. Time and again, the then Labour Opposition voted against the renewal of those orders. When the Prime Minister became leader of the Labour party, new Labour was gradually introduced and the attitude changed: it went so far as to abstain, although no further than that. So we need no lessons in bipartisanship.

As the Secretary of State, who was actively involved in the events surrounding the agreement, and the hon. Member for Montgomeryshire (Lembit Öpik) have rightly and kindly said, the original architects of the agreement were the then Conservative Prime Minister, John Major, and Lord Mayhew. That work was

[Mr. Andrew Mackay]

continued by a new Administration, a new Prime Minister and a new Secretary of State. Since then, we have strongly supported the Belfast agreement, which we consider the right—and, indeed, the only—way forward for lasting peace in Northern Ireland. What upsets us immensely is that not everybody has stuck by the agreement. Let me be blunt. The British Government, the Irish Government, the Ulster Unionist party, the Democratic Unionist party and the Social Democratic and Labour party have stuck by the agreement; it is Sinn Fein-IRA that, from time to time, in a significant sense, has not.

I shall not rehearse the arguments that were put so well today by my hon. Friend the Member for Grantham and Stamford (Mr. Davies). We all know about the failure to decommission illegally held arms and explosives, the terrorist activity in Florida and in Colombia, and, most recently, the very serious incidents that caused the then Secretary of State to suspend the Executive and the Assembly and to return to direct rule.

The concession to allow Sinn Fein MPs to have office facilities and special status, as the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) described it, forms no part of the Belfast agreement. It is separate from it—a point on which there seems to be some confusion in the House. I should just about have been prepared to make that concession if Sinn Fein-IRA had fulfilled everything that it signed up to in the Belfast agreement: if it had renounced violence for good and if there was no terrorist activity, intimidation, extortion, or any of the other problems to which the Secretary of State rightly alluded, and which gave rise to the suspension. To have offered that concession in the prevailing circumstances was a serious error of judgment, which has since been underlined by events. Since last December, matters have got worse rather than better; otherwise, the Executive and the Assembly would not now be suspended and the Secretary of State would not have made the robust remarks that he rightly made today about the problems of Sinn Fein-IRA.

I find it extraordinary that the hon. Members for Montgomeryshire and for Glasgow, Cathcart should imply that my colleagues on the Front Bench are somehow wrong to table this motion for the first half of our Supply day. This is a serious issue on two counts. First, should we give concessions to people who have let us down? Surely, the answer is no. If a concession is given in the hope of receiving more, and less is received, in most normal circumstances that concession would be withdrawn. That would be the reasonable, straightforward thing to do. Secondly, there is the question—raised by the hon. Member for Crewe and Nantwich and others—of the principle of having two classes of MPs with differing status. I am extremely worried about having two such classes. I believe that every Member should take the oath and, having done so, enjoy the full facilities.

Mr. Tom Harris *rose—*

Mr. Mackay: I shall not give way because, as you have rightly said, Madam Deputy Speaker, many others want to speak.

The circumstances must be very special indeed to warrant allowing two separate tiers of Members. The Scottish National party, Plaid Cymru and the SDLP have the perfectly legitimate policy of not wishing their respective parts of the United Kingdom to remain part of it. Nevertheless, as non-violent parties, their representatives swear the oath, take part in the proceedings of this House and have full facilities. The provision is a huge slap in the face to them. It is almost saying to them, "You might as well be violent." The message that it sends in Northern Ireland is particularly bad. The Secretary of State will share my view—

Mr. Stephen McCabe (Birmingham, Hall Green): On a point of order, Madam Deputy Speaker. Given that the right hon. Gentleman does not want to take interventions, may I ask whether it is in order for him simply to rehearse the arguments of last December's debate, rather than discussing the motion before us?

Madam Deputy Speaker: That is not a point of order for the Chair; it is a point of debate and argument.

Mr. Mackay: That might have been a better point of order if the hon. Member for Birmingham, Hall Green (Mr. McCabe) had bothered to turn up for most of the debate.

The key point of the motion is that, as the hon. Member for Montgomeryshire said, the matter is one of judgment. We believe that the judgment was wrong last December, and that it is doubly wrong now in the light of events. We also think that only in the most exceptional circumstances should two tiers of Members be allowed, and that such circumstances are not apparent at the moment. I therefore urge my right hon. and hon. Friends and other Members—I know that some Labour Members will be voting with us tonight—to vote for this motion and reverse the decision that was wrongly taken last December.

6.27 pm

Chris Ruane (Vale of Clwyd): I shall try to be as brief as possible, as I know that my hon. Friend the Member for Ilford, South (Mike Gapes) wishes to speak as well.

The peace process is one of the greatest things that Labour has achieved since we came to power in 1997. I have a personal perspective on this issue. In 1916, my taid—my Welsh grandfather—Ned Roberts was in the trenches of the Somme, and my Irish grandfather, Tom Ruane, was imprisoned in Frongoch, in Wales, for his part in the uprising. When I talk to my cousins in Ireland, they agree that the peace process is the greatest thing that we have achieved. We need to keep a sense of history and a perspective on where we are today. We are looking at the potential solving of a 900-year-old problem, and that is the way in which to pursue it. We must not behave like political pigmies who try to score cheap party political points on this issue. We must retain a sense of the moment, and of the magnitude of our achievement, in the context of the past 900 years. As far as I am concerned, the progress that we have made is as great as the ending of apartheid in South Africa, and, from a UK security sense, as the collapse of the Berlin wall.

It was Winston Churchill, a previous Conservative leader, who said:

"To jaw-jaw is always better than to war-war."

This issue is about opening dialogue at all levels: in Northern Ireland, in the voluntary sector, in the Churches, and in the trade unions. It is also about opening dialogue between politicians who have not talked to each other, and whose main means of communication for 50 years has been the bomb and the bullet. Channels of communication have indeed been opened by Lord Temple-Morris—again, a former Conservative—who set up the excellent British-Irish inter-parliamentary group. I recently joined that group, which includes representatives from Jersey, Guernsey and the Isle of Man, from the Assemblies of Northern Ireland and of Wales, and from the Parliaments of Scotland, southern Ireland and the UK. Indeed, all political parties are represented—except the Unionists. I urge them to join the British-Irish inter-parliamentary group.

David Winnick (Walsall, North): It is called the council.

Chris Ruane: Indeed. I should at this point pay tribute to the work of my hon. Friend the Member for Walsall, North (David Winnick) on behalf of that organisation.

When I go to those meetings, I am impressed by the contributions of Conservative members of the council. They seem to lose their party political bias—

Madam Deputy Speaker: Order. The hon. Gentleman should address his remarks to the motion on the Order Paper.

Chris Ruane: Conservative Members speak on that council with a clarity that is missing in the Chamber today.

My right hon. Friend the Secretary of State pointed out that opening the facilities of the House to Sinn Fein has led to that party holding open sessions here, and I hope that Members on both sides of the House have attended those. I attended one last week, with Mitchel McLaughlin, and I made several points to him, the key one of which was the need to look after the working class Protestant vote in Northern Ireland. Everybody else appears to have benefited from the peace process, except that group. They have lost trust, and that was the message that I—as the Catholic grandson of a 1916 man—took to Sinn Fein. Without the Palace being open to Sinn Fein, I would not have been able to pass that message on. Sinn Fein is realising that more needs to be done for working class Protestants and understands that trust needs to be earned. It is not present at the moment and we all need to do as much as we can to foster it.

We have seen what can be achieved through dialogue. The abstentionism that we used to see in southern Ireland is now gone. Sinn Fein is in the Dail. It is part of an effective partnership in the Northern Ireland Assembly. Its representatives do not talk about bullets there, but about bed spaces and the educational curriculum—the bread and butter of ordinary politics in Northern Ireland. Sinn Fein representatives sit on committees and act as Ministers. That is the way forward—opening dialogue and building peace and trust, through forums, groups and elected bodies.

We have seen the benefits of the peace process: no members of the police or Army have been shot. As my hon. Friend the Member for Glasgow, Cathcart (Mr. Harris) pointed out, 353 members of the public were shot in the three years before the peace process started, but only 53—still 53 too many—in the years after. Unemployment has fallen dramatically; house prices are up; the café culture is back and people can go to nightclubs. A sense of normality is now present.

There has been some progress—Sinn Fein members in the Dail and the Northern Ireland Assembly have been talking to British Members of Parliament in the House of Commons. Movement has taken place on decommissioning. We have also seen an apology—although some people view it as only weasel words—from Sinn Fein for the deaths on all sides over the past 30 years. This weekend, Gerry Adams even said that he could foresee a day on which the IRA would disband.

Mr. Swire: Will the hon. Gentleman give way?

Chris Ruane: No, I do not have time. I have been told by my Whip that I must finish, and I never disobey the Whips.

Progress has been made and will continue to be made, as long as we are not party political. I ask Opposition Members to give peace a chance.

6.33 pm

David Burnside (South Antrim): If I were not an Ulster Unionist Member of Parliament, I would still vote the same way tonight because of my concern about the double standards being set for Members of this House. If I had never been to Northern Ireland or known anything about it, I would still recognise the double standard that has been set, with two classes of MP. Because Sinn Fein threatens violence, it gets something special that would not have been allowed to a Scottish nationalist or a Welsh nationalist. That is a double standard. It demeans this House to grant facilities to that organisation,

I am slightly concerned by the suggestion in the motion that Sinn Fein should say something and then everything will be all right. The issue is larger and it is a matter of principle. When I came to the House for the first time, I swore my allegiance—some choose to affirm theirs. I then had the responsibilities of a Member of this House and can be called to account by it. I can be disciplined by this House. Can Sinn Fein Members be disciplined by the House? Of course not, but they can take £400,000 out of the generous office costs allowance to help the campaign of a political and terrorist organisation.

I do not know what dream world the hon. Member for Vale of Clwyd (Chris Ruane) lives in—somewhere near Hollywood, I think, and I do not mean Hollywood in Northern Ireland—but the proof has been seen in the last four and half years. It includes international terrorism in Colombia, which saw drug money from FARC going into Sinn Fein-IRA's coffers. That needs to be investigated. We have seen violence on the streets with Sinn Fein-IRA involved. It is one unitary organisation. Gerry Adams and Martin McGuinness are on the army council. Decommissioning is a joke and the 2008 deadline is meaningless. The importing of arms from Florida was a major crime.

[David Burnside]

What took place while we were fighting an election? The £5 million robbery of spirits and cigarettes from the docks in Belfast was by Sinn Fein-IRA—one organisation. The Secretary of State should ask his security advisers who carried out that robbery. He should also ask his security advisers about the events at Castlereagh and Mr. Bobby Storey, who reports to the army council and is on the general headquarters staff, Belfast, which reports to Adams and McGuinness. Is that a ceasefire? We are not fools in Northern Ireland.

We have seen spying at the heart of Government in the Northern Ireland Office. The Secretary of State's predecessor, the right hon. Member for Hamilton, North and Bellshill (Dr. Reid), was supposed to be tough. He was not very tough when the NIO was infiltrated. If the Home Office or the Foreign Office had been infiltrated, would those responsible be granted concessions in this House? Of course not, and that is double standards. We await the report on that spying at the heart of Government, but we know what will happen. It will be put behind us and we will hear nice words from Sinn Fein-IRA. Those nice words will be more lies. After all, an organisation based on revolutionary terrorism—Sinn Fein-IRA—has no problem with telling lies to the Secretary of State's face, in 10 Downing street or in the White House.

Sinn Fein representatives should not have been granted the facilities in this House. We welcome the opportunity that the Conservatives have provided for this debate. All the democratic politicians—which excludes Sinn Fein—in Northern Ireland, certainly all Unionists, feel distaste that while we spend some £100,000 on constituency offices to provide a service as Members of Parliament, Sinn Fein-IRA is granted a special class of membership of this House. Sinn Fein-IRA is an illegal terrorist organisation that has not given up violence, does not adhere to the Mitchell principles and is involved in international crime and terrorism. That special treatment is what used to be called appeasement. There has been nothing but appeasement of Sinn Fein-IRA from the time that the agreement was signed four and a half years ago.

I hope that the motion and debate tonight will put even a little bit of pressure on Sinn Fein-IRA to make progress. I do not trust them. I do not believe that they are committed to going the full way to become fully democratic politicians. The evidence of the past four and a half years suggests that they are still playing the double game of the Armalite and the ballot box. They talk about their mandate, but they are involved in national and international crime and terrorism. The Unionists will support the official Opposition tonight and we thank them for giving time for this debate, which is necessary because the Government continue to refuse to face up to Sinn Fein-IRA as a terrorist organisation with a political front.

6.39 pm

Mike Gapes (Ilford, South): This debate is not about the facilities for four Members of Parliament or the two researchers who they employ and the cost to the public purse. This is a debate about symbolism. Unfortunately, many debates about Northern Ireland, as I learned in my two years as a Parliamentary Private Secretary in the Northern Ireland Office, are about symbolism rather than reality. This is a debate to make certain people feel good: if the motion is passed, they will feel that they are not tainted by the fact that in day-to-day politics they have to deal with matters that they find unpleasant.

The debate is also symbolic because if the motion is passed, that could be interpreted to mean that we reject the concept of parity of esteem. Those who vote for Sinn Fein—many of them young people who do not support the IRA but support a political party because of its work within the communities on issues of social and economic concern—would regard it as a rejection of them.

Mrs. Iris Robinson (Strangford): Will the hon. Gentleman give way?

Mike Gapes: No, I have only four minutes.

I have no remit and am not an apologist for terrorist organisations of any kind. I was in the Standing Committee that considered the Terrorism Act 2000. I have denounced terrorism whether it comes from Hamas, loyalists or the IRA. However, we must think about the political significance of the motion. Are we saying, in effect, that the Belfast agreement is dead and that next year's Assembly elections will not take place? Are we putting up the ramparts and telling Sinn Fein that it is out of the system because it has inched grudgingly towards the political process, rejected a partitionist solution and then taken part in partitionist institutions? Are we saying that it is out of the system because its members have rejected the concept of taking a place in the Executive but have then become Ministers with responsibility for health and education? Are we saying that it is out of the system because it has moved away from its paramilitary past insufficiently, sometimes incoherently, and often not in the best way? Nevertheless, surely all right hon. and hon. Members accept—or perhaps some will not—that there has been a significant change within republicanism over the past 10 years.

If we adopt the motion today, we are effectively putting an end to all that and saying to that large constituency in Northern Irish politics—some 20 per cent. of the people—that we are no longer interested in the process of moving from violence to democracy. I believe that that would be foolish and the wrong thing to do at this time. I am not saying that the House might not change its mind, but this is not that occasion. To take such a decision would be premature; it would be subject to wrong interpretations and would set back the peace process. I hope that the House will reject the motion resoundingly.

6.43 pm

Mr. Eric Forth (Bromley and Chislehurst): This has been an important debate; it has been as much about signals, responses and judgments as about the precise nature of the agreement that the House made last December regarding access to the facilities here. I think that that is right, because the specifics of Westminster must be set within a much broader context, as all the speakers in the debate have done.

In opening the debate, my hon. Friend the Member for Grantham and Stamford (Mr. Davies) was at pains to stress that we are talking about nothing more nor less

than the judgment about how one responds to developing circumstances and, more specifically, to the situation in which concessions or gestures are made repeatedly as part of the process yet find no response. Whether it is the release of prisoners, turning a blind eye to breaches of the agreement or, as we argue in the motion, the needless offering of House space to Sinn Fein-IRA, the judgment to be made is what is the correct response when concessions are made and nothing is given in return.

I, too, welcome the Secretary of State to his new responsibilities. Some years ago, he and I spent many hours together in Standing Committees considering education legislation, and I have the greatest respect for his abilities. We all look to him to carry his new onerous responsibilities with his typical style and integrity.

The Secretary of State admitted to doubts about the current circumstances. He said that recent events had had a profoundly destabilising effect. He then went on to quote the Prime Minister—he would, wouldn't he—but in this case it was the Prime Minister's challenge to Sinn Fein-IRA and the reference to "the crunch". Our complaint is that there are no crunches. That is the whole point of the debate—we want to highlight the fact that the Prime Minister wants to appear decisive, talking about forks in roads and crunches, yet none of that seems to appear in what his Ministers, in their various capacities, do. We are looking for an indication, whether it has to do with what happens in the Northern Ireland Office, as it is now reconstituted, or with what the Leader of the House says in a few minutes, that the Government are looking seriously at the subtle but important interplay between concessions that are made and expectations that are raised and constantly dashed—in this case, as so often, by Sinn Fein-IRA—when nothing happens.

There is no response by the Government to the actions or inactions of Sinn Fein-IRA, only an endless succession of concessions. The one about which we are most interested today is a matter for the House. I resent suggestions from Labour Members that to bring this matter to the House of Commons is frivolous, in breach of some bipartisan approach, unnecessary or irrelevant. If the House of Commons cannot debate its own aspect of the peace process, if we cannot have a debate about the facilities that we have offered—wrongly, as we thought at the time, and even more wrongly now—what on earth can we debate? For Labour Members to suggest, not once but several times, that there is something wrong-headed about bringing this matter to the House, is something that I cannot accept.

As my right hon. Friend the Member for Bracknell (Mr. Mackay) pointed out, the sad reality is that since we made this concession to Sinn Fein-IRA in December of last year, the situation has become worse. We have here another example of how a concession has been made by the House of Commons to Sinn Fein-IRA and not only have we had nothing in return but there has been a material worsening of circumstances. We are not talking about giving in yet again, turning the other cheek or a blind eye and expecting that to induce Sinn Fein-IRA to behave better. That is what Labour Members have suggested throughout the debate. We do not believe that that approach has worked or will work, because there is no evidence that that is the case. Therefore, it is incumbent on us to come forward with a different approach. In his admirable opening speech, my hon. Friend the Member for Grantham and Stamford took care to suggest that there was an alternative approach, that we have given thought to it and that we have ideas on the matter. Ours is not simply a negative response, but it is one that we feel honour bound and duty bound to make. We ask the new Secretary of State to examine what his predecessors have done since he was last in the Northern Ireland Office and to make his own judgment, with the benefit of hindsight, on what response there has been to this seemingly endless series of concessions.

What kind of signal do we at Westminster want to give the electorate, the people of Northern Ireland, Sinn Fein-IRA and the other political parties in Northern Ireland? That is what we are most concerned with today. As Her Majesty's Official Opposition, we have initiated this debate because we believe that it is the right thing to do. What response can we give? Do we turn yet another blind eye? Do we turn yet another other cheek? Will we give yet another concession to Sinn Fein-IRA, only to find that the situation gets worse and there is no response? Labour Members and the Government seem to be arguing that this is a one-way street.

That simply will not do. It is not good enough. It is not an appropriate response. We have run out of other cheeks—if I may put it in that way.

Our challenge to the Government, to Ministers and to the House is that we should ask ourselves whether that approach is honest and will work. Although we opposed access, if someone could have demonstrated that the concession the House made last December had brought positive effects, I have no doubt that we should have taken a very different attitude and I doubt that my hon. Friends would have felt the need to table the motion. However, sadly, one can only conclude and report that what the House did in what it—or rather Labour Members—saw at the time as a spirit of generosity has been met with repeated slaps in the face.

There has been a negative response to the concession that has been made, so for once it is time to say that we feel it right to withdraw that concession and to give a different signal. That is the proper response at this stage. I hope that when Members vote in a few minutes, they will reflect on that point and will be prepared to take that sort of attitude rather than merely continuing to take the same stance.

I hope that Labour Members, the Leader of the House and the Secretary of State will accept the motion in the spirit in which we offer it. I hope that we shall hear no more from Labour Members to the effect that we are wasting everybody's time, that to hold political debates in the House of Commons is inappropriate and that, for goodness sake, to be partisan is positively passé. A few us still like a bit of partisanship every now and then, but we did not table the motion in that spirit. My hon. Friend the Member for Grantham and Stamford set out the argument carefully and responsibly and I hope that, in that spirit, Labour Members will consider our comments and respond to them. I retain the forlorn hope that, even now, we may have persuaded the Government and the Leader of the House of our case.

6.52 pm

The Leader of the House of Commons (Mr. Robin Cook): Let me begin by agreeing with all the contributors to the debate who have welcomed my right hon. Friend the Secretary of State for Northern Ireland to his new office and responsibilities. It is a privilege to support him in this debate.

The debate has been short. Its brevity has the advantage that we can still remember with clarity the remarkable opening speech of the hon. Member for Grantham and Stamford (Mr. Davies). It contained an extended cadenza in which he condemned Government policy in Northern Ireland as squalid, egregious and mistaken—*[Interruption.]* It was fairly comprehensive.

The hon. Gentleman is, of course, entitled to his view but I hoped that, having expressed it, he would have spared us the cant that he wholeheartedly supports the Belfast agreement, which is kept alive by those same policies. However, I found that passage of the hon. Gentleman's speech marginally more convincing than the subsequent section in which he told us that the speech made by Gerry Adams last week, in which he envisaged a future without the IRA, was entirely prompted because he was worried about what the hon. Gentleman might say in this Opposition day debate and had nothing whatever to do with the thoughtful speech made by the Prime Minister of Great Britain in the preceding week.

The hon. Gentleman's passion in denouncing our wickedness in granting Sinn Fein access to these precincts would have carried more conviction if the previous Conservative Government had done anything to deny Sinn Fein access to these precincts during the 1980s when no peace process was in being at all.

We are at a difficult moment in the peace process, when it is important that we all proceed with great care not to make worse the prospects for restoring momentum once again to the process started by the Belfast agreement. My right hon. Friend the Prime Minister spelt out the gravity of the situation in his speech earlier this month, when he stressed that the core of the Belfast agreement was that in return for political equality all parties committed themselves exclusively to peace. He spelt out to republicans that retaining the option of violence does not give them leverage but increases resistance to progress. It does not push us forward, but holds us back. As the Prime Minister said, the IRA cannot continue to be part in and part out of the peace process. If it wants the political benefits of a normalised Northern Ireland, it has to give up for all time the option of ever going back to the military struggle.

Equally, however, the House must not lose sight of how far we have come over the past five years. It is too easy to point to the faults in the peace process, as the hon. Member for Grantham and Stamford did, and never to recognise its strengths and its achievements.

Sectarian violence still claims too many lives, but each year they are numbered in tens, not in hundreds as they were at the height of violence. With peace has come new investment in the Province, which has the fastest growth in the UK. Tourism has risen and unemployment has come down. Those are the real gains of the peace process for the ordinary citizens of Northern Ireland. Those are the products of what the hon. Gentleman denounced as the Government's squalid, egregious and mistaken policies.

The rational course for reasonable people is to do all that we can to maintain the process of putting political dialogue in the place of military confrontation. My hon. Friend the Member for Glasgow, Cathcart (Mr. Harris) pointedly and fairly asked how the motion would help us to talk to Sinn Fein. No one intervened during his speech to try to tell him how it would help.

Mr. Quentin Davies: I and my Front-Bench colleagues have said over and again with great emphasis that we are wholly committed to the Belfast agreement. Indeed, the agreement was a remarkable achievement for the Prime Minister, but what a pity that the mistaken and ill-conceived policies that he has adopted since have unfortunately recently taken us backwards so that we have a major reversal—the suspension of devolution in Northern Ireland.

Mr. Cook: The hon. Gentleman cannot say that he supports the Belfast agreement and yet fail to support any of the steps that are necessary to keep it in play and keep the dialogue going. He cannot expect the Belfast agreement to continue under its own steam with no offers of help, no progress, no debate and no negotiations, and without the compromise that inevitably comes from negotiations. That is, of necessity, what the process is about.

I have listened to the debate throughout and I have not heard one Opposition speaker explain how the motion will help us to make progress on the peace process or the Belfast agreement, or how expelling Sinn Fein from the precincts will encourage its members to choose political dialogue. From time to time, access has been helpful. Last week, Michelle Gildernew booked a room in the House where Mitchel McLaughlin debated current developments with MPs from all parties. That is the type of political dialogue and scrutiny that access to the precincts was intended to develop.

During the statement on the suspension of the Northern Ireland Assembly, my hon. Friend the Member for North-East Derbyshire (Mr. Barnes) pointed out that he had been able to arrange a meeting in the precincts between Gerry Adams and one of the exiles from Northern Ireland. I do not comprehend how those who propose to deny Gerry Adams and his colleagues access to the precincts imagine that it will help the task of reconciliation to make such meetings more difficult.

Last December, when I put the motion granting access before the House, I said that it was a modest contribution to the peace process. Opposition Members should not exaggerate the practical consequences of that motion, nor should they be under any illusion about the symbolic impact of withdrawing access. I expect that those who propose the current motion fully understand how seismic that impact would be.

The right hon. Member for Bromley and Chislehurst (Mr. Forth) asked what signal would be sent if we passed the motion. It would be a loud signal that the British Parliament has withdrawn from a step that we

took only last year. It would be held up as evidence that even when the republican movement seeks political progress, we refuse to have anything to do with it. If we were to pass the motion, we would strengthen not the moderates in the republican movement, but the extremists who have never believed that the political route would lead to progress.

Our strategic goal must be to draw Sinn Fein into political activities—the only legitimate way forward. No Opposition Member has told us how it will help that strategy to tell those in Sinn Fein that, even if elected, we in the House will shut the door in their face and that, even if they represent 250,000 electors, they will not be given access to the support or the offices that they need to work for their constituents. The reason why Opposition Members have not told us the answer to that question or said how the proposal would help is that there is no answer.

I have no problem with those who want to vote for the motion because they want to have nothing to do with Sinn Fein, but I ask them not to mislead themselves into imagining that, by excluding Sinn Fein from the House, they will somehow make it easier to include them in a political process.

Opposition days are a due part of the democratic procedures of the House. They help the Chamber to retain its role as the grand forum of the nation's political differences, and they give the Opposition and the Government the occasion to rehearse the political divisions. The process of peace in Northern Ireland should not be an issue on which the House is divided. I would acquit the hon. Member for Grantham and Stamford of having proposed a frivolous motion; it is profoundly serious, and it is thoroughly partisan.

I asked for a trawl of the records, and it failed to discover a single example, in 18 long years of opposition, when we ever opposed the Conservative Government's policy on Northern Ireland on an Opposition day.

HON. MEMBERS: "The Prevention of Terrorism Acts."

Madam Deputy Speaker: Order.

Mr. Cook: We supported all the openings that they made to the IRA. We supported them when they talked to the IRA even in the middle of a bloody bombing campaign on the British mainland. We supported them when they had secret communications with the IRA. We supported them in all that because people do not make peace by talking to their friends; they make peace by talking to their enemies. We supported them because there was a better chance for peace if the IRA were confronted by a united Parliament, and, for that reason, we would have a better prospect of success if they gave us the same support now.

This is a sensitive moment in the long troubled history of Northern Ireland. It is a time when my right hon. Friend the Secretary of State needs to speak with the authority and backing of the House. That is why I ask my right hon. and hon. Friends to give him our full backing by rejecting a partisan motion that would take us further away from the political dialogue that is the only hope Northern Ireland has of a permanent peace.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 140, Noes 336.

Division No. 330] **[7.1 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Barker, Gregory
Baron, John *(Billericay)*
Bellingham, Henry
Beresford, Sir Paul
Blunt, Crispin
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Burnside, David
Burt, Alistair
Butterfill, John
Cameron, David
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Curry, rh David
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, hon. Edward
Gibb, Nick *(Bognor Regis)*
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Hague, rh William
Hammond, Philip
Hancock, Mike
Hawkins, Nick
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, rh Michael
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Luff, Peter *(M-Worcs)*
MacKay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Moss, Malcolm
Murrison, Dr. Andrew
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Prisk, Mark *(Hertford)*
Randall, John
Redwood, rh John
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Sanders, Adrian
Selous, Andrew
Shephard, rh Mrs Gillian
Simmonds, Mark
Soames, Nicholas
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Streeter, Gary
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Trimble, rh David
Turner, Andrew *(Isle of Wight)*

Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Wilshire, David
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Ayes:
Mr. Desmond Swayne and Chris Grayling

NOES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Baird, Vera
Baker, Norman
Banks, Tony
Barrett, John
Battle, John
Beard, Nigel
Begg, Miss Anne
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Breed, Colin
Brennan, Kevin
Brooke, Mrs Annette L.
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, Andy
Burstow, Paul
Byers, rh Stephen
Cable, Dr. Vincent
Caborn, rh Richard
Cairns, David
Calton, Mrs Patsy
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, hon. Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corston, Jean
Cotter, Brian
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Dalyell, Tam
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Doran, Frank
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Heyes, David
Hill, Keith *(Streatham)*
Holmes, Paul
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Khabra, Piara S.
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Lamb, Norman
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moran, Margaret
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Oaten, Mark *(Winchester)*
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pope, Greg *(Hyndburn)*
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Price, Adam *(E Carmarthen & Dinefwr)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Reed, Andy *(Loughborough)*
Rendel, David
Robertson, Angus *(Moray)*
Robertson, John *(Glasgow Anniesland)*

Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salmond, Alex
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Helen
Spellar, rh John
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Stringer, Graham
Sutcliffe, Gerry
Taylor, Dan *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Twigg, Stephen *(Enfield)*
Tyler, Paul *(N Cornwall)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Charlotte Atkins and Derek Twigg

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments), and agreed to.*

MADAM DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House recognises the fundamental need for the affairs of Northern Ireland to be settled on an exclusively peaceful, democratic and inclusive basis; and does not believe that expelling any party to the peace process from the parliamentary precincts is likely to encourage them to renounce violence and to pursue a political settlement within that process.

Miss Julie Kirkbride (Bromsgrove): On a point of order, Madam Deputy Speaker. Are you aware that at three minutes to seven o'clock, four Members of Parliament were seeking to access the car park—*[Interruption.]*

Madam Deputy Speaker: Order. I cannot hear the point of order that the hon. Lady is raising. Would those Members who are staying in the Chamber please be quiet?

Miss Kirkbride: Are you aware that at three minutes to seven o'clock, four Members of Parliament were seeking to access the car park but that the security barrier had not been raised, despite the imminence of the vote? Will you advise me what Standing Orders of the House require Members of Parliament to carry around green security passes? What advice would you give me on what to do with my car when a vote is imminent and I am not able to access the car park?

Madam Deputy Speaker: There was fairly good warning of the vote at this time. Perhaps Members will have to be a little more aware and allow themselves a little extra time to reach the House.

Mr. Andrew Tyrie (Chichester): Further to that point of order, Madam Deputy Speaker. I and a couple of other Members had trouble getting to the Lobby because on the passage between Portcullis House and Norman Shaw North there is a new security door where a pass is also now required. Your advice will be sufficient when we know exactly when votes will take place, but it will not be sufficient for a running Whip.

Madam Deputy Speaker: I remind hon. Members that they are required to carry their passes with them at all times. I have no doubt, however, that the office of the Serjeant at Arms will have heard the comments made in the Chamber.

Mr. Nigel Dodds (Belfast, North): On a point of order, Madam Deputy Speaker. Due to the inordinate length of time taken by the Front-Bench spokespersons of the three main parties in the last debate, only five Back-Bench Members were able to contribute: three of them were from the Government side, one was from the official Opposition, and one was from Northern Ireland. Although we were here during the debate, no Member from my party was called, despite the fact that this matter is of intense interest to our constituents in Northern Ireland. Is there something that you can do to ensure that, in future, those of us who have something to contribute on behalf of our party and our constituents on a matter of relevance have the opportunity to do so?

Madam Deputy Speaker: I understand the frustration of the hon. Gentleman and others who would have wished to contribute to the previous debate, especially given their particular interest in it. However, I remind the hon. Gentleman that this is an Opposition day and that, as the main Opposition party decided to have two debates today, a limited amount of time was available.

Mr. John Redwood (Wokingham): On a point of order, Madam Deputy Speaker. Given the considerable concern that many Members expressed about the new security arrangements, which seem to impede without necessarily making things safer, are there any plans for someone to explain to the House why they have been put in place, how much they cost, and whether they will in any way enhance our security?

Madam Deputy Speaker: I have already made some observations on this matter. If the right hon. Gentleman has further concerns, I suggest that he has a word with his party's Whips.

Human Rights Act

7.19 pm

Mr. Dominic Grieve (Beaconsfield): I beg to move,

That this House notes with concern the impact of the European Convention on Human Rights on the sentencing powers of the Home Secretary and in other respects; further notes that the Government has not so far made any defining statement about its intentions relating to the impact of the European Convention on Human Rights; and calls upon the Government to work with all political parties which are represented in the House in order to construct a lasting settlement that can bring the Human Rights Act 1998 into conformity with the democratic will of the people and the concepts of liberty that have served this country so well for so long.

Our intention is to try to enable a debate to take place on the way in which the Human Rights Act 1998 currently influences our daily lives and affects the working of Parliament.

I declare an interest as a barrister, as registered on the Order Paper. At the time of incorporation, various barristers, including Mr. Sydney Kentridge QC, stated:

"We are entering a new age of constitutionalism for public lawyers. Bliss it is in this age to be alive, and to be young must be the very heaven."

The bliss has not reached me in any material form since incorporation, but nevertheless I declare an interest as a barrister.

The Government and the House may recollect the extensive debates in the Chamber at the time of incorporation. Insofar as I participated in them, it was as a broad supporter of the principle of incorporation, as the Minister may be aware. I spoke in support of it for a number of reasons. I saw many advantages to the possibility of judicial input by English judges into the decision-making process of the jurisprudence that was being built up. I also saw the possibility of the much greater use of the margin of appreciation through the basic facts of cases being decided here and the opportunity that that would afford for our courts to be seized of matters that might otherwise end up in Strasbourg. There had been frequent complaints that the Strasbourg judges had great difficulty in grasping our customs or the background to particular cases from this country. In that context, I saw incorporation as an enormous advantage for the English judiciary.

It is clear that in a number of decided cases, incorporation has brought about real benefits. Some have been contentious, but one can understand how the dialogue between the judiciary and the Executive has sometimes led to interesting results. At one time, there was no possibility of a child born of artificial insemination knowing the identity of his biological father. That was challenged under article 8 and has been changed. The policy that a prisoner should not be present when prison officers examined legally privileged correspondence was also held to be wrong under article 8. I cite that because I accept that those are examples of a dynamic relationship that may produce better law and enhance human rights.

Some of the decisions have come as a surprise. My constituents were relying heavily on the possibility that a challenge to section 172 of the Road Traffic Act 1988 would enable them to get away with not disclosing their identity when they were caught by speed cameras. The European Court of Human Rights held that the measure was proportional to what the Government intended. If litigation continues, the Court may find that there is a right to administer corporal punishment in private schools if the parent has authorised the teacher to carry it out. So Government policy on some matters may be challenged.

I accept that the courts have not been flooded with decisions. The evidence shows that, despite early prognostications that a massive flood would paralyse the court of criminal appeal, it has not happened. Having been saddled with the responsibility, the judiciary appears to be able to deal with it without the courts grinding to a halt.

The Minister for Citizenship and Immigration (Beverley Hughes): Before the hon. Gentleman gets deep into his contribution, will he clarify the depth of his support for incorporation? I recall that, during the passage of the Human Rights Bill, he condemned incorporation because it removed the right of Parliament to introduce capital punishment. He was quoted as saying:

"We are usurping the rights of citizens of this country to pronounce on this issue and we are doing it for no good reason."

Just how committed is he to the legislation?

Mr. Grieve: I fear that the hon. Lady is badly briefed by her civil servants.

Beverley Hughes: By *The Daily Telegraph.*

Mr. Grieve: In that case, the hon. Lady may be badly briefed by *The Daily Telegraph.* If she reads *Hansard,* she will find that, in Committee, I argued against a decision taken by Back Benchers to fetter the ability of Parliament to discuss the issue of capital punishment. I explained that it was not in the Government's original Bill. Indeed, the Home Secretary resisted it in the Chamber and said that he thought it a bad move. I explained to the House—I could quote verbatim because I have reread what I said—that I was against capital punishment, which remains my view, and would not vote for its reintroduction. I also said that the House was making a grave and unnecessary mistake that would irritate public opinion. From my mailbag afterwards, I concluded that there was indeed some irritation of public opinion on something that was unnecessary for incorporation and that the Government did not intend. I hope that that deals with the hon. Lady's point. In future, she should rely on *Hansard* rather than on newspaper cuttings.

Mr. Edward Garnier (Harborough): May I embarrass my hon. Friend further by drawing attention to the difficulties that he experienced when we discussed the Human Rights Bill in 1997 and 1998? I think that he will confirm that he needed persuading that it was sensible to support the Opposition stance on Second and Third Reading.

Mr. Grieve: My hon. and learned Friend is right. I explained that my principal concern was that I did not like the Henry VIII clause, which was why I did not vote in favour of the legislation. That clause went against the central principle of Parliament's involvement in the human rights process. If there is a basic theme, it is precisely that.

The Minister will be aware that Lord Woolf, the Lord Chief Justice, gave a lecture to the British Academy on 15 October in which he made a telling point about the way in which the Human Rights Act operates. He said that it is:

"already obvious that the result will be changes, significant changes, to our constitutional arrangements ... What is the primary concern of the Human Rights Act is not so much rights in the ordinary common law sense, but values."

That is what the House must address. As we have watched the Human Rights Act develop, we have seen examples that have been tweakings of the law. However, we now have to deal with a series of matters that have come into the public focus that relate to fundamental issues about the role of Parliament in decision making, as against that of the judiciary, and to how the Executive should respond.

Simon Hughes (Southwark, North and Bermondsey): The hon. Gentleman quotes the recent lecture by the Lord Chief Justice. We read reports of that and I have a full copy with me. Will he remind the House of the Lord Chief Justice's conclusion on whether he supported the Human Rights Act? If the interpretation of his comments is right, will the hon. Gentleman confirm that not only the Lord Chief Justice but all the senior judges support incorporation and believe that the present position is defensible, right and constitutionally proper?

Mr. Grieve: The hon. Gentleman is right and I read the text of the address, which was extremely interesting.

Moreover, I do not necessarily disagree with that position. What interests me, and what has provoked this debate, is the role of Parliament in this process, especially in light of the Government's comments—to which I shall turn in a moment—about where they appear now to see the limits of the Human Rights Act and where they would see fit to intervene to override it if necessary. That is the matter that I seek to bring to the attention of the House and to have debated this evening.

The first issue is sentencing tariffs for mandatory life sentences. The newspapers are full of the matter, and it is time that the House paid attention to the principles underlying it. The House will be aware that, as matters stand, it is highly likely that the Home Secretary's discretion in this matter will be abolished, and of course there will be some who welcome that. Indeed, my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) has tabled an amendment to the motion which perfectly properly sets out his own deeply held view, which I have known for a long time, that it is high time that the discretion was abolished. That is a legitimate subject for debate.

We face a situation in which a principle that was clearly enunciated when capital punishment was abolished may be overturned. As I indicated to the Minister, I would have supported the abolition of capital punishment if I had been in the House in the 1960s, and I certainly would not vote for its reintroduction today. When it was abolished, the Home Secretary gave a series of categorical assurances about how he would continue to exercise discretion in respect of mandatory life sentences. He put that firmly on a public policy basis, arising from the need to reassure the public, tempered of course by the role of the parole board and, as we would now have it, by potential judicial review.

That position prevailed until 1983 when, as the Minister knows, the tariff policy was announced in Parliament. The tariff was no longer a secret matter, and by 1991 it was being communicated to the person in prison and arrived at after consultation with the trial judge and the Lord Chief Justice, acting, of course, on the recommendation of the parole board.

We have to face the fact that that principle is now being challenged. The European Court of Human Rights accepted it, apparently without difficulty, in the case of Wynne in 1994. However, the Wynne principle seems to be fast disappearing as the legal foundation on which the European Court is likely to act, and, moreover, on which our domestic courts are acting. In the case of Stafford, the European Court disregarded Wynne.

The facts in that case were odd because there was no doubt that the position of Mr. Stafford, who had been released on licence and then re-imprisoned for non-violent offences with his licence revoked, was unusual. Nevertheless, the Government were certainly not saying that they thought it wrong that the Home Secretary should have that power, because although the decision was made by the Home Secretary of the Conservative Government, it was endorsed by the incoming Labour Home Secretary, the right hon. Member for Blackburn (Mr. Straw). He adopted and argued that case, and it was thrown out.

Now we have the Anderson case, which is before the House of Lords and goes much further. If there is a decision, and there is much commentary to support the view that the way in which the European convention on human rights operates would incline the Court to overturn the Home Secretary's discretion, there will be a challenge to the Executive's discretion as exercised by the Home Secretary, and that will apparently be wholly contrary to the Home Secretary's views and principles on this matter. That raises important issues.

After the Stafford ruling, the Home Secretary said:

"I am concerned that this judgement may serve as encouragement for those who would like to remove the Home Secretary's powers to set tariffs for adult murderers. If this judgement were to be used to support a legal process to achieve this, I would seek to use domestic legislation to enshrine the power of Parliament to provide adequate punishment for the guilty."

Indeed, the Home Secretary went further and said:

"We will study today's judgement in detail. My overarching priority will remain protecting the public from dangerous offenders, while doing everything we can do to assist and support victims and their families. It is crucial that jurisprudence does not interfere with this basic right on behalf of the elected government."

Of course, the consequences of such a decision would be profound. There are some 260 murderers in prison whose tariffs fixed by the Home Secretary are no longer than those recommended by the judges. There are between 60 and 70—I do not have the precise figure—who have already served longer than the judge's recommendation. There are 23 people on whole-life tariffs who may be subject to review, including some of those who have been sentenced for the most horrific crimes, which have excited serious public disquiet. There are also some 1,300 people in prison who would be likely to apply to the parole board for review. The Home Secretary has apparently nailed his colours firmly to the mast and said that he would not tolerate that.

[Mr. Grieve]

That is not the only example of the Home Secretary setting out his position. There is also the matter of the Special Immigration Appeals Commission hearings and the Home Secretary's attitude to the right to detain potential terrorists who have been refused asylum in this country but are allowed to remain because, not surprisingly, there is no third country to which to deport them. Initially, the Government's claim was turned down on the fascinating ground that the Home Secretary could not discriminate between nationals and non-nationals. On Friday, that judgment was reversed.

Although the reversal is useful and interesting, and its terms make it clear that, in a national emergency, there can be discrimination between nationals and non-nationals, it expressly does not deal with the question of what would happen if there were no national emergency. I do not know what the Government's position is on that point, and I hope that we will hear more from the Minister about that. The Home Secretary made clear in the House his concern about the fettering of his discretion in that way, and I certainly did not understand it to be confined to issues of national emergency.

That is a second example of a case that may well end up in Strasbourg in which the Executive, in the person of the Home Secretary, have expressed the gravest concerns about the judicial interpretation of the Human Rights Act. However, there is no point in blaming the judiciary; it is only doing its job. The question for the House is what limits it wants to impose on that judicial discretion and at what point it wants to reassert itself, either to back the Executive in seeking to override such decisions or—and this option is open to it—to tell the Home Secretary that it will not back the Executive.

Simon Hughes: The hon. Gentleman knows very well that before incorporation we were signatories to the convention, and that the remedy was to go through all the courts in this country and then to Strasbourg. Does he agree that the same applies now? Even if Parliament were to pass, or hold to, a law that offended the convention, and the European Court of Human Rights found against it, we would have to change the law or be in breach of the convention. So far, we have always changed the law because we have never been willing to argue that others should obey the law when we do not do so.

Mr. Grieve: The hon. Gentleman makes a reasonable point and, as I tried to explain to the House earlier, one of the reasons that I argued in favour of incorporation when the House debated it several years ago was that those decisions might eventually be made. There are two riders to that. One is the number of cases likely to get to Strasbourg, and therefore the change in the volume. The second point, which we cannot ignore, is the extent to which some of the jurisprudence and some of the principles that have been enunciated are home-grown. After all, in the Anderson case, the Court of Appeal was the forum that said that the Wynne case in the European Court of Human Rights appeared to be flawed and should no longer be followed, even though the Court of Appeal felt that it was not its job to interfere with the Executive's discretion in that case. That is an example of the much more dynamic relationship between our own judiciary and the Executive.

Although I accept the hon. Gentleman's point that, eventually, the same decision could be arrived at, we need only look at what has happened over the past six months to see that the volume and intensity of the challenges are growing. That is why I believe the House should consider the matter. I assume that the Home Secretary's position would be identical in respect of tariffs for life sentences if the case were taken directly to Strasbourg.

Simon Hughes: That is an interesting question.

Mr. Grieve: A very interesting question. Eventually, irrespective of what the House does, it is possible for the case to end up in Strasbourg, and the Government are faced with a number of ways of dealing with it.

Mr. John Redwood (Wokingham): Is it not the case that as soon as we sign such a convention, if we do so in good faith, we are effectively saying that we trust the convention and the international community more than our own democratic system? The purpose of signing such a convention is to fetter the discretion of our elected Ministers. Is not my hon. Friend's argument really against the idea of signing a convention, if he is a strong supporter of democratic decision?

Mr. Grieve: My right hon. Friend makes a perfectly good point. It is possible for the House and the Government to find themselves in conflict with the interpretation of the convention by the European Court of Human Rights. *[Interruption.]* My right hon. Friend says that that is inevitable. I am never quite sure about inevitability, and of course there are mechanisms available for the Government to derogate under certain circumstances, if they believe that it is necessary to do so. That is precisely why this evening's debate seems so important.

Given the Home Secretary's repeated assertions that he will not be budged on tariff life sentences or the Special Immigration Appeals Commission because he believes that he has a duty to the public that it is important that he discharge, I should like to hear how the Minister reconciles that with the point raised by my right hon. Friend, and how she explains the Govt's position on the matter.

Vera Baird (Redcar): Is not the timing of the debate disastrous for the Opposition? Why are we trying to debate what the Executive might do if their powers are struck down, when the case in Anderson has not yet been decided, and the Home Secretary has just been upheld by the Court of Appeal?

Mr. Grieve: I am afraid that I disagree entirely with the hon. and learned Lady. Human Rights Act points are being taken every day in the courts, so we cannot say that matters are sub judice on the Human Rights Act, or we would not be able to discuss its generality at all. The matter is extremely topical. After all, the Home Secretary could have said nothing. He could have said, in respect of the tariff for mandatory life sentence prisoners, "I will wait upon events", but he did not. He

made the choice to come out with a series of public pronouncements that put him on a direct path of potential conflict with the judiciary, judicial decisions and ultimately, potentially, with the European Court of Human Rights. There is a very legitimate subject to debate.

The hon. and learned Lady might have a persuasive point if the Home Secretary had said nothing. Then she could argue that we should wait and see what happens, but it is the Government who are briefing the press about the Home Secretary's position and the Home Secretary who is going on television and radio to say how he stands on the matter, and we would like an explanation of how the Government view it in principle and in practice.

Vera Baird: The debate is premature, because the possibility cannot be excluded that, if the Home Secretary lost now and the case as to his powers to set a tariff went to Strasbourg, it is conceivable—not very likely, but conceivable—that the court in Strasbourg would find that it was within our margin of appreciation in implementing the Human Rights Act, so the issue would simply never arise. Why should we speak about theories, when there is no practical purpose to be served?

Mr. Grieve: I am afraid that I disagree entirely with the hon. and learned Lady. The matter has arisen, and it is a matter of which the House should be seized. Are we to say that when the Home Secretary comes out with a series of public pronouncements—made, some might suggest, probably unkindly, for political advantage—the House should not debate the implications, in the light of the Government's stated approach to the operation of the Human Rights Act and its incorporation into our law?

There are other aspects that we need to examine. It is interesting, because it is directly linked to the situation in respect of tariff life sentences, that there has been another decision by the European Court of Human Rights in the case of Ezeh and Connors, which effectively said that early release for prisoners, as previously enshrined as a matter of mercy, and possibly of administrative convenience and practice, has been turned into a right under English law. The result is that, as the Minister will know, prison governors can no longer award lost remission, because it is no longer thought to be a remission period; it is not supposed to be part of the sentence at all.

I have had several letters—I do not know whether my hon. Friends have received similar correspondence—arguing that the sentencing system in this country, from mandatory life sentences for murders through to the tariff and period served by other criminals in prison, has become a fantasy world. That is a direct consequence of the working of the European convention on human rights. What is the Government's view on that? Do they welcome it? If so, will we move towards a system that would appeal to my right hon. and learned Friend the Member for Sleaford and North Hykeham, with a determinate sentence for murderers or different categories of murderer? Or will we move towards a situation that was highlighted briefly in the "Justice for All" White Paper, with the judge imposing some different sentencing regime, where the period that one gets is the period that one serves? The Government need to respond to these issues, which are the direct consequences of the operation of the convention and its incorporation into our law.

Why has the Home Secretary chosen to dig his trench on the issue of adult murderers' mandatory life sentences? He opposed the ending of his discretion in the case of juveniles in the Thompson and Venables case, but he did not challenge it. I appreciate that there are distinctions, but it would be interesting to hear from the Minister this evening why the Government accepted that, even though they opposed it and argued against it in court, yet nailed their colours to the mast over adults. I should be grateful to hear how that distinction was arrived at. It is an important one, which the House should know about.

In addition, we must face the fact that there are some opposite effects of incorporation. For example, every piece of legislation coming before us now has that famous imprimatur that it is human rights compliant. As the Minister knows, that is merely a mantra that seems to be recited ad nauseam. Often, it does not appear to bear much relation to the legislation that we pass. The hon. Member for Southwark, North and Bermondsey (Simon Hughes) will know that when we discussed the Proceeds of Crime Bill serious reservations were expressed about whether the process of civil confiscation is Human Rights Act complaint. The Executive seem not to be in the least bit concerned about that issue.

Almost daily we see massive impacts on the freedom of the citizen. During the weekend—I was struck because I had previously missed the point—I found that teachers being vetted have to give their bank account number and the maiden name of their mother, which is the usual device by which banks check people's identity. Apparently, the data are being processed abroad. The procedure was introduced with the laudable aim of preventing paedophiles and sex offenders from moving into the teaching profession.

There was not a squeak from the Government about human rights implications. Presumably, it suits the Executive's decision-making process that such checks should be introduced, but I think that they constitute a massive intrusion into personal freedoms. That brings me—I hope that the Minister will listen—to the nub of the issue: the role of Parliament in the process that I have described. I do not know whether she has bothered to read what was said at the time of the incorporation of the Human Rights Act, including what I said. However, I made it clear—I still believe in this passionately—that if the Act is to work, Parliament's involvement in the process must be constant and frequent.

The Joint Committee on Human Rights does extremely good work but that is not what I would see as frequent parliamentary involvement in the process. The Government should have initiated debate on certain matters a long time ago, including on tariff life sentences. It was clear that the Home Secretary had a view that might well be challenged and found to be unsustainable.

We have had an extraordinary paradigm shift in the way in which we run our affairs. Some might argue that that is for the better. However, it involves a dialogue between the Executive and the judiciary, from which Parliament is effectively excluded. I have serious doubts

[Mr. Grieve]

about that process. As the dialogue continues, there is a danger that the process of justice, Parliament and the Executive will be brought into disrepute with the public. We have only to see how the public respond to the news about some of these matters. In my opinion, many people are deeply concerned about—this is how they see it—their rights disappearing down the plughole, with parliamentary scrutiny lessened and the judiciary intervening in cases where frequently the public cannot see that a human right is being infringed.

In the Simms case, Lord Hoffman said:

"Parliamentary sovereignty means that Parliament can, if it chooses, legislate contrary to fundamental principles of human rights . . . But the principle of legality means that Parliament must squarely confront what it is doing and accept the political cost."

Surely the issue before the House is that there are compelling examples where it would appear that the Government do not feel that they have done anything contrary to human rights, but, undoubtedly, we as a House are not squarely confronting the issues before us. That is why it is important that the matter should be debated.

7.54 pm

The Minister for Citizenship and Immigration (Beverley Hughes): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

"notes that the Human Rights Act 1998 is fully in conformity with parliamentary sovereignty, which enables Parliament to reflect the democratic will of the people; and further notes that the Human Rights Act enshrines the concepts of liberty that have served this country so well for so long."

I welcome the hon. Member for Beaconsfield (Mr. Grieve) to his role in opening the debate. Given that this is the Opposition's debate, I am rather surprised that the right hon. Member for West Dorset (Mr. Letwin), the shadow Home Secretary, did not choose to open it himself. I am surprised not least because the hon. Member for Beaconsfield so faithfully reproduced his right hon. Friend's thesis as outlined in various media outlets and written pamphlets recently from which it is plain that this is a subject dear to his heart. I think my hon. and learned Friend the Member for Redcar (Vera Baird) put her finger on it. I suspect that the right hon. Gentleman did not open the debate because his plan to put the Government on the spot, as he saw it, has failed. I think that he was expecting the Court of Appeal last Friday to find against the Government on whether our anti-terrorism detention measures were discriminatory. So confident was he that he put out a press release the day before offering to help the Government sort out what he called the problems with the European Court of Human Rights.

The right hon. Gentleman then sought this debate. Unfortunately for him, the Court of Appeal found unanimously in the Government's favour on all counts. The right hon. Gentleman having hoped to put the Government on the spot, I have sympathy for the hon. Member for Beaconsfield, who consequently found himself in a bit of a spot. That is why he made the contribution that he did: there was nothing much left to say.

Given that the Opposition selected this topic for debate, we might at least have expected the hon. Member for Beaconsfield to enlighten us on the Opposition's policy on the European Court of Human Rights and the Human Rights Act 1998. Instead, the only thing that is clear is that they are not clear. When speaking about these matters on "Today" a week ago, the right hon. Member for West Dorset admitted:

"I don't myself yet have a clear view."

One week further on, I do not think that it is any clearer. However, I am grateful for the opportunity to sort out some of the Opposition's misconceptions about the ECHR and the Human Rights Act, and to deal with some of their errors.

Mr. Oliver Letwin (West Dorset): I wonder whether the Minister thinks that there are times in our political history when there are issues that arise and politicians, although they may not immediately know the answer, have the feeling that there are questions that need to be discussed, or whether she thinks that that is an impossible conjunction?

Beverley Hughes: Not at all. I do think that politicians have a duty to stimulate debate on important matters even though they may not fully have resolved what the issues may be. However, I should have thought that they would have a reasonably clear idea of where they stood on some of the principles. What we heard from the hon. Member for Beaconsfield leaves us in a complete fog as to where his party stands and the course of action that it is proposing as a result of the dilemmas that he has outlined tonight and the right hon. Member for West Dorset has outlined in his pamphlet.

Mr. Grieve: I must point out to the Minister that she is in government. It would be nice to hear from her the Government's position on the matters to which I referred. It is the Government who usually lead on these matters. The hon. Lady knows that in respect of the Special Immigration Appeals Commission—and on tariff life sentences—we indicated clearly that we fully understood the Government's position. I do not understand what the hon. Lady is getting at.

Beverley Hughes: The Opposition may have said that they understood the Government's position on detention measures and SIAC, but they did not agree with them. I shall try to take up that point in attempting to unravel the Opposition's motives and the course of action that they really want to propose—I suspect that they are fearful of doing so—in relation to the ECHR and the Human Rights Act.

At the moment, we are not sure whether the Opposition support the ECHR and the HRA or are against them. Half the time, they seem to think the ECHR is bad, while the rest of the time, they think it is good. That may reflect the fact that they are divided on so many issues. Indeed, we have heard different propositions from different Opposition Members. Their official spokespeople wished the Human Rights Bill well on Third Reading and in the other place, but they talked a few months later of repealing the legislation. A year ago, their leader told the Prime Minister that the ECHR was "an obstacle". Last week, the right hon. Member for West Dorset seemed to think that the Human Rights

Act was all that stood between an over-mighty Government and our traditional liberties. He practically cheered the judges on, but this week, his party kneels at the shrine of the democratic will of the people. One wonders where it will be next week.

I should like now to deal with one of the central aspects of the Opposition's position, which is also one of the fundamental flaws in their argument: the proposition that there is a choice to be made between democracy and human rights.

Mr. David Cameron (Witney): I should like to ask a question before the Minister leaves the subject of great court victories won by the Home Secretary. Is she aware that in October last year, he won a great victory when Shafiq ur Rehman, a gentleman whom he had been trying for five years to deport—obviously, the process cost a lot of money—lost his appeal to the House of Lords? Will she explain why the Home Office miraculously turned around 10 days later and said that he could stay?

Beverley Hughes: I shall not be distracted into dealing with a particular case. I should like to deal with some of the fundamental principles that the Opposition say they are raising. Their premise is that there is a choice to be made between democracy and human rights, but in our view, there is no such choice, as they go hand in hand. Respect for human rights is surely one of the hallmarks of democracy and a parliamentary system, because it shows that society values every individual person.

Reference has been made to the well-reported speech made by the Lord Chief Justice the other week, in which he said that human rights came with true democracy, whether Governments wanted them or not. He could have added that that was the case whether Oppositions wanted them or not. He referred also to the words of another senior judge, who summed up the relationship between human rights and democracy by saying that human rights were not a substitute for the processes of democratic government, but a complement to them. We certainly strongly subscribe to that view and I would have thought that we could all agree on it.

Mr. William Cash (Stone): On the question of the choice—

Beverley Hughes: I have not yet given way, but I shall do so now.

Mr. Cash: I am delighted; I am touched by the hon. Lady's generous effort. The choice between democracy and human rights is crucial and relates to the amendments as well as the motion. She says that no such choice has to be made. In that case, why did the Home Secretary recently refer to the need to change the Human Rights Act in order to achieve conformity with what he thinks will be the democratic will of Parliament?

Beverley Hughes: I do not think the Home Secretary has proposed to change the Human Rights Act himself. In relation to some of the cases raised by the hon. Member for Beaconsfield—I refer to the Anderson case in particular—he referred to the need to preserve the view of the House about the role of Parliament in determining policy on punishment, especially with regard to murders. We cannot anticipate the judgment, but if necessary, we will use domestic legislation to preserve that position. That is the point that hon. Gentleman made. [*Interruption.*] That does not involve a choice between the two very important cornerstones of our society—human rights and democracy—in relation to any one issue.

It is astonishing that the Conservatives find that issue so hard to contemplate. I want to deal with it later, but as they are finding it so hard to understand, I shall also rehearse it a little now. In any mature democracy, the extent to which human rights, parliamentary sovereignty and the democratic will of the people have to be negotiated around each other is part and parcel of modern life. That is part of a mature democracy and the constitutional settlement that we accepted when we helped to draw up the European convention on human rights. It is clear that Opposition Members cannot carry in their heads the idea that those issues cannot be reduced to simple edicts and are not one-dimensional. We are here to deal with the extent to which human rights, sovereignty and democracy have to be worked out in a democratic system.

Mr. Letwin: I am grateful to the hon. Lady for giving way; she has been patient and has hence contributed to the debate. I do not seek simplicities. Does she recognise that there are times when the democratic will and the convention as it is interpreted by the judges may come into conflict? She appears to do so, as she refers to negotiation. In that case, who is to prevail in the negotiation and by what mechanism and against which criteria will they do so? That is our question.

Beverley Hughes: As the right hon. Gentleman knows, those issues are not new. For 50 years, we have been considering the extent to which human rights butt up against parliamentary decisions and the laws of this country. What Governments of every complexion have had to do in that situation has already been mentioned by the hon. Member for Southwark, North and Bermondsey (Simon Hughes). They have to consider whether their obligations to the international community and international law should prevail. So far, those are the decisions that Governments of every hue have decided are important. Those are the issues that any Government face. What we are getting down to is what the Conservative party is thinking about as a solution to some of those dilemmas, but perhaps does not dare mention.

Simon Hughes: Will the hon. Gentleman—[*Interruption.*] Will the hon. Lady give way?

Beverley Hughes: Yes, I am a lady.

Simon Hughes: Will the hon. Lady confirm that it is the Government's view that if an ECHR ruling found against the UK Government, they would accept that judgment, as all their predecessors since we ratified the treaty—we were the first country to do so—would have done and amend the law accordingly? Therefore, if the Home Secretary were found not to be permitted by the convention to set tariffs for adult life sentence prisoners

[Simon Hughes]

or others, the Government would accept the ruling and the judgment that such sentences should be set by the courts and not Ministers of the Crown?

Beverley Hughes: I can say that we have no intention of reneging on our obligations under international law or of pulling out of our commitments to working with other countries on all those issues and being part of the family that subscribes to the convention. Indeed, major changes to our law have followed as a result of decisions of the sort to which the hon. Gentleman refers. The judgments were not always convenient at the time, but in the end, all Governments, whatever their hue, have put the rule of law above political considerations. I repeat that that is what a mature constitutional democracy is all about.

My point is that most of what the Opposition spokespeople are complaining about—this is reflected in the confusion in their motion—comes not from the Human Rights Act, but from the ECHR.

I listened carefully to hear whether the Opposition would commit themselves to denouncing the whole ECHR as is technically possible. Is that their real agenda? That would be something when all Europe—west and east—accepts the ECHR, inconvenient though its outcomes may sometimes be, as the bottom line of civilised behaviour. The Human Rights Act does not change the ECHR or our international legal obligations under the treaty in any way. It does not change one word of convention rights, but allows us to enforce those basic rights in our courts rather than having to pursue them in Strasbourg.

Mr. Grieve: Will the Minister give way?

Beverley Hughes: I shall finish this point first, because I have been fairly generous in giving way.

The Act is primarily about access to justice in our own courts. Of course, it is true that our judges, and not those in Strasbourg, are more likely to hand down decisions that may ask the Government to think again. I wonder whether the Opposition prefer such judgments to come from Europe or from our own courts. We know what answer the Strasbourg court gives to that question, and my hon. and learned Friend the Member for Redcar (Vera Baird) has already referred to it. It gives what it calls a large margin of appreciation in favour of domestic legal systems—and quite right too.

Mr. Grieve: The Minister seemed to be coming to the nub of the argument, but then shied away from it. If I understand her correctly on mandatory tariffs for life sentences, she appeared to suggest that the Home Secretary would legislate to overturn any possible decision taken by the House of Lords but might, if the decision went against him at the European Court of Human Rights, accept that. Is that the position? Would he legislate if the House of Lords were to tell him that a sentence were contrary to the convention but would accept the decision of the court in Europe itself? The House is entitled to know.

Beverley Hughes: The House is entitled to know when we know what the House of Lords judgment will be. As my hon. and learned Friend the Member for Redcar said, the hon. Gentleman's speculation is entirely premature. We will face the issue if and when we meet it.

The Opposition's second argument is that our current system of subscribing to the ECHR, and the Human Rights Act's incorporation of that, takes power from Parliament and puts it in the hands of judges. However, as we are already signatories to the convention, the Act simply means that British rather than European judges are allowed to pass judgment. The Attorney-General rightly pointed out this month in relation to the Guinness four hearing that Parliament could today legislate deliberately and incompatibly with a convention right. The domestic courts would, of course, be obliged to give effect to Parliament's expressed intentions.

The Act is about the rule of law and not about the rule of lawyers and judges. It is crystal clear about parliamentary sovereignty. I refer Members to sections 4 and 6 that make it clear that the courts can issue a statement of incompatibility if they believe that primary legislation is incompatible with convention rights. However, that is not a strike-down power of the kind found in legislation in some other countries. Section 4 (6) clearly states:

"A declaration under this section ('a declaration of incompatibility')—

(a) does not affect the validity, continuing operation or enforcement of the provision in respect of which it is given; and

(b) is not binding on the parties to the proceedings in which it is made."

That is not to say that a finding of incompatibility does not matter, but neither should incompatibility in the way that the Opposition see it be regarded as a defeat or as a disaster for democracy.

As the hon. Member for Beaconsfield said, my Department faces some challenging decisions, and we are not alone in that. However, the Conservatives need to have a more mature perspective on such issues. Let us consider some past cases. Did parliamentary sovereignty, democracy or liberty crumble because the Court of Appeal used the Human Rights Act to challenge the Prison Service's blanket policy on taking all babies away from their mothers at the age of 18 months? I do not think that they did. The decision gave us an opportunity to consider the matter again. To put it simply, the judges were telling us that we could have a general policy, but that we had to be sure that it did not suffocate individual rights.

Mr. Grieve: Will the Minister give way?

Beverley Hughes: No, I want to make progress because I know that other hon. Members wish to speak.

Similarly, was it a disaster for democracy to hear that the Court of Appeal also applied the Act to overturn a system of in-built bureaucratic delay in which a tribunal made people wait eight weeks after making an application? It was not.

Another misconception that the Tories, or at least some of them, have is that Europe forced the Human Rights Act on us. They should know—perhaps they will tell the *Daily Mail*—that the ECHR is not Euro-law from Brussels. It results from Winston Churchill's creation, the Council of Europe. They do not understand that the Act was not an imposition, but a

policy choice. It was the result of a clear manifesto commitment that the Government made to enable people to achieve their rights in this country.

The hon. Member for Beaconsfield referred to traditional British liberties that have served our country well for so long. Two centuries ago, John Wilkes could talk of the liberties of Britons to do what the law did not forbid. Since then, successive Governments have passed thousands of laws while, in the meantime, other countries set out the values that they shared in law. The people of those countries enjoyed the benefits of that. Apart from this country, only two developed nations had no constitutional settlement of this kind. Now there are none.

We need to remember that, 50 years ago, British lawyers helped to enshrine our basic liberties into the ECHR. However, people could claim them only in Strasbourg. One thing perplexing about the Tories' approach to the issue is that they try to portray the ECHR as counter to British values, our way of doing things, parliamentary sovereignty and democracy and concepts of liberty as outlined in their motion. In fact, the ECHR enshrines those British values, because those values were incorporated into the convention at the outset.

Mr. Cash: The Minister referred to views maturing. The Government have adopted the principle of a European constitution, and she knows from the statutes that emanate from the convention that a number of matters clearly set out the idea of making the fundamental charter of human rights legally binding within the jurisdiction of the European Court of Justice. That would make it somewhat autochthonous, if I can use that expression. Will she therefore acknowledge that, in relation to the European Court on Human Rights, the Government are giving way to the idea that that jurisdiction could be subsumed into an overriding supreme court as envisaged, for example, by Professor Dashwood's constitutional treaty?

Beverley Hughes: No, I do not acknowledge that that is the logical conclusion.

In a democracy, such as that in the United Kingdom, human rights are not an absolutely rigid set of standards to which every other aspect of social and political life must bow. Our intention in incorporating the ECHR through the Human Rights Act was to provide a framework within which important and inevitable dilemmas would be debated.

Individual rights have to be set alongside the public interest. One person's rights can infringe on the freedoms of others, and Governments have the responsibility of balancing the rights of the individual citizen to freedom with the rights of the people as a whole, for example, to security and protection. Public protection from terrorists, dangerous offenders and others is the prime duty of Parliament; it is the Government's priority too. For individuals, rights are not absolute and unfettered: they have to be balanced with responsibilities.

Today, the Opposition have shown, yet again, that they are not able to grasp some of those issues. They are looking backwards, not forwards. They are out of touch and that, I fear, is why they are still out of government. The Labour Government have brought the framework of human rights into British law—a framework that now allows our courts to help us to strike the balances in the best possible way, as we develop a stronger sense of mutuality between individuals and between people and Government and, in so doing, develop a stronger, more cohesive society in which our international obligations are to the fore. The Labour Government understand that. We are committed to human rights, parliamentary sovereignty and democracy, and we have had the courage to bring those things together in a new settlement that fits us for the 21st century, and does not take us back in the 18th century, where the Opposition would like us to be.

8.21 pm

Simon Hughes (Southwark, North and Bermondsey): Although I need not formally declare the interest, I am a lawyer and I both trained and worked at the Council of Europe dealing with human rights matters, before entering Parliament.

I welcome the debate because it is on an important issue, although I share the Government's surprise that the subject has been chosen at this time by the Conservative party. There are all sorts of reason for that surprise, including those enunciated by the hon. and learned Member for Redcar (Vera Baird). I understand the position stated by the right hon. Member for West Dorset (Mr. Letwin), that one does not have to have a view before testing the view of the Government, but it strikes me that the Conservatives have not answered the fundamental question in the motion, which is whether we in the House, and the parties in the country, think that sentencing ought to be done by judges, or that in some cases the power ought to be reserved to Ministers. On that issue, I have not heard a clear statement of position from a Conservative Front Bencher, and the Government have voiced apparently contradictory positions. I shall happily return later to the Liberal Democrats' position, because this is one of those debates—it does not always happen—in which I can in all honesty tell the House that, on all the issues relevant to the debate, Liberal Democrats as a party have a clear position and has had one for some time.

Other reasons, not enunciated by the hon. and learned Member for Redcar, for my sense of slight surprise at the motion on today's Order Paper are first, that I had always assumed that the Conservative party supports the rule of law—I hope that it still does—and secondly, that I have recently and increasingly often heard its leader voice the view that the Tory party must look after the interests of the vulnerable, which is a new approach that I laud and welcome, although we have yet to see whether it would be carried out in practice.

If one believes in the rule of law and in supporting the vulnerable, who are often minorities of some sort, it must logically follow first, that one accepts the ultimate supremacy of the European convention on human rights, to which we have subscribed for 50 years—indeed, we were the first signatory to it as well as, in large part, its author—and secondly, that one accepts that sometimes the courts will have to stand up for the minority, which Parliament has sometimes failed to do.

[Simon Hughes]

I am therefore concerned about the implication of the position stated in the Conservatives' motion, which is worded as follows:

"this House notes with concern the impact of the European Convention on Human Rights on the sentencing powers of the Home Secretary and in other respects".

The one example given is the Home Secretary's sentencing power. Unless I have misunderstood the English, noting "with concern" the convention's impact on that power suggests that the Conservatives are not happy about it, which in turn suggests a degree of inconsistency with an acceptance that the European convention is right.

On the substantive issue, it is important that the House—however difficult it sometimes is to do so in the face of public opinion in part, and tabloid newspaper opinion in particular—stands up for the position that it should be judges who decide sentences and Parliament which sets the law within which those sentences are set. For me, that means that the individual sentence has to fit the individual crime, and for me and my party, it means that there should be no mandatory sentences—none, including for murder. It should always be up to the court to decide the sentence, within the upper limit fixed by Parliament. Taking the example of murder, the reason why it is wrong to have a mandatory sentence is that there is all the difference in the world between a person who premeditatedly plans the most gruesome killing of an innocent victim, and a person who after 30 years of taunting and domestic violence reacts, on the spur of the moment, by killing their spouse. It seems to me wrong to treat both in the same way.

The other principle that the Liberal Democrats have enunciated clearly—we did so when the Venables case, which came to court after the killing of James Bulger, was reviewed—is that it is logical and right that matters of how long a sentence should be, and then, when a case is reviewed, of whether it is safe for someone to be released, should be determined by a judge, either the original judge or a judge who takes their place. It is wrong that someone's sentence should be decided by a politician, who cannot help but be tainted by his political function. That decision should not be influenced by politics

Mr. Douglas Hogg (Sleaford and North Hykeham): The hon. Gentleman has, to some extent, covered the point I intended to make. He knows that I have a great deal of sympathy with the view that judges should determine sentences and that there should be determinant sentences for homicide. However, there is a problem to which he alluded, namely, the public safety. There is some merit in a life sentence that enables the Home Secretary to act if he were persuaded that, at determination of the tariff, the person remained a public threat. That is the one advantage of the life sentence.

Simon Hughes: I absolutely understand that point, about which the public are rightly concerned and would want us to be concerned. My view is that the matter should come back to the court and the court should determine, on the evidence, whether it is safe to release the person in question. I agree that a safeguard is needed. One cannot know when one is sentencing a person whether it will be safe to release him in 10, 15 or 20 years.

I wish to give the reasons why all sentences, including life sentences, should be set by judges and not by politicians. First, life sentences—established about 100 years ago—were never intended to be life long; they were intended to be very long sentences that were subject to review. Secondly, the royal commission on capital punishment in 1953—soon after the European convention was signed by the United Kingdom—said that judges should determine the length of sentences, so the argument for change goes back to the beginning of the convention. Thirdly, when that proposal was rejected by Parliament—and we first abolished the death penalty on a trial basis—the Home Secretary was given the power to continue to decide on these matters; not to give him additional powers to extend sentences, but to prevent overlong or unnecessary detention, so the Government could allow for rehabilitation.

Mr. Grieve: The hon. Gentleman is right, as one can see from reading the debates. Yet he will acknowledge that Sir Frank Soskice, the then Home Secretary, made clear the reverse argument: that there were some circumstances—because of the behaviour in prison, the character, or the assessment of the person who had been sentenced to imprisonment—in which he might find himself constrained to decide that the person should continue to be detained.

Simon Hughes: Indeed, the then Labour Home Secretary was very careful and was much respected for his balanced view on these subjects.

Mr. Garnier: Surely the real reason is the unspoken one, which is that a deal was done. As most members of the public wanted the death penalty to continue, the public had to be assuaged—or, at least, Members of this House who supported the retention of the death penalty had to be persuaded that the Home Secretary would, if necessary, keep people in prison for ever. It was just a dirty political deal.

Simon Hughes: The hon. and learned Gentleman is quite right; this was a matter where Parliament led public opinion, which had not been persuaded of the argument. We had had cases where Lord Chief Justice Goddard sentenced people to death who were later found to be not guilty. I do not regard the matter as a dirty political deal. I understand why it happened, but we have moved on since then.

When subsequent Home Secretaries introduced the notion of the tariff, they did so without any parliamentary debate or secondary legislation; it was introduced, as it were, by a Government statement. Many reports of the bodies concerned over the years, including the Home Affairs Select Committee, have recommended that there should be judge-made sentences, not politician-made sentences. That included the last Home Affairs Select Committee report under the last Conservative Government, a Committee that had a Conservative majority.

The logic of the cases that have been debated here, which came from Strasbourg and dealt first with young people, was that we should apply the same principle to adults. There does not seem to be any logical distinction between the two. By signing the sixth protocol to the

ECHR, Parliament has prevented itself from being able to reinstate the death penalty, so the reason for the old position has gone.

In addition, other parts of the United Kingdom have judge-set sentences. Scotland has them, and it is not an issue there. In Scotland, the Justice Minister—my friend Jim Wallace, a former Member of this House—does not set the sentences. In Northern Ireland, legislation is going in the same direction. We have heard the arguments and, around the world, all similar jurisdictions have moved away from the system that we are discussing. Whatever the House of Lords decision may be, sooner or later we should, and we will, have judge-made sentences, not Home Secretary-made sentences.

Mr. Cash: Surely the hon. Gentleman conceded to my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) that there were questions relating to public safety. One might give as instances serial killers and paedophiles. How does he square that with what he has just said?

Simon Hughes: I give the hon. Gentleman the same answer that I gave to the right hon. and learned Member for Sleaford and North Hykeham. I am on the record as saying that it should be for the courts to make sure whether somebody who has been given a life sentence is safe to be released. When juveniles become adults, it is my view that there should be the same reassessment. Also—this will be topical in the next Session—the same should apply to people with a history of mental illness or mental disorder. I would far rather that courts made that decision in public, on the evidence, than—with great respect—parole boards sitting behind the scenes. The parole boards have done a difficult job well, but for reasons of public safety and reassurance those decisions should be made in the open.

My party enthusiastically supported the Human Rights Act in both Houses, believing it to be right and proper for Britain to make the convention directly enforceable. Every Council of Europe country that is a signatory to the convention has now done that, with the exception of Ireland, which is considering doing so and in any case has long had a written constitution and Bill of Rights.

The Act appears to be hugely successful. In the lecture that has already been referred to, Lord Woolf made it absolutely clear that he considered it to be a good thing and working well, and the other senior judges fully support it. The remedy for a human rights breach is now available far more quickly—one used to have to go to all the domestic courts and then to Strasbourg, and that often led to justice denied.

The Act means that our courts can now influence the jurisprudence of Strasbourg. It has not been abused, and I think that only one case has resulted in compensation. It means that we scrutinise our legislation for human rights implications more thoroughly. Civil servants have to do that and Ministers have to certify compliance, and the Joint Committee, chaired by the hon. Member for Bristol, East (Jean Corston), has done an extremely good job on behalf of both Houses, ensuring that every piece of legislation is examined. I pay tribute to her and her colleagues for their part in ensuring that Parliament can do its job properly.

The Act has made us much more human rights conscious. Official secrets legislation dating from the first world war—passed in haste and repented of at leisure—could never have remained on the statute book so long if we had had this process. That is why, uniquely in the House, my party opposed the derogation in last year's anti-terrorism legislation. I understand the arguments, but we thought it unnecessary, as other remedies are available. We believed that other countries would not follow us in seeking derogations, and indeed they have not.

The implication in the motion that the Act is inimical to democracy is, as the Minister said, completely flawed. Lord Woolf dealt with that head on at the end of his lecture. The reality is that the best remedy against the excesses of the state—often the Executive, sometimes Parliament—is to have someone outside who can say, "You've got it wrong." It is easy for Parliament to be swayed to support the view of the majority, but often we need to ensure that it looks after the interests of the minority just as much. Lord Woolf made it absolutely clear that occasionally judges are needed to do that job. They may be unpopular at the time, but they are needed.

We should consider our history, taking in Thomas Paine and the tradition that we have exported to the United States, as well as the French revolution. Going back even further, there is the declaration of rights and, more recently, my party's traditions, with Mill and all the others. We believe that liberal democracy is absolutely rooted in human rights, and sometimes we need something other than Parliament to defend it.

I pay tribute to those who fought the battle. When I was first interested in politics, I met the then Lord Wade, a Liberal peer, who was fighting to get the Bill of Rights incorporated in law. He kept trying, and it seemed almost cloud cuckoo land to imagine that it would ever happen, but he fought doggedly on and eventually he was proved to have been right. More recently, my noble Friend Lord Lester, who has many years experience in human rights and serves on the Joint Committee, fought hard to secure the legislation. Parliament achieved a balance, saying that it need not accept the court's decision, but accepting that eventually it could be overridden by the European Court of Human Rights.

Mr. Letwin: No one listening could fail to be impressed by the hon. Gentleman's evident sincerity and the logic of his arguments. Does he accept, though, that there is a difference between using such a structure of argument in the United States, where constitutional amendment is available as a democratic device, and using it in our current circumstances, when we are denying Parliament the ability to contradict the judges' interpretation of a document that Parliament cannot change? Is not that a fundamental difference?

Simon Hughes: It is a difference, and we could have a perfectly proper debate about that. Unlike the United States, we do not have a written constitution. This country has signed up to a European convention, rather as the states in America signed up to the federal constitution.

I intended to end on this point, and the right hon. Gentleman leads me to it. The process of our democracy and the defence of human rights is an evolving and

[Simon Hughes]

developing process. I welcome the debate about how Parliament—the legislature—the Executive and the courts interrelate. But for us this will continue to be unsatisfactory in its resolution until we have a written constitution and a Bill of Rights. When we have, the parallel with the United States will be much more obvious, and the citizen will understand more clearly the relationship between himself or herself and the state.

The great benefit of being brought up in the United States or in France is that young people there understand their rights and obligations more clearly than they do in this country. We still have some way to go. The Human Rights Act was a good start, and independence of the judiciary is an important principle—but there is further work to be done, and further constitutional reform is still urgently needed.

Several hon. Members *rose—*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I remind the House that the 12-minute limit on Back-Bench speeches now applies.

8.40 pm

Jean Corston (Bristol, East): I am grateful for the opportunity to take part in a debate on the implications of the Human Rights Act 1998. I agreed with my hon. and learned Friend the Member for Redcar (Vera Baird) when she surmised the reasons why the Conservatives chose this subject for debate this week—but I am pleased to say that the Court of Appeal shot their fox last Friday.

Such time as I have, I intend to devote not to recent cases in the Court of Appeal, nor to the position of politicians with regard to determining sentences, but to a recently produced pamphlet containing what passes nowadays for thinking on human rights in the Conservative party, including an article by the right hon. Member for West Dorset (Mr. Letwin), the shadow Home Secretary, entitled "Liberty under the Law" and a foreword by Lord Cranborne.

The pamphlet says that there is little parliamentary check on the expanding power of the state, which increasingly threatens individual freedom, so the role of protecting individuals from the excesses of state power falls to the judiciary. However, the European convention on human rights, which the Human Rights Act incorporates into British law, has at its heart the protection of individual freedom. As we all know, it was drafted in response to the experience of fascism in the 1930s and 1940s, and is based on the principle of the rule of law in a democratic society. The convention protects rights, including rights to liberty, to freedom of expression and freedom of assembly and to privacy—an essential check against excessive intrusion into the personal sphere, which is, in essence, the right to be left alone.

Mr. Grieve: As I hope I acknowledged in my speech, I recognise the work that is done by the Joint Committee on Human Rights, which the hon. Lady chairs. She will recollect that I also mentioned the provisions affecting education, for vetting to prevent paedophiles and other sex offenders from working in schools. There are draconian provisions, for no explicable reason, demanding that people provide bank account details, their mothers' maiden names and other information that appears to be an intrusion into privacy. Did the hon. Lady's Committee have the opportunity to consider that provision before it was enacted? If not, does not that, plus the fact that it was not debated on the Floor of the House, show how poor the ability of the House is—although it is not the fault of the hon. Lady's Committee—to provide adequate scrutiny of issues involving human rights when the Executive chooses to intrude?

Jean Corston: I do not recall whether the Committee has given attention to that matter, although I would not want to say that I was sure. I am sure that the House can imagine the volume of legislation that the Committee has examined since its inception in January 2001, because it has examined every Bill, both public and private, that has been introduced into either House.

I shall now proceed, but would you confirm, Mr. Deputy Speaker, that if I take interventions, that will not affect the 12 minutes for which I am permitted to speak?

Mr. Hogg: On a point of order, Mr. Deputy Speaker. I understood that the time taken by interventions did not count against the 12 minutes, but the response did.

Mr. Deputy Speaker: I think that the hon. Lady is fully aware of the position.

Jean Corston: Thank you, Mr. Deputy Speaker. Yes, I think that I could work that out for myself.

The HRA does not just "arm the judges", as the right hon. Member for West Dorset put it, to defend freedoms; it places responsibilities on each arm of government—the Executive, Parliament and the judiciary—to protect human rights. It therefore requires everyone acting on behalf of the state to consider the rights and freedoms of the people whom their actions affect. Public authorities must ensure that their policies and practices are in accordance with convention rights. The Human Rights Joint Committee's inquiries—a Committee that I have the privilege of chairing—have shown that this process has had an impact on Government, although it is not as yet consistent across all areas of government, and more work remains to be done.

Parliament has an equally significant role to play under the HRA. As was said, section 19 of the HRA requires a Secretary of State who introduces a Bill to Parliament to state whether it complies with the human rights protected under the Act. My Committee has taken a prime role in this pre-legislative scrutiny process—to the benefit, I hope, of both Houses. This requirement has given Parliament a new tool to scrutinise legislation for HRA compliance. Since its establishment, the Committee has undertaken this work as its first priority, and it is hoped that its 20-odd reports on Bills and draft Bills have helped Parliament to become better informed about the balance to be struck between conflicting rights, and between rights, duties and responsibilities, when it is making law.

On page 1 of the pamphlet to which I referred, Lord Cranborne states in the foreword that the

"judges are not elected and have the right to overrule the decisions of our elected representatives."

That is not so. The courts have no power to strike down legislation; all that they can do is to make a declaration of incompatibility.

Mr. Garnier: Judges do have a power to strike down secondary legislation.

Jean Corston: I accept that, but the foreword makes the sweeping statement that they are not allowed to overrule the decisions of our elected representatives. That is not the case. There has been one declaration of incompatibility that fulfils all the tests laid down by the right hon. Member for West Dorset, according to his freedom test. It concerns the mental health legislation that applied a reverse onus decision to anyone held under its provisions, so that, in order to be released, they had to show that they were not a danger to the public. The court said, probably rightly, that the burden should be on the state to prove that the person concerned was not fit to be released, rather than the other way around. That is the only time in nearly two years that Parliament has been asked to look at a declaration of incompatibility.

The pamphlet suggests that the judicial protection of liberty under the HRA is uncertain, and may be inadequate. However, the rights incorporated by the HRA are not vague and uncertain generalities. They are underpinned by a comprehensive body of jurisprudence of the European Court of Human Rights, in its application of the ECHR to member states of the Council of Europe, including the UK. As they are required to do under section 2 of the HRA, UK courts have, since implementation of the Act, drawn on this rich vein of case law in developing their own jurisprudence on human rights.

It is therefore a false antithesis to suggest that the HRA has created a paradigm shift in the balance between Parliament and the courts. The evidence does not support this view; nor does it suggest that we are on the brink of a revolution. Judges have always had a creative role to play in the making of the law—what else is the common law? One need only think of Lord Denning and his married women's equity. The idea that judges have always confined themselves to the narrow interpretation of black-letter law is a golden age myth that has absolutely no historical foundation, other than a wholly simplistic reading of British judicial philosophy.

The HRA is an Act of Parliament like any other. Through it, Parliament has chosen to give the domestic courts more direct access to the jurisprudence of the ECHR, to which the UK has been less directly subject for more than 50 years. Of course, the pamphlet criticises the decision in A *v.* the Secretary of State for the Home Department, but we all know what happened last week in the Court of Appeal.

The next criticism made is that the state's "positive obligations" to protect human rights potentially infringe individual freedom by regulating relationships between individuals. However, not every threat to human rights comes directly from the state. Human rights guarantees would be deficient were they not to require the state in certain circumstances to protect rights, as well as to refrain from interference with them. The state's duty to protect rights under the ECHR includes the duty to take steps to protect those known to be at immediate risk from known criminal activity and a duty to protect children from abuse and neglect in the home.

Under the HRA, the courts are obliged to have regard to the human rights of all those affected by their decisions. The balancing of competing rights is at the heart of the convention system for protection of human rights. Though rights to privacy may place limits on freedom of expression, those limits will be acceptable only when they are in pursuit of a legitimate aim and are necessary, proportionate and non-discriminatory. The positive obligation on the state to protect one right does not therefore authorise unfettered interference with another.

The HRA is about respect. Page 13 of the pamphlet makes a rather unpleasant reference to homosexuality. It reminded me of what happened when the hon. Member for Rutland and Melton (Mr. Duncan) made a statement about his sexuality. The hon. Member for Maidenhead (Mrs. May), the chairman of the Conservative party—that is what she calls herself—said that the party was tolerant of such things. It is a matter not of tolerance but of respect. Until the Conservative party understands that, it will stay on the margins of politics.

Post 11 September and Bali, human rights is the only game in town. Mahatma Gandhi once said that he intended to open the windows of his house to every religion in the world but that he did not intend it to be blown down by any of them. We cannot allow any one religion or religious philosophy, whatever it is, to assume that position. We have to have a common language for humankind, with a set of values that unites us all in an increasingly small world with huge population movement. That language can only be the language of human rights. It is to the Government's credit that they have submitted—

Mr. Deputy Speaker (Sir Michael Lord): Order.

8.53 pm

Mr. Douglas Hogg (Sleaford and North Hykeham): My hon. and right hon. Friends are to be congratulated on the motion, because it enables us to discuss issues that are not generally discussed on the Floor of the House. They will doubtless therefore be sorry that I disagree with them on their two principal points and will not accompany them into the Lobby tonight.

I wish to comment on the tariff powers and, if time permits, to say a brief word about the convention itself. On the ministerial power to set tariffs, I have two preliminary points. First, we need to be clear about what the tariff is and what part it plays in the judicial process. The tariff is but a part of a life sentence. It is set in order to punish the defendant for the offence. To that extent it is like any sentence imposed by the courts. At the expiration of a tariff period, the Minister, together with the parole board, has the right to refuse—or agree— to release the defendant on licence, and during the period of licence the defendant may be recalled for an

[Mr. Douglas Hogg]

infringement. However, the important point is that the tariff is imposed by way of a penalty. It is, for the reasons that I shall discuss in a moment, a judicial process.

My other preliminary point is that I have considerable personal experience of the matter. Between 1986 and 1989 I was the Minister responsible for determining tariffs. Indeed, with the exception of the then Lord Chief Justice, I do not suppose that anybody imposed more tariffs—I am advised that I imposed something like 600. That was partly because an awful lot of cases came up to me and partly because my predecessor left an enormous backlog, so I did rather a lot of tariffs.

It might be helpful if I tell the House something about the process involved in setting a tariff. I admit that this was 12 or 14 years ago, but knowing the way in which officials operate, I do not suppose that it has changed very much in the intervening period and, anyway, the principle holds good. What happens is this: a file is presented to the Minister. On the front page is a document that describes the offence in three or four lines. There then appears the trial judge's recommendation as to minimum sentence tariff, which takes up two or three lines. There then appears the recommendation of the Lord Chief Justice, which is usually rather longer, unless he simply says "I agree." There then appears the recommendation of the Department. Then there is a little box where the Minister marks his own determination. On the basis of that rather scanty information, a tariff is imposed by the Minister.

The Minister is acting on pretty scanty material and is probably doing it fairly quickly. As I say, I imposed some 600 tariffs. This may be seen as a clear example of Ministers arrogating to the Executive a role that clearly should be performed by the judiciary. The process that I have described is not subject to appeal or to supervision. It is really the seizure by the Executive of powers properly belonging to the judges, and it is highly objectionable.

It is said by some, often by my right hon. and hon. Friends, that because Ministers are accountable to Parliament, they are quintessentially the right people to do this sort of thing. To that I say "Rubbish" on at least three counts. First and most obvious, the tariff is a penalty, and I happen to believe that a penalty should be imposed by a judge, not least because the judge knows about the facts of the case while the Minister knows only what is on a bit of paper unless he happens to ask for more detail.

Secondly, the idea that Ministers are accountable to Parliament on this matter is for the birds. I do not recall that either I or the then Home Secretary, now Lord Hurd of Westwell, were ever asked about what we were doing in this respect. That was rather an omission, as we were in the business of driving up the tariffs, as a subsequent report by the House of Lords made plain. Nobody asked me about the policy, although I would have been quite happy to tell them. However, the idea that I was accountable to this House is for the birds.

Mr. Cash: Did my right hon. and learned Friend not think that perhaps he was accountable to himself and that he might have acted with a little more restraint?

Mr. Hogg: On the contrary, I acted with great restraint. Not only that, but I dictated the guidelines to the Department that would set out the principles that I would apply. However, that was to perform a role that a judge, not a Minister, should perform.

I have one further point about accountability. A Minister standing at the Dispatch Box, heavily armoured with his brief and understanding the facts, is not accountable to the House. The House does not have the appropriate processes with which to make a Minister accountable, save in Select Committees. The idea that a Minister will be embarrassed or taxed or supervised is simply an illusion.

There is a further point. Even if Parliament could hold a Minister to account, it should not do so in respect of individual sentences in individual cases. It is perfectly proper for Parliament to set out general policy, but wholly improper for Parliament to scrutinise individual sentences imposed on individual defendants, because, of course, Parliament is driven by the tabloid press. Too often, Members of Parliament respond to the lynch-mob mentality of the public. Members of Parliament will never know the exact facts of a particular case, or indeed the sentences imposed in relatively comparable cases.

For all those reasons, I strongly believe that the function is not properly ministerial but judicial.

Simon Hughes: The right hon. and learned Gentleman knows that I share his view. When he was dispensing that type of ministerial justice, did he hold his current view?

Mr. Hogg: Yes.

Simon Hughes: If the right hon. and learned Gentleman held that view, surely he is now at liberty to reveal, in general terms, whether the Government discussed changes to the law that would have allowed judges to replace him as the dispenser of so much rather summary justice.

Mr. Hogg: On the hon. Gentleman's latter point, I do not remember. I was only an Under-Secretary at that stage. However, I have always held the views that I expressed today and I have always expressed them robustly. I never thought that the function was one for Ministers to perform, but I am not a squeamish fellow, as you know, Mr. Deputy Speaker, and I never hesitated to perform the functions entrusted to me—even if I thought they were wrong, as I then did.

I realise that time is running out so I turn briefly to the convention itself. I want to make some general points. It is true that the incorporation into domestic law of the convention has given the judges a legislative function. As a member of the legislature, I understand the objections to that. All in all, however, I am very much in favour of the incorporation of the convention into domestic law. It is wholly right to say that justice delayed is justice denied. If it be right to have recourse to the courts, better by far that people can raise convention-based issues at first instance in the UK courts than have to go to Strasbourg.

Secondly, and rather differently—it is part of the margin of appreciation—it is to the interests of the United Kingdom that the body of jurisprudence that will emerge on the basis of the convention addressing

UK issues should actually reflect the views formed at first instance by British trial judges. That is to our interests.

Finally, I believe that the House does not properly defend the interests of the citizen. As the House will remember, my father delivered lectures on and wrote a book about "the elective dictatorship". We have surrendered to the Executive the control that we ought to have over policy and over legislation. Party—I look at my hon. Friend the Whip—exercises far too much authority over Members of Parliament.

Mr. Garnier: My right hon. and learned Friend does not even know the name of our Whip.

Mr. Hogg: I certainly do.

We need many more independent Members of Parliament. If we had them, we should not need the convention. However, because we do not perform properly our functions—to defend the citizen—better the convention and judge-made protection than no protection at all.

9.3 pm

Rob Marris (Wolverhampton, South-West): I fear that I may not be as independent as the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) would wish.

I welcome the debate and am glad that it was initiated. It is good that we debate the role of Parliament and the judiciary in decision making, as the Opposition have urged us, and that we recall developments in the common law.

I am a non-practising solicitor but unlike many Members who have declared that interest, I do not have a law degree. I took the cheaper route, so I did not have the chance to engage in jurisprudential debates and may have a hazier idea than I should about the origins of the common law.

Mr. George Osborne (Tatton): The hon. Gentleman now has the chance to find out.

Rob Marris: As the hon. Gentleman says, I shall now be able to learn.

Although the debate is welcome, it is somewhat artificial, as has been mentioned, particularly by the hon. Member for Southwark, North and Bermondsey (Simon Hughes), who rightly said that we were signatories to the European convention before its incorporation into United Kingdom law, and that it was therefore a question whether cases went to Strasbourg or were dealt with domestically. In that sense, there has been no change.

There may have been a change—the hon. Member for Beaconsfield (Mr. Grieve) seems to decry this, but he will correct me if I am wrong—in that those who feel that their human rights have been trampled on take the matter to court in the United Kingdom because it is easier to do so. However, that does not seem to be a problem—access to justice is easier for people.

Mr. Grieve: I did not suggest that that was a problem; I said that it had consequences—I hope that the Minister will address them in her reply—and that it appeared that the Minister and the Home Secretary were parting company with the operation of the ECHR and its incorporative Act on some specific issues. I hope that a Government Member will address those points this evening because that is what the debate is all about.

Rob Marris: What the Minister addressed in general terms was the balance that must be struck between, for example, the right of a state to protect itself, which we have done with the anti-terrorism legislation, and the human rights of individuals. If the hon. Gentleman thinks that the issue has not been dealt with fully enough, I am sure that the Minister who is to reply will tackle it further.

The debate highlights the need to discuss mandatory life sentences. They have been mentioned tonight and, no doubt, will be debated again. Some of the drive for the debate comes from that issue. I am uneasy about mandatory life sentences for murderers, because they have led us into problems. The abolition of the death penalty was an historic compromise, but we moved beyond that with the signing of the sixth protocol.

We experienced the same difficulty with the abolition of the death penalty. One practical reason, in contradistinction to the forceful moral arguments, why the death penalty was abolished was that juries would not convict in many cases because the penalty—death—was so draconian. There is a similar situation now, understandably, with survivors of domestic violence. They can be charged with murder because their actions fulfil the letter of the law on murder, but juries will not convict because it would mean a mandatory life sentence for those women, and so difficulties arise. There is a bending of the law on provocation, diminished responsibility and so on, so we need to look again at mandatory life sentences.

The hon. Member for Beaconsfield talks about the limits to be imposed by the House on judges' discretion. One of the things that made me proud to be a solicitor was that, when the iron curtain came down in 1989, the countries in eastern Europe advanced two key demands. One was for parliamentary democracy and the other was for the rule of law, because they did not have an independent judiciary, as we have had for centuries. That is important, but one has to debate the balance between the power of the judiciary and that of the House of Commons as sovereign body.

The hon. Gentleman referred to rights disappearing down the plughole, but I do not recall him giving the House any example of what those rights were. He focused on mandatory life sentences and the Home Secretary's powers of review.

Mr. Grieve: The hon. Gentleman gives a straightforward example. The original intention was that a murderer should serve a life sentence. That is how the public perceived the sentence, even though a person might be freed long before spending the whole of his life in prison. That principle has gone down the plughole. There can be no doubt about that, as the hon. Gentleman will probably agree, but the public and the House have not debated that issue.

Rob Marris: The hon. Gentleman replies eloquently, but I think that the record will show that he used the word "rights" in the plural, and he simply mentions one right now.

[Rob Marris]

The first few lines of the Opposition motion state:

"That this House notes with concern the impact of the European Convention on Human Rights on the sentencing power of the Home Secretary and in other respects".

I must say that the official Opposition have been singularly quiet about what they mean by "in other respects". We have had references to the Special Immigration Appeals Commission—

Mr. Cash *rose—*

Mr. Grieve *rose—*

Rob Marris: If I may, I shall make some progress and give way in a moment.

We have had reference to SIAC, section 172 of the Road Traffic Act, teacher vetting, the early release of prisoners and how much power a prison governor has. Does that encompass what the Opposition mean by the words "in other respects", or is there more to it than that?

Mr. Cash: To accept the hon. Gentleman's invitation, a vast range of matters and a huge number of cases exist in which the discretion of the Secretary of State arises, including matters such as extradition and deportation. The list is endless.

Rob Marris: The list may be endless, but the House would perhaps benefit from a more expurgated list. Members can take a balanced view of whether the Home Secretary has too much discretion. I hope that, later in the debate, official Opposition Members will fill out the picture, especially in relation to the fine words in the last two flowery lines of the motion. They sound good but do not mean much to me in the context of the debate. They refer to:

"a lasting settlement that can bring the Human Rights Act 1998 into conformity with the democratic will of the people and the concepts of liberty that have served this country so well for so long."

I would like some flesh on those bones, and it is fair to ask the official Opposition to provide some.

This is an Opposition debate—a chance for the Opposition to advance a clear view on an area of their choosing. I must say to the hon. Member for Beaconsfield and his colleagues that I do not think that he has done so. He has thrown together a hotch-potch of criticism and questions. The right hon. Member for West Dorset (Mr. Letwin) asked the Minister whether it was right that one should always have a fixed view.

Mr. Grieve *rose—*

Rob Marris: I shall make a little progress.

Of course, one should not necessarily have a fixed view, but I would have hoped, given that the Opposition called for the debate, that their views would be more fixed. I give way to the hon. Member for Beaconsfield.

Mr. Deputy Speaker: Order. The amount of time left is diminishing, and several hon. Members wish to speak. The hon. Member for Beaconsfield (Mr. Grieve) has had a fair share of the debate.

Rob Marris: I urge the hon. Member for Beaconsfield or the right hon. Member for West Dorset to put more flesh on the bones, use more intellectual rigour, and put more definitive views to the House on an important topic of the Opposition's choosing.

9.13 pm

Mr. Edward Garnier (Harborough): May I start by asking whether it is strictly necessary for declarations of interest to be made in a debate on this subject? There are several members of the Bar and solicitors in the Chamber, but we are all taxpayers, too, and we do not declare that we are taxpayers when we discuss the Budget. Although I am prepared to admit that we are members of the Bar, why should we need to declare that when discussing this legislation—*[Interruption.]* I know that my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) did not declare his Bar membership, but he does not do all sorts of things, which is probably just as well.

The remaining power of the Home Secretary in relation to those with life sentences relates only to adults. Following the decision of the European Court of Human Rights on the case of Thompson and Venables, the murderers of Jamie Bulger, it seems that the Government have accepted that the Home Secretary should have no say in the length of time spent in custody by a young offender following a conviction for murder, and that that matter should now be dealt with entirely by the sentencing judge or judges reviewing the sentence thereafter. On the face of things, it is therefore logical that the Home Secretary should behave as my right hon. and learned Friend the Member for Sleaford and North Hykeham suggests, and leave the setting of minimum tariffs to the courts. That is, as one would expect from him, an entirely rational argument. He enjoyed making it and believes it can withstand all counterargument.

I accept that the British constitution is not a tidy document. It is to be found in a mixture of Acts of Parliament, treaties, common law, unwritten conventions and good old-fashioned political deals. When the death penalty for murder was abolished in the 1960s, an unspoken deal to placate those who were against abolition appears to have been brokered by which the tariff-setting power was retained in the hands of the Home Secretary. Just as neither Parliament nor the courts interfered with the Home Secretary's exercise of the prerogative of mercy, so they have not interfered in his tariff-setting powers in life-sentence cases since then. Listening to my right hon. and learned Friend, it is clear that most of us did not know what the Home Secretary, through his junior Minister, was doing.

The majority in this country would like the return of the death penalty. I am not part of that majority, and I am glad to say that their demands are held in check, or the ferocity of them diminished, by the powers of the Home Secretary to set the tariff in former capital cases. My right hon. and learned Friend's amendment would upset that and expose to danger the very necessary release valve that holds that aspect of public pressure in

equilibrium. The passage of the Human Rights Act has upset that, too, as his amendment and the current case before the judicial committee of the other place—the Anderson case—make clear.

The British constitution is guided more by what is reasonable than by what is strictly rational. The problem with my right hon. and learned Friend's argument is that it is desperately rational but not always reasonable. The constitution works because whereas rationality is rigid, the concept of reasonableness is flexible enough to take account of changing circumstances, social mores and public opinion. It is noticeable that the Government amendment does not tackle either the Opposition motion or my right hon. and learned Friend's amendment head on, but tries to sidestep the issue. The Minister did not seem to know where she was. She came prepared with a speech that had no bearing on what my hon. Friend the Member for Beaconsfield (Mr. Grieve) said and no one is the wiser or better informed for her contribution.

The Minister and her Government are the very people who introduced the European convention into our law through the Human Rights Act. They can hardly be seen to be agreeing with arguments that criticise them, expressly or by implication, either for not going far enough or for not anticipating the consequences of their own legislation. They have no excuse for not anticipating some of the consequences of the Human Rights Act, however. They were made clear beyond doubt by my noble Friend Lord Kingsland, the shadow Lord Chancellor in the other place when it debated the Human Rights Bill, and by Sir Nicholas Lyell and myself as shadow Law Officers when the Bill was before this House in the last Parliament.

One matter that we drew to the attention of the Government was the likelihood of a constitutional collision between the judiciary on the one hand and the legislature and the Executive on the other. When faced with an Act of Parliament or secondary legislation that makes little sense, judges will, properly, construe it in such a way as to make the most sense of it that they can. Sometimes it will happen that judges looking at some ill-considered or unconsidered legislation—there is plenty of that under this Government—will reach a conclusion that appears to be intended by the legislation but that is contrary to the European convention, and they will have to say so. That is inconvenient for the Government because they want to be seen, especially in criminal justice and asylum law, as tough and effective, and as the friend of the victim and the tireless enemy of the criminal and the illegal immigrant. Had such laws been suggested, let alone passed, by the last Conservative Government, they would have drawn howls of anguish from Labour Members as too draconian, but they are this Home Secretary's daily diet.

The Government are, of course, the very Government who also want to be remembered for having, as they so charmingly but inaccurately put it, brought human rights home through the enactment of the Human Rights Act. That is why their amendment is framed as it is. It enables them to look in two directions at the same time and explains why Labour Members always look so uncomfortable during such debates.

If the House of Lords in its judicial capacity decides, as it may well do in the Anderson case, that the convention requires the Home Secretary to surrender his tariff-setting powers, I get the impression that the words in the Government amendment:

"is fully in conformity with parliamentary sovereignty, which enables Parliament to reflect the democratic will of the people",

are there to let us know that the Home Secretary will simply legislate to recover the power that the judges take from him. Having, as they put it, brought human rights home, and, in so saying, forgotten or shown their ignorance of the centuries of judicial work that protected and enhanced the rights of the citizen against the power of the state, the Government now want to ignore what the European convention requires.

The Government did that last year, following the 11 September outrages, when the Home Secretary declared a state of emergency so that he could take this country outside the convention and pass emergency legislation that was plainly in breach of it. In one sense that was an advance because at least it showed that the Government had thought about the convention, rather than rubber-stamping the ministerial statement of compliance on the face of every Bill that they put before us.

I know that the Human Rights Act was framed in a way that prevents judges from striking down primary legislation and that the Government can thus safely pass any such legislation. Having, by passing the Human Rights Act, placed themselves in a position of facing applications to the courts that challenge the Home Secretary's sentencing and other powers, and having, as I expect that they will, lost the Anderson case in the House of Lords, they will look inconsistent and somewhat unsure of the philosophy behind the Act.

Although I candidly admit that I was one of the Conservatives who did not have a fit of the vapours when the Human Rights Bill was enacted, I am one of those who feel that the Government's relationship with the European convention is confused and confusing. They have, through their enthusiasm to look in both directions, caused foreseeable friction between Parliament and the judiciary, and that is not only unwise but unnecessary.

I turn briefly to another aspect that concerns me: the judiciary's vulnerability to assaults in court—we are, after all, the party that protects the vulnerable. In a written question, I recently asked the Parliamentary Secretary, Lord Chancellor's Department, the hon. Member for Pontefract and Castleford (Yvette Cooper), how many assaults there had been on various ranks of judge and on court staff in the last five years. She kindly answered on 24 October, and fortunately the figures are fairly low. However, the answer was given the day before a High Court judge was battered in court. If there were one thing that she could do this evening that would enhance her reputation in my eyes, it would be to assure me that the Government will do all that they can to protect judges and those who work in the courts from vicious and foreseeable assaults by disappointed litigants.

9.22 pm

Vera Baird (Redcar): My colleagues who have referred to this as an important debate have been over-generous. I suggest that it is a waste of Parliament's

[Vera Baird]

time. Either we are being asked to debate, for no particular reason, a theoretical issue that might never arise, or, far more likely, Conservative Members have been caught out by bad timing in a cheap attempt to obtain political advantage.

The Opposition intended, I suspect, to suggest that the ECHR and the Human Rights Act have limited the Government's ability adequately to protect UK citizens from dangerous criminals and potential terrorists. I think that there are two reasons for the debate. The first is that when its subject was decided the Government had appealed on the point that they had lost at the Special Immigration Appeals Commission, namely that the detention provisions in the Anti-Terrorism, Crime and Security Act 2001 are discriminatory and therefore breach article 14 of the convention. The Opposition clearly thought that the Government would lose at the Court of Appeal in their argument that the detention powers are not discriminatory. The judgment was made only a week ago—too late for the Opposition—and the Court of Appeal agreed with the Government. The Government's victory has totally undermined the Opposition's argument.

The Conservatives have in their party difficult people who do not subscribe to the core values of the Human Rights Act. Those people would have wanted to say, "The right thing to do with these people is to deport them, regardless of whether they may be tortured or executed. That is not our problem. If we do not deport them, we will be a safe haven for terrorists." That is one view that the Conservatives hoped could be expressed. The other view that the Opposition intended to express through the debate was, "The Government cannot detain terrorists who are not citizens and they will not deport them, so terrorists will run wild in the UK." The intention was to generate a crime panic.

Mr. Grieve: The hon. and learned Lady will have noted that in my speech, I spent most of the time dealing with the tariff for mandatory life sentences. I recollect appearing with her on a television programme last week to deal with that very point. She was extremely supportive of the Home Secretary's position, but I do not recall her at that time telling the world at large that she considered that an irrelevant topic for discussion. I would have heard it if she had said so.

Vera Baird: The louder the hon. Gentleman shouts, the more prominent his weak arguments become, and the clearer are the motives of those on the Opposition Front Bench.

I shall deal with the issue that the hon. Gentleman raised. The Government are waiting for the judgment on the Anderson case involving a challenge to the ministerial setting of tariffs for life sentence prisoners. The claim that the administrative policy whereby the Home Secretary sets tariffs is incompatible with article 6 has given rise to much media and Opposition speculation that if the Government lose, dangerous offenders will be instantly unleashed on the public. That is not the case. The hon. Member for Beaconsfield (Mr. Grieve) has never suggested it, but others on the Opposition Benches have. Such offenders can be released only if there is a further process by which they are judged to be no longer a risk to the public. I am afraid that the fact that the House of Lords adjourned judgment and did not decide against the Government, as the Opposition intended and as foreseen by those speeches, has caused them a terrible embarrassment. Again, they intended to whip up a crime panic.

There is no choice to be made between democracy and human rights; they go hand in hand. Respect for human rights is the hallmark of democracy and of Parliament, because it shows that society rightly values each and every human being. As the Lord Chief Justice put it;

"Human rights come with true democracy."

Court cases that test the balance between the individual's and the community's rights are not a reflection on a particular Government, but an inevitable feature of all modern government. There is a common pattern of individuals seeking to test the boundaries of new law. The more legislation is introduced, the more people seek to challenge it.

The Government have put their case vigorously and are right to do so. They maintain that the powers given by Parliament to the Home Secretary to fix a tariff are right. So far, the Court of Appeal has agreed. The House of Lords may agree. If the House of Lords does not, as the Home Secretary has declared, he is entitled to legislate to enshrine the power. The Opposition are trying to speculate about what may happen after that, if the matter goes to Strasbourg—a situation that will probably not arise.

Let me tell the House what I think has been happening in the course of legislation dealing with life sentences. Because both the courts and the Government are acting on the basis of the same core values, there has been a healthy process of refinement. In the case of Stafford, the Lord Chief Justice accepted what had been in doubt for some time: that there ought in certain circumstances to be, in effect, a whole-life tariff, which he called a no-minimum tariff—that is, a judge would say, "I can't set a minimum tariff for this because it is so serious a crime." That is a shift brought about by good arguments presented by the Government in court.

The Home Secretary has in turn accepted that the second part of the discretion, after he has fixed the tariff, as to whether the person is released because they are no longer a threat, should be taken away from the Executive and entirely judicialised. In truth, the litigation has narrowed the ground as the principles have been debated, analysed and refined, all within the framework of the human rights system. The debate is premature because that healthy process is still continuing. It is continuing on Anderson, on the tariff, and in that case it is right to say that the Government's position has been upheld. On the anti-terrorism measure, it is probably better to describe the process as still continuing.

When cases have gone to Strasbourg against the Government—I believe that the Government have always accommodated the decision—there is the factor of the margin of appreciation, which cannot be ignored. Fair trial rights are, it is right to say, where the margin of appreciation is at its narrowest. It is the discretion of the Home Secretary, which is simultaneously part and parcel of our political processes, which the Strasbourg court insists is the area in which the Government tend to know best and is the place where the margin of appreciation is at its widest

On Anderson, we have won in the Court of Appeal. There is no decision in the House of Lords, still less has the case got to Strasbourg. Any argument that these matters should be debated before that occurs, granted the healthy process of refinement that has been going on, is in bald terms not about subtle constitutional terms but an attempt to grab a cheap political advantage.

The hon. Member for Beaconsfield referred to what he describes as the mantra which is put on to the front of every Bill. The Joint Committee on Human Rights looks at every such declaration made by a Minister. A healthy process is set up whereby sometimes, if there are disagreements, we write to the Minister concerned. He comes back with his understanding and we write back. There have been some occasions when Ministers have been adaptable and changed tack. There have been times when we have been persuaded that we are wrong. But, there is no doubt that we represent Parliament when we become involved in these matters. There is no doubt that a healthy tripartite dialogue has been engendered between the courts, Parliament and the Executive by the Human Rights Act. They have all worked together.

The Government are to be congratulated on introducing the ECHR. They are to be congratulated when they fight their corner when faced with clashes between their political will, democratically elected as they are, and the possible rights of a citizen. The citizen is to be congratulated too on fighting his corner. That is not a weakness in the incorporation process but a strength. It is not evidence that the Government have made a mistake. It is evidence that they are mature in their understanding of democracy. If the pamphlet that has been quoted by some of my hon. Friends is evidence of the views of some Opposition Members, it does not reflect a level of maturity that is likely to be attained by the Opposition. I look forward to the further spread of a human rights culture, ranging far and wide, over the years to come. I emphasise that human rights are an enhancement of democracy and not an enemy of it.

9.33 pm

Sir Teddy Taylor (Rochford and Southend, East): There are only a few minutes left for Back-Bench Members to speak in the debate, but there is a point that should be made before we come to Front-Bench speeches. Almost everyone who has spoken in the debate has high regard for the European Court of Human Rights. As one of a small minority who voted against the Human Rights Act 1998, as it became, I make the point that if we consider the practical policies of government and those who have to do the business of government, we find that the courts do not help human rights but simply undermine the principles of democratic government. I think that the evidence is there. I regret that the Home Secretary, who has undoubtedly virtually exploded when the European court has been interfering with decision making, is not here to explain to us what happens.

The convention was passed in 1951 and made into law in Britain in 1998. The argument advanced was that it cost a great deal of money to go to the European court and it would be far better to stay in the United Kingdom. I ask Ministers seriously to consider how the court has helped with the decision-making process and in trying to manage our affairs. If Ministers were put in charge of the asylum seekers' problem, what the blazes would they do when Government policies designed to enable cases to be dealt with quickly are undermined by the massive extra appeal process that is available through the European convention?

I am someone who I hope works, as all Members do, for good race relations, but I know that the numbers and the long decision-making process undermine the situation.

For example, a constituent of mine from Turkey has been appealing in various ways for a total of nine years. Furthermore, when the European Court of Human Rights made its decision on the person whom the Home Secretary recently tried to send back to the place where they had originally applied for political asylum, how did it help the process?

I ask those who admire the European Court of Human Rights, including my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg), who said that its members were much better than MPs, how on earth it is possible to manage a prison while the court is saying that the system that is used to try to control, restrain and discipline long-term prisoners has to be chucked out of the window. How is that possible if there is no power or right to say that a prisoner's amount of time inside is to be increased because he is badly behaved? If somebody were put in charge of running a prison and had that right taken away on the basis of human rights, how on earth would it help them?

How does it help our democracy when, because of the convention, this Parliament is not even allowed to consider issues about which the public feel strongly and in respect of which the arguments are far from clear, such as capital and corporal punishment? Far from helping democracy, that has undermined the ability of Ministers to deal with practical problems and is making life infinitely more difficult for them. In addition, we should bear in mind that discussions are under way that will bring the powers of the convention into European law. Frankly, when that happens, even the motion, which implies that there may be a case for further consideration or discussion between the parties, would be completely irrelevant.

The issue about which we should be most worried is the extent to which people are simply switching off from democracy. They do not bother to consider what happens in the House of Commons, because our Parliament has no power in relation to so many of the things about which they care passionately or does not consider them.

If, by chance, I am right in what I am saying, the question is this: what can we do? The plain fact is that more and more powers have been going to the European courts—both the European Court of Human Rights and the European Court of Justice. We can do nothing about what has happened in terms of the European Court of Justice or the European Union, but we can do something about the convention. I genuinely wonder whether the House should ask itself what damage we would do and what benefits would come to us if we were to cancel the 1998 Act and repeal the convention. Surely, our Parliament can look after people's entitlements, rights and obligations with far more care and consideration than by leaving the issues to European courts.

[Sir Teddy Taylor]

When all the institutions started, we heard people say that they would safeguard freedom, democracy and liberty. We have then seen the courts step in and take more and more powers by stretching the wording of the convention and, as in some recent decisions, by quoting other conventions such as the international covenant on civil and political rights and the convention on the rights of the child, which have not even been discussed or approved by the House of Commons.

While the Government have heard many learned arguments about the merits of the European Court of Human Rights, I hope that they will ask themselves whether we could better safeguard our liberty and freedom if Parliament took back the powers. In such circumstances, if people did not like the decisions that were made, they could change them or seek to undermine the Government. Currently, the powers of Parliament are disappearing and our democracy is dying. All the powers seem to be going to courts, institutions and organisations over which the people have no control. I therefore hope that the Government, on the advice of the Home Secretary and others who see how these issues work and what the institutions are trying to do, will think seriously about getting rid of the Act that we foolishly passed and which I voted against in 1998, disengaging from the convention and looking after people's freedom and liberty as a democratic Parliament.

9.39 pm

Mr. William Cash (Stone): This has been an extremely interesting debate, even if the Government's position has proved rather confusing in some respects.

I should like to begin by making a general proposition, before dealing with a number of the speeches that have been made. In particular, I want to refer to the four famous essays on liberty written by Isaiah Berlin and to "Two Concepts of Liberty", which was written in 1958 and which I had the pleasure of hearing in his lectures at Oxford university at that time.

There is much to be learned from the wisdom of philosophers, but we as politicians have to reconcile politically the broad concepts mentioned in the motion and those that were enunciated by those such as Isaiah Berlin. I repeat, however, that we must also reconcile the pronouncements of judges—they are the essence of the debate—particularly in the age of judicial activism. As my hon. Friend the Member for Beaconsfield (Mr. Grieve) expressed and as has been said so often, Parliament's role is the key and at the bottom line. We must determine where the limits between the courts and Parliament should be drawn.

I also wish to quote directly from the case of Regina *v.* the Secretary of State for the Home Department ex parte Simms, and the judgment of Lord Hoffman. This may reassure my hon. Friend the Member for Rochford and Southend, East (Sir Teddy Taylor), but I do not think that I will be able to give all the assurances that he and I would like. None the less, Lord Hoffman clearly states:

"Parliamentary sovereignty means that Parliament can, if it chooses, legislate contrary to fundamental principles of human rights. The Human Rights Act 1998 will not detract from this power. The constraints upon its exercise by Parliament are ultimately political, not legal. But the principle of legality means that Parliament must squarely confront what it is doing and accept the political cost. Fundamental rights cannot be overridden by general or ambiguous words."

That point runs right throughthe debate and through my interventions on the Minister. On matters of political judgment on issues such as public safety, paedophiles, serial killers, terrorists, deportation and extradition, the fact remains that the House retains the power to be able to take the necessary legislative measures to remedy all previous enactments, including the European convention on human rights as brought into effect by the Human Rights Act 1998. I shall be interested to hear whether the Parliamentary Secretary, Lord Chancellor's Department, the hon. Member for Pontefract and Castleford (Yvette Cooper), is prepared to go down the route adumbrated by Lord Hoffman.

Simon Hughes: Will the hon. Gentleman give way?

Mr. Cash: No, as I have only a few minutes left.

I also made a point of general principle in an intervention, and we must take it on board. This Parliament is having its powers eroded and, however much we are in favour of human rights, our rights are being eroded by the Government's proposals. The Government have already accepted, in principle, a European constitution, and I shall be interested to hear what the Parliamentary Secretary says about a legally binding fundamental charter of rights as put forward by the European convention currently sitting. The charter would be wrapped up in the enhanced powers of the European Court of Justice under many of the proposals that are being made for such a constitutional arrangement. If that issue is not addressed, the question whether we will, in future, be able to amend enactments such as the Human Rights Act 1998 will effectively be overtaken by the powers granted under such a European constitution.

The Minister failed to answer my questions about democracy and choice and about the legally binding charter of fundamental rights.

With respect, to my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) I will say only this: I appreciate that he will vote against the motion—

Mr. Hogg: I only said I would not be with you.

Mr. Cash: I am delighted to take that sedentary intervention, which is somewhat encouraging. Having regard to the 600 times that he appears to have admitted that he got it wrong, let me quote from "Murder in the Cathedral", when Thomas a Beckett says it is

"the greatest treason: To do the right deed for the wrong reason".

It is even worse than voting against a three-line Whip, which is something of which I have considerable experience.

It is incumbent upon us to take account of the words of the hon. Member for Bristol, East (Jean Corston), who said that the European Court of Human Rights is about respect. I understand what she means; the problem is that the question of respect, which is a moral statement, is not sufficient to deal with the difficult questions to which I referred at the beginning of my speech, namely, the necessity of making certain that we, as politicians, strike the balance vis-à-vis the protestations of those who want us to go down the route of universal rights without regard to their practical implications for those whom we represent in Parliament.

However much merit there may be in many of the principles included in the European convention on human rights, let us not assume that simply because it has been passed into our law, adjustments and calibration are not possible. When we face difficult practical questions, we in Parliament have to reserve the power to make our own decisions, and to do so after that enactment is put into force—not, as was suggested earlier, the power to do so only in respect of legislation that has been passed previously.

The hon. Member for Wolverhampton, South-West (Rob Marris) spoke about the Conservatives' apparent denial of the so-called "other respects" mentioned in our motion. I have already referred to a range of them—in fact, I have here seven pages listing cases arising from matters of deportation, extradition and other issues. I can categorically assure him that we have all those matters very much in mind, because the debate deals as much with the question of principle as with the practical points raised by my hon. Friend the Member for Beaconsfield.

My hon. and learned Friend the Member for Harborough (Mr. Garnier) said that this debate and previous ones on the subject raise issues of constitutional collision. Of course, that is true. He echoed my intervention when he pointed out that the Government will have to legislate in a manner that is inconsistent with the assumption that they apparently made previously, that the European Court of Human Rights and the Human Rights Act 1998 would be adequate to deal with any problems that arose.

Simon Hughes: Will the hon. Gentleman tell us whether it is his view and that of his party that we should continue to respect the European convention and always be obedient to the judgments of the court in Strasbourg; and whether he thinks that judges or Home Secretaries should set the tariff for prisoners?

Mr. Cash: On his second point, the hon. Gentleman conceded in an intervention that there were issues of public safety that could vary the position. As for the more general point—the question whether human rights are ultimately important—of course they are important; we all accept that. It is just that on examination of every jot and tittle of the European convention on human rights, we may find a number of points with which we disagree and which we will have to deal with at a subsequent date—as the Government will have to admit in a few minutes.

I conclude by referring to some of the wisdom of our great philosopher Edmund Burke, who was dealing with questions of human rights in opposition to that arch-socialist Tom Paine at the end of the 18th century. He said:

"In England . . . we have not been drawn and trussed in order that we may be filled like stuffed birds with chaff and rags and paltry blurred shreds of paper about the rights of man."

9.50 pm

The Parliamentary Secretary, Lord Chancellor's Department (Yvette Cooper): We have had an interesting debate this evening. My hon. Friend the Member for Bristol, East (Jean Corston) mentioned her hope that the work of the Joint Committee had contributed to the debate. I strongly believe that it has done and I pay tribute to the work of the Committee in scrutinising legislation.

The right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) gave us an entertaining and astonishing account of the 600 tariffs that he raised and, even more astonishingly, the hon. Member for Stone (Mr. Cash) intervened to suggest that the right hon. and learned Gentleman should perhaps have exercised more restraint in his decisions. The right hon. and learned Gentleman set out his views on the mandatory sentence. My hon. and learned Friend the Member for Redcar (Vera Baird) clearly set out the reasons why it is ridiculous to pre-empt the decisions of the court in this area.

The hon. Member for Southwark, North and Bermondsey (Simon Hughes) set out his and his party's position on the Human Rights Act, while the hon. and learned Member for Harborough (Mr. Garnier) referred to security for judges. That is a tangential point, but I can assure him that the Department takes the issues seriously and has introduced a series of measures to improve security.

My hon. Friend the Member for Wolverhampton, South-West (Rob Marris) effectively challenged many of the arguments of Opposition Front Benchers, while the hon. Member for Rochford and Southend, East (Sir Teddy Taylor) seemed to forget that the European convention on human rights has been in place for 50 years.

I come now to some of the points made by Opposition Front Benchers, to the extent that it was possible to follow them. The hon. Member for Beaconsfield (Mr. Grieve) was utterly baffling. He seemed to argue that the Human Rights Act did not conform to the democratic will of the people and threatened parliamentary democracy. He seemed to argue that because the Government defend cases under the Act, democracy is being undermined. He argued that it was inconsistent for the Government to support the Human Rights Act while ever defending challenges to the Government under the Act. He seemed to be arguing that the possibility that judges could rule an Executive decision or parliamentary statute incompatible with the Human Rights Act meant that parliamentary democracy was threatened. Clearly, that is not the position.

Mr. Grieve: Will the Parliamentary Secretary give way?

Mr. Cash: Will the Parliamentary Secretary give way?

Yvette Cooper: I will give way to the hon.Gentlemen. I would like to give way to the hon. Member for Beaconsfield, followed by the hon. Member for Stone to hear their individual points. I noticed that the hon. Member for Stone completely disagreed with the hon. Member for Beaconsfield and, by contradicting his hon. Friend, gave a clear account of the importance of parliamentary sovereignty under the Human Rights Act. However, the hon. Member for Stone did of course contradict himself later on; perhaps we should give him two opportunities to intervene so that we can hear all three possible views from the Opposition Front Bench.

Mr. Grieve: I am grateful to the Parliamentary Secretary for having briefly stopped her peroration. Will she answer a specific question that I asked her? We are not talking about challenging decisions or arguing a case. It is the Home Secretary's stated position that if court decisions go against him, he will legislate to ensure that those decisions are overruled. What is the Lord Chancellor's view of that, given that he is the great craftsman of the Human Rights Act? Is that the Government's position? How do they intend to implement it? These are simple questions, which I should like her to answer.

Yvette Cooper: The Human Rights Act allows Parliament to respond. Parliament can legislate to respond, it can accept a judgment of the court and, because Parliament is sovereign, it can choose to ignore the decision of the court under the Human Rights Act and refer it to the European Court of Human Rights, as has been the case for the past 50 years.

Mr. Cash: Will the Parliamentary Secretary get down to the nub of the issue? Is the British Parliament able to amend European Court of Human Rights enactments? Is this Parliament able to amend the Human Rights Act 1998, or not?

Yvette Cooper: Interestingly, that probably gets to the heart of the disagreement between the two hon. Gentlemen. I suspect that the hon. Member for Stone is quite happy with the Human Rights Act. It is the European convention on human rights to which he is fundamentally opposed, because he freaks out whenever Europe is mentioned. I suggest that the hon. Member for Beaconsfield has reconciled himself to aspects of the convention simply because it has been in place for 50 years, but cannot cope with the Human Rights Act because that was introduced by a Labour Government.

Of course, Governments can strongly support the Human Rights Act and still take a strong view on whether an individual decision or statute is compliant with it. Of course cases may be found against the Government, and then it is for Parliament to decide how to respond.

Mr. Cash *rose—*

Yvette Cooper: Of course I will give the hon. Gentleman a second opportunity to disagree with himself.

Mr. Cash: The Minister really is talking a lot of nonsense. Will she please answer the simple question, are the Government prepared to amend the Human Rights Act in line with some of the statements made by the Home Secretary, to rectify the unfairness to the British people that it can create?

Yvette Cooper: Rectify what? Conservative Members seem to be calling for a Human Rights Act that is drafted to be whatever Parliament says. They want it to be continually compatible with anything that any member of any Executive does, and with any parliamentary decision. It is not clear what kind of Act that would be. They must recognise that, logically, they are arguing for pulling out of the European convention on human rights..

The hon. Member for Beaconsfield and the right hon. Member for West Dorset (Mr. Letwin) cannot quite bring themselves to say that explicitly. In his recent pamphlet, the latter set out what he means by

"the concepts of liberty that have served this country so well for so long",

as the motion says. He said that it was a matter of

"a freedom attaching to those who were British Citizens",

not foreign nationals. Not for him, then, any concept of a common humanity regardless of birth or beliefs, or any recognition that people in other countries have rights, too. The logical extension of what he and the hon. Member for Beaconsfield have argued is that we should pull out of the convention. [HON. MEMBERS: " No."] Then they should get up and say that they are committed to staying in the convention.

Luckily, the hon. Member for Stone is not so squeamish. Back in 1995, he wrote in *The Independent*:

"We would lose nothing if we withdrew from the court and the convention; we would barely notice it."

Now he seems suddenly to have decided that Europe is perhaps not such a bad thing after all. This is an amazing conversion to the European cause. We have been signed up to the convention for more than 50 years. British lawyers helped to draft it and it reflects many of the values set out in our common law. The former Conservative Lord Chancellor, David Maxwell Fyfe, was involved in the drafting and debate. Past Tory Governments have accepted it, accepting the court's judgments and the rule of law. Even Margaret Thatcher did not try to pull out of it.

The really absurd thing about the position of the hon. Member for Stone is that he fails to recognise that the Human Rights Act brings the convention back home, allowing the rights to be decided by British judges in the British courts.

At least the hon. Member for Stone is honest about it: he just hates Europe.

David Maclean (Penrith and The Border) *rose in his place and claimed to move,* That the question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put accordingly, That the original words stand part of the Question:—

The House divided: Ayes 133, Noes 350.

Division No. 331] **[9:59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barker, Gregory
Baron, John *(Billericay)*
Bellingham, Henry
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Burnside, David
Burt, Alistair
Butterfill, John
Cameron, David
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Curry, rh David
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, hon. Edward
Gibb, Nick *(Bognor Regis)*
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Hague, rh William
Hammond, Philip
Hawkins, Nick
Hendry, Charles
Hoban, Mark *(Fareham)*
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, rh Michael
Johnson, Boris *(Henley)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
MacKay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Moss, Malcolm
Murrison, Dr. Andrew
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Prisk, Mark *(Hertford)*
Randall, John
Redwood, rh John
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Selous, Andrew
Simmonds, Mark
Soames, Nicholas
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Streeter, Gary
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Wilshire, David
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Ayes:
Chris Grayling and
Mr. Desmond Swayne

NOES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atkins, Charlotte
Baird, Vera
Baker, Norman
Banks, Tony
Barrett, John
Battle, John
Beard, Nigel
Begg, Miss Anne
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Breed, Colin
Brennan, Kevin
Brooke, Mrs Annette L.
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burnham, Andy
Burstow, Paul
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Calton, Mrs Patsy
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, rh Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, hon. Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corston, Jean
Cotter, Brian
Cousins, Jim
Cox, Tom *(Tooting)*
Cruddas, Jon
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Dalyell, Tam
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry

Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Holmes, Paul
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kennedy, rh Charles *(Ross Skye & Inverness)*
Khabra, Piara S.
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Lamb, Norman
Lawrence, Mrs Jackie
Laws, David *(Yeovil)*
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pope, Greg *(Hyndburn)*
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Price, Adam *(E Carmarthen & Dinefwr)*
Primarolo, rh Dawn
Prosser, Gwyn
Pugh, Dr. John
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Rendel, David
Robertson, Angus *(Moray)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(City of Chester)*
Salmond, Alex
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Southworth, Helen
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Stringer, Graham
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Twigg, Derek *(Halton)*
Tyler, Paul *(N Cornwall)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
Webb, Steve *(Northavon)*
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Dan Norris and
Joan Ryan

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments), and agreed to.*

MR. SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House notes that the Human Rights Act 1998 is fully in conformity with parliamentary sovereignty, which enables Parliament to reflect the democratic will of the people; and further notes that the Human Rights Act enshrines the concepts of liberty that have served this country so well for so long.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6),

FORMER YUGOSLAV REPUBLIC OF MACEDONIA

That the draft European Communities (Definition of Treaties) (Stabilisation and Association Agreement between the European Communities and their Member States, and the Former Yugoslav Republic of Macedonia) Order 2002, which was laid before this House on 17th July, be approved.—*[Jim Fitzpatrick.]*

Question agreed to.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

NORTHERN IRELAND

That the draft Northern Ireland Act 1998 (Modification of Enactments) Order 2002, which was laid before this House on 18th July, be approved.—*[Jim Fitzpatrick.]*

Question agreed to.

DELEGATED LEGISLATION

Ordered,

That the Local Access Forums (England) Regulations 2002 (S.I., 2002, No. 1836) dated 15th July 2002, be referred to a Standing Committee on Delegated Legislation.

Ordered,

That Standing Order No. 118 (Standing Committees on Delegated Legislation) shall apply to the Social and Environmental Guidance to the Gas and Electricity Markets Authority, a draft of which was laid before this House on 20th June, as if it were a draft instrument to which that Order applies, and that the draft Guidance be referred to a Standing Committee on Delegated Legislation.—*[Jim Fitzpatrick.]*

BUSINESS OF THE HOUSE

Motion made,

That, at the sitting on Tuesday 29th October, the Speaker shall put the Questions necessary to dispose of proceedings on any Motions in the name of Mr Robin Cook relating to Modernisation of the House of Commons, Parliamentary Questions, and Amendments to Standing Orders not later than Ten o'clock, and such Questions shall include the Questions on any Amendments selected by the Speaker which may then be moved; the Questions may be decided, though opposed, after the expiration of the time for opposed business and the Order of 28th June 2001 relating to deferred Divisions shall not apply to them.—*[Jim Fitzpatrick.]*

Hon. Members: Object.

SITTINGS IN WESTMINSTER HALL

Ordered,

That, on Thursday 7th November, there shall be no sitting in Westminster Hall.—*[Jim Fitzpatrick.]*

COMMITTEE OF SELECTION

Ordered,

That Mrs Jacqui Lait be discharged from the Catering Committee and Mr Peter Atkinson be added to the Committee.—*[Mr. John McWilliam, on behalf of the Committee of Selection.]*

PETITIONS

Consumers for Health Choice

10.17 pm

Mr. Paul Goodman (Wycombe): I would like to present a petition on behalf of 500 or so of my constituents about the European food supplements directive.

The petition

Declares that consumers in the United Kingdom have for many years maintained good health by choosing to take safe vitamin and mineral supplements and herbal remedies; and fears that the European food supplements directive and the proposed European directive on traditional herbal medicinal products would severely restrict the number and range of such products on general retail sale in the future.

The petitioners therefore request that the House of Commons requires that the Secretary of State for Health does all in his power to protect the rights of UK consumers by ensuring that such European legislation does not unnecessarily and unacceptably restrict the availability of natural health products.

And your petitioners duly pray,

To lie upon the Table.

Sue Penney

10.19 pm

Shona McIsaac (Cleethorpes): I am honoured to present the petition of Sue Penney and 2,384 others concerning the dangerous, inappropriate use of mobile phones by motorists while driving, a practice that has led to loss of life in this country.

The petitioners therefore

Request that the House of Commons pass legislation which will make it a criminal offence for a driver of any vehicle to use or operate a mobile phone while in control of that vehicle.

To lie upon the Table.

Consumers for Health Choice

Mr. David Rendel (Newbury): I present a petition similar to that presented by the hon. Member for Wycombe (Mr. Goodman). The petition is signed by more than 1,000 people resident in west Berkshire and the surrounding areas.

The petition states:

The Petition of Consumers for Health Choice and its Supporters.

Declares that consumers in the U.K. have for many years maintained good health by choosing to take safe vitamin and mineral supplements and herbal remedies; and fears that the European Food Supplements Directive and the proposed European Directive on Traditional Herbal Medicine Products would severely restrict the number and range of such products on general retail sale in the future.

The Petitioners therefore request that the House of Commons requires that the Secretary of State for Health does all in his power to protect the rights of UK consumers by ensuring that such European legislation does not unnecessarily and unacceptably restrict the availability of natural health products.

And the Petitioners remain, etc.

To lie upon the Table.

HIV/AIDS (Africa and Asia)

Motion made, and Question proposed, That this House do now adjourn.—*[Jim Fitzpatrick.]*

10.20 pm

Norman Lamb (North Norfolk): I want to raise one of the biggest and most important development challenges facing the international community: how to tackle the appalling tragedy of HIV/AIDS. On its own, that disease will make it impossible to achieve the millennium target of reducing by two thirds the rate of infant and child mortality by 2015.

HIV/AIDS has already ravaged Africa and continues to take a terrible toll across the whole continent as it is beset by famine—an issue to which I shall turn later. Asia is set to become the next continent to be devastated by the virus unless action is taken urgently.

What is the current situation? Worldwide, an estimated 40 million people are HIV-positive, and 14,000 more individuals are added to that total every day. Of that 40 million, horrifyingly, 28.5 million live in sub-Saharan Africa. UNAIDS—the joint UN programme on HIV/AIDS—confirms that the figure includes 9 per cent. of all those aged between 15 and 49, and equates to 70 per cent. of the world's HIV-positive population, with more women being infected than men.

Last year, of 3 million deaths from AIDS worldwide, 2.2 million were in sub-Saharan Africa. Average life expectancy in the region has decreased from 62 to 47 as a result of the epidemic, and 14 million children aged up to 14 have been orphaned worldwide due to the virus.

In some sub-Saharan countries, the picture is even bleaker: in Zimbabwe, 33.7 per cent. of people aged 15 to 49 are HIV-positive and in Botswana, the figure is 38.8 per cent.

When I visited South Africa in February, I met some very brave HIV-positive women who told of the awful stigma that they face as a result of the disease. They are unable to tell their friends about it because of the impact in the community. They also spoke of the appalling myth in much of southern Africa that if one has sex with a child it cleanses the body of the illness. Those are some of the dreadful human impacts of the disease.

In Asia, things are worsening. The Chinese Government recently confirmed the UN's fears by stating that at least 1 million of its citizens will be HIV-positive by the end of the year. That is widely believed to be an underestimate, as we were told when we were in the area earlier this year.

In the northern province of Henan, infection rates of up to 45 per cent., due to infected blood, have been found in some villages. With almost 4 million HIV sufferers, India has the second highest total number of cases of any country in the world, after South Africa. In Thailand, despite much progress in tackling the disease, the virus affects about 700,000 people. It was spread initially due to the sex trade in that country. The figure is higher than in any other east Asian country and represents the biggest cause of death.

UNAIDS programme development director, Dr. Werasit Sittitrai, summed up the crisis starkly:

"The HIV/AIDS epidemic in the Asia and Pacific region is at an early stage. This means we have time, but the time is running out. In the next few years, if we cannot contain the epidemic, the size of infected and affected populations in this region will dwarf those of other regions combined. The social and economic development gains that countries have invested in will not be achieved."

That depressing prediction is borne out by the contents of a report published by the US National Intelligence Council on 30 September, in which it is estimated that 10 million to 15 million people in China will be HIV-positive by 2010, with the total in India rising to between 20 million and 25 million. Although those totals might represent small percentages of the populations of those countries, the possible social and economic effects if the epidemic reaches such levels in the next decade certainly cannot be underestimated.

It is estimated that India's gross domestic product could fall by 1 per cent. a year as a direct result of HIV/AIDS. Many firms that operate in South Africa have been suffering from the effects. For example, Standard Chartered bank has calculated that some 10 per cent. of its whole African work force is off work at any one time because of AIDS-related illnesses. Another impact in affected areas is that inward investment, which is essential for economic development, is discouraged.

I want to comment on the impact of HIV/AIDS on the famine that is afflicting much of sub-Saharan Africa. It is clear that HIV/AIDS is exacerbating the famine. Many non-governmental organisations working in the area confirm that, although the drought in recent months has been less serious than that back in 1991–92, the added effect of HIV/AIDS has substantially exacerbated its impact. The most productive age group has been the hardest hit, bringing with it damaging falls in productivity, not least in the all-important agricultural sector.

In answer to a written parliamentary question that I tabled, the Secretary of State for International Development said that

"in some countries, households and villages are losing from 10-50 per cent. of agricultural productivity due to the disease".

She continued:

"At a family level, food production has fallen by as much as 80 per cent. when the main producer is affected."—[*Official Report*, 22 October 2002; Vol. 391, c. 196W.]

According to Save the Children, the epidemic is one of the trigger factors that has helped to tip the balance in many areas between an already very difficult humanitarian situation and a large-scale crisis of hunger and destitution. The shockwaves will continue to be felt in the future due to the loss of so many experienced farm workers to the virus.

Philip Mthobwa and Gemma Brugha, co-founders of the Likulezi project in Malawi, report that some of their 300 unpaid volunteer staff are now HIV-positive. They also confirm that, in Malawi, there is minimal income generation due to the vicious circle of illness, food shortages and the effect that those factors have had on an almost exclusively rural economy.

The African epidemic is not confined to the poor, so professional, managerial people are also being affected.

I want to deal now with the action being taken to address the epidemic. First, the Global Fund to Fight AIDS, TB and Malaria must be welcomed as a means of focusing further attention on the need to fight the epidemic. However, the fear remains not only that it has created an unnecessary additional tier of bureaucracy through which funding is channelled, but that it is also

seriously under-resourced. While supporting the principle of the fund, Christian Aid has described it as a case of "fighting HIV/AIDS with peanuts". Oxfam has said that it is

"in danger of delivering little more than false hope".

On examining the facts, that pessimism does not appear to be ill founded.

The UN Secretary-General, Kofi Annan, has called on the international community to increase overall spending on HIV/AIDS to $10 billion a year by 2005. However, total pledges to the global fund for the next five years amount to just $2.1 billion, which must of course go towards the fight against not just HIV/AIDS, but TB and malaria—pernicious diseases in themselves. That level of funding is wholly inadequate to tackle the spread of HIV/AIDS.

I welcome the commitment, confirmed by the Secretary of State in a written answer to me earlier this month, to increase the spending of the Department for International Development on HIV/AIDS programmes in Africa by £180 million in this financial year. The Government are also committing $200 million to the global fund.

However, Oxfam has calculated that if the UK were to provide its full share of the estimated $10 billion annual requirement for combating HIV/AIDS, that would be a slightly more than threefold increase in our contribution to the fund. If we are serious about tackling the epidemic and about the continued value of the global fund, and if that is to amount to more than rhetoric, we should consider increasing our contribution to an appropriate level to meet the challenges that lie ahead, and we should persuade other industrialised countries to pay their fair share.

However, the global fund suffers from other practical problems. Its director, Dr. Richard Feacham, has said publicly that the fund imposes a significant administrative burden on countries that must already deal with many different donors. Representatives of the Likulezi project in Malawi, which I mentioned earlier, said that some non-governmental organisations were adding HIV/AIDS elements to their projects simply to obtain resources from the global fund, but were then failing to meet the requirements of work to tackle the disease. Those kinds of difficulties should be addressed if the grand idea is ever to prove truly effective.

Furthermore, there is the danger that the fund seems to circumvent existing health infrastructures by way of grandiose interventions: for instance, the supply of anti-retroviral drugs without any means of administering them or without an infrastructure to ensure that they are administered properly. It is essential that the fund addresses the current inability of basic health and social infrastructures in those countries to cope with the epidemic. Funding must be injected into the provision of vastly improved primary health care services, including investment in human resources, if there is to be any chance of halting the tide of infection.

On debt relief, I want to deal with the unsustainable debt repayments that are such a burden on many HIV/AIDS-affected nations. Oxfam has reported that Zambia, where 1.2 million people are affected, spends 30 per cent. more on debt repayments than on health. That picture is repeated across much of sub-Saharan Africa. That cannot be allowed to continue, and I hope that the Minister and the Secretary of State will be at the forefront of an international effort to reform the enhanced heavily indebted poor countries initiative. Many countries need properly co-ordinated HIV/AIDS strategies if they are to meet the millennium development goals, but they are unable to implement them due to the burden of debt. Clearly, that is unacceptable.

On anti-retroviral drugs, major progress must be made in making good-quality ARVs available in developing countries at cheaper prices. Family incomes are too low to allow the purchase of such drugs. In Uganda, for example, only 0.3 to 0.5 per cent. of the country's HIV sufferers are reported by Oxfam as having access to that life-saving treatment. Prices have fallen as a result of the availability of cheaply produced generic forms of ARVs, and competition between generic drugs can reduce the price further, but it is essential that the commitments made at Doha are honoured so that the trade-related aspects of intellectual property rights rules do not prevent export of generic drugs from countries such as India. There are indications of some backsliding since the commitments were made in Doha.

Education and awareness building constitute perhaps the most important of all the targets for individual countries to make a political commitment, from the top down, to tackling the disease, as they are vital in communicating a clear message about prevention. Many examples of good practice can be found in affected countries: notably, partnerships between national ministries of health and education, and the full engagement of local government. Several imaginative ideas are emerging. I recently attended the launch of BBC World Service Trust's partnership with India's National AIDS Control Organisation and national television network, which is aimed at increasing HIV awareness. Likewise, a version of the children's programme "Sesame Street" broadcast in South Africa now includes an HIV-positive character.

Bearing in mind the low level of knowledge about the virus in many infected areas—South Africa is perhaps one of the worst examples because of the failure of the leadership under President Thabo Mbeki to tackle the problem—such projects can be of enormous value.

There has been a steady fall in the overall infection rate in Uganda thanks largely to a national programme with support from many different groups and organisations. That has led to the provision of much more widespread sex education and greater awareness of the need to use condoms. That is not to say, however, that Uganda is an example of perfection. HIV/AIDS is still a national tragedy there and it cannot be fully addressed without also tackling the underlying factors of poverty and economic stagnation. However, Uganda has made an important start.

HIV/AIDS is too great a humanitarian disaster for us to ignore. Working towards a solution is in all our interests. As things stand, the epidemic will not be contained and is bound to spread beyond current boundaries. Its economic and social effects will undoubtedly lead to increased instability in the affected areas and more failed governance. The shockwaves that that could cause across Africa and Asia, and the rest of the world, cannot be underestimated. As always, it is important that the fine rhetoric that we have heard from

[Norman Lamb]

so many quarters is matched by meaningful and effective action. Indeed, on the occasion of the opening ceremony of this year's international AIDS conference in Barcelona, Kofi Annan said:

> "I will join with you and do my utmost to ensure that our reply to this epidemic is urgent, comprehensive and determined."

Those are forceful words, but very necessary.

We cannot allow a situation to develop that would end with the effects of an unchecked AIDS epidemic weighing on the conscience of those who failed to act.

10.36 pm

The Parliamentary Under-Secretary of State for International Development (Ms Sally Keeble): I congratulate the hon. Member for North Norfolk (Norman Lamb) on obtaining an Adjournment debate on the very important subject of HIV/AIDS. I also congratulate him on the way in which he presented it by touching on the wide range of issues involved in dealing with HIV/AIDS in Africa and Asia. I want to consider in particular the effects that it is having on those regions. It is not only a humanitarian catastrophe but a huge disaster for the development of Africa, as he outlined. I shall set out my Department's approach to tackling the problem, dealing with the work that we are doing on prevention and treatment and, as he rightly pointed out, the important work that needs to be done to build up health systems.

HIV/AIDS is one of the biggest threats to the achievement of the goals agreed by all United Nations member states in September 2000. The hon. Gentleman will be aware that the goals cover a range of key issues including poverty, health and education, and they are at the heart of my Department's practice. At the United Nations General Assembly special session in June last year, the world community agreed that a much more intensive effort is needed to prevent HIV/AIDS and to improve the care and support for those infected by it. That poses a huge challenge for health systems in Africa and Asia which at present cannot cope. It also means that all parts of Government and civil society have to play their part. HIV/AIDS has long since ceased to be an issue for the health sector alone.

The hon. Gentleman set out clearly the scale of the disaster in terms of the numbers and I will not go over that again. However, he did not touch on the appalling impact of the epidemic on children, especially in Africa where there are more AIDS orphans than there are children in the United Kingdom. That adds an extra dimension to what we will see in the years to come as a result of the epidemic. As the hon. Gentleman said, it is not just a matter of human suffering; the epidemic also seriously undermines growth and social and political stability. In addition, it threatens security. The epidemic compromises all the work that has been done to reduce poverty and conflict and to improve education and health. As he said, it strips out the economically active people, especially in sub-Saharan Africa. The problem is made worse by the current famine.

Poverty and inequality are two key drivers of HIV/AIDS. Dealing with gender inequality is crucial in any strategy to prevent the transmission of the disease. In many countries women and girls are more likely than men and boys to be infected and to bear the burden of family support and care of those affected. Physiology increases women's vulnerability to infection, but that is made worse also by the lack of power that girls and women in many societies have over their bodies. That is reinforced by social and economic inequality.

Higher rates of AIDS-related deaths will lead to large-scale loss of skills and institutional knowledge in the public sector. Education, health services and police forces are of particular concern because death rates may be so high in those sectors that lost workers will not be replaced simply by increasing training or recruitment programmes. The disease is therefore having an increased effect on the very services needed to tackle some of the other problems that it causes. We are also concerned about the impact of HIV and AIDS on Government revenue and expenditure, and about reduced access by the poor to markets. We are concerned for the human rights of those excluded because of the stigma of HIV and AIDS, and we are focusing attention on those whose security has been undermined by HIV and AIDS, especially orphans.

My Department believes strongly that HIV/AIDS is not simply a health issue, and that care for the victims of AIDS must include support for communities that have been ravaged by the disease. That includes not only help in caring for the sick and dying but support for the livelihoods and food security of communities that have lost a large part of their working population. It is, of course, one of the particular characteristics of AIDS that it strikes down those who carry the greatest responsibility for feeding and maintaining their communities.

My Department is working with other agencies not only to prevent new infections but to ease the impact of AIDS on rural livelihoods and rural development as a whole. We are using a twin-track approach of continuing to fund research so that we can better understand the precise impacts of AIDS on rural livelihoods, while recognising the urgency of funding interventions now in the face of a disaster that is having an appalling effect on so many people. The hon. Gentleman quoted the Secretary of State's concern about that. The extra nutritional needs of HIV/AIDS patients are also having some bearing on the way in which we are dealing with the famine.

It is important to recognise that progress is being made, and we do not simply have to accept the doomsday scenarios that are so often put forward. We are starting to see evidence in Africa and Asia that the tide of HIV can be turned back. Examples include Uganda, which the hon. Gentleman mentioned, and Cambodia, where strong leadership at all levels and effective community-based prevention programmes have been key to controlling the epidemic. Uganda has reduced the rate of infection from over 20 per cent. in the early 1990s to about 5 per cent. now. In Cambodia, the prevalence of the disease has been reduced from 2.8 per cent. in 2000 to 2.6 per cent. today—a smaller decrease, but it goes against the trend that we assume to be typical of all countries. For some time, Thailand, where condom use has increased significantly, and Senegal have also been models of good practice in HIV/AIDS prevention. Progress can be made, but there is an urgent need for other countries to learn from these successes.

Despite those encouraging pockets of success, it is clear that the global response to the epidemic has so far been lacking, as the hon. Gentleman said. A much more intensive effort, which goes beyond the health sector, is needed. African and Asian countries need to learn lessons from each other on how best to tackle the epidemic. My Department will continue to do all that it can to help to facilitate that, and I will outline some of the ways in which we are working to do that.

The hon. Gentleman mentioned debt repayment. I think that he would accept that this country and this Government have led the world in developing a programme of debt repayment. However, he is right to express concerns about the continuing problems of unsustainable debts.

However, I am sure the hon. Gentleman would agree that we cannot see that as the cause of the problems in the provision of the health services needed to counter AIDS.

In response to the epidemic, DFID has committed considerable resources at the international and bilateral levels. We invested more than £200 million in HIV/AIDS programmes last year. We currently support programmes in more than 40 countries, including major new investments to support the implementation of effective national strategies to combat the illness in countries across Africa and Asia. Our overall programme in Africa is set to increase from £640 million to £1 billion by 2006. HIV/AIDS will remain one of our highest priorities for the region. In Asia our focus will continue to be on preventing transmission of HIV from vulnerable groups to the general population. We have committed US$200 million to the Global Fund to fight AIDS, TB and Malaria. Considerable extra funding is also going to institutions such as the World Health Organisation, the United Nations Population Fund and civil society organisations in a coherent effort to combat the disease and support people who are already living with it.

Our strategic response is to tackle HIV/AIDS through both prevention and care interventions, but as the hon. Gentleman pointed out, the strengthening of health systems is a critical issue in the delivery of prevention and care interventions. The ability to deliver community-oriented care and other HIV/AIDS and TB care and support services and anti-retroviral therapy are dependent on properly functioning health systems. Since 1997, my Department has committed more than £1 billion to health systems strengthening, and will continue to support that strongly.

DFID is driving work to promote international commitment on a package of measures that will facilitate widespread, sustainable, predictable differential pricing of essential medicines in order that such medicines are available to the world's poor at affordable prices and become part of a broader international agenda. We are also supporting work on establishing feasible approaches to increase access to highly active anti-retroviral therapy, and help Governments make informed decisions about their use that is specific to local needs and circumstances. In addition, we have committed an additional £40 million for research into HIV vaccines and microbicides. All these initiatives will benefit the poor in Africa and Asia.

While we move forward on developing new technologies, it is worth reminding ourselves that many of the strategies available now can be successful against HIV/AIDS. The key to reducing vulnerability to the epidemic is to create an environment that enables women and men to avoid risky behaviour and to have access to and use appropriate services. This requires strong and sustained political commitment to help those who are most vulnerable to be actively involved in designing strategies to meet their needs. The hon. Gentleman stressed the need for that, particularly in sub-Saharan Africa.

Government and civil society need to open up the public discussion about HIV/AIDS, sex, and gender relations and promote openness and respect for the human rights of all people. Explicit commitment to tackling stigma and discrimination is essential. I recently saw some of DFID's work on that in China, and I was struck by the way in which stigma had been dealt with. People were living openly with AIDS in the community. Tackling the HIV/AIDS epidemic with all its consequences sometimes appears to be daunting. It is important to emphasise that success against the disease can be achieved, but only if we all work together. In my Department we are committed to doing everything we can, in partnership with others, to help poor people across the world who are infected and affected by the disease, and to prevent it becoming a catastrophe not just to people, but to their societies and the future of their communities. Our Department is committed to achieving that goal.

Question put and agreed to.

Adjourned accordingly at eleven minutes to Eleven o'clock.

CORRECTION

Official Report, 23 October 2002: at top of col. 375 replace Division with the following:

"*Question put:—*

The House divided: Ayes 164, Noes 65.

Division No. 329] **[10:05 pm**

AYES

Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Armstrong, rh Ms Hilary
Atkins, Charlotte
Bailey, Adrian
Barrett, John
Bayley, Hugh
Beckett, rh Margaret
Benn, Hilary
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Brennan, Kevin
Brown, Russell *(Dumfries)*
Bruce, Malcolm
Burnett, John
Burnham, Andy
Cable, Dr. Vincent
Calton, Mrs Patsy
Campbell, Mrs Anne *(C'bridge)*
Campbell, rh Menzies *(NE Fife)*
Caplin, Ivor
Carmichael, Alistair
Cawsey, Ian *(Brigg)*
Chaytor, David
Chidgey, David
Clark, hon. Dr. Lynda *(Edinburgh Pentlands)*
Coaker, Vernon
Coffey, Ms Ann
Colman, Tony
Connarty, Michael
Cook, rh Robin *(Livingston)*
Cooper, Yvette

Cotter, Brian
Cunningham, Jim *(Coventry S)*
Curtis-Thomas, Mrs Claire
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Fabricant, Michael
Flint, Caroline
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Gardiner, Barry
George, Andrew *(St. Ives)*
Gilroy, Linda
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Hain, rh Peter
Hamilton, David *(Midlothian)*
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harris, Tom *(Glasgow Cathcart)*
Healey, John
Heath, David
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Heppell, John
Hermon, Lady
Hill, Keith *(Streatham)*
Holmes, Paul
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Simon *(Southwark N)*
Ingram, rh Adam
Jenkins, Brian
Johnson, Alan *(Hull W)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Kemp, Fraser
Kidney, David
King, Andy *(Rugby)*
Kirkwood, Archy
Laws, David *(Yeovil)*
Laxton, Bob *(Derby N)*
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lyons, John *(Strathkelvin)*
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
MacShane, Denis
Mactaggart, Fiona
Mallaber, Judy
Marsden, Paul *(Shrewsbury & Atcham)*
Michael, rh Alun
Miliband, David
Moonie, Dr. Lewis
Moore, Michael
Moran, Margaret
Mountford, Kali
Mudie, George
Munn, Ms Meg
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Norris, Dan *(Wansdyke)*
O'Neill, Martin
Picking, Anne
Pike, Peter *(Burnley)*
Pond, Chris *(Gravesham)*
Portillo, rh Michael
Prentice, Ms Bridget *(Lewisham E)*
Prescott, rh John
Pugh, Dr. John
Purnell, James
Quinn, Lawrie
Rammell, Bill
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, John *(Glasgow Anniesland)*
Rooney, Terry
Ruane, Chris
Russell, Bob *(Colchester)*
Ryan, Joan *(Enfield N)*
Sheerman, Barry
Sheridan, Jim
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soley, Clive
Starkey, Dr. Phyllis
Stoate, Dr. Howard
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Dari *(Stockton S)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Tonge, Dr. Jenny
Touhig, Don *(Islwyn)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Ward, Claire
Watson, Tom *(W Bromwich E)*
Watts, David
Webb, Steve *(Northavon)*
White, Brian
Wicks, Malcolm
Williams, Roger *(Brecon)*
Winterton, Ms Rosie *(Doncaster C)*
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Joe Benton and Tony Cunningham

NOES

Amess, David
Atkinson, Peter *(Hexham)*
Barnes, Harry
Beggs, Roy *(E Antrim)*
Bercow, John
Berry, Roger
Boswell, Tim
Brazier, Julian
Burnside, David
Cash, William
Chapman, Ben *(Wirral S)*
Chope, Christopher
Clifton-Brown, Geoffrey
Djanogly, Jonathan
Dodds, Nigel
Drew, David *(Stroud)*
Field, rh Frank *(Birkenhead)*
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Gerrard, Neil
Gibson, Dr. Ian
Gillan, Mrs Cheryl
Gray, James *(N Wilts)*
Hall, Mike *(Weaver Vale)*
Hanson, David
Hayes, John *(S Holland)*
Heald, Oliver
Hinchliffe, David
Iddon, Dr. Brian
Illsley, Eric
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Lidington, David
Llwyd, Elfyn
McDonnell, John
McIntosh, Miss Anne
Mackinlay, Andrew
McLoughlin, Patrick
McWilliam, John
Mahon, Mrs Alice
Mann, John *(Bassetlaw)*
Martlew, Eric
Moran, Margaret
O'Brien, Bill *(Normanton)*
O'Brien, Stephen *(Eddisbury)*
Picking, Anne
Pickthall, Colin
Rapson, Syd *(Portsmouth N)*
Robertson, Laurence *(Tewk'b'ry)*
Rosindell, Andrew
Selous, Andrew
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Spink, Bob *(Castle Point)*
Spring, Richard
Stewart, Ian *(Eccles)*
Syms, Robert
Tami, Mark *(Alyn)*
Turner, Andrew *(Isle of Wight)*
Wareing, Robert N.
Widdecombe, rh Miss Ann
Williams, Hywel *(Caernarfon)*
Young, rh Sir George

Tellers for the Noes:
Mr. Andrew Miller and Stephen Hesford

Question accordingly agreed to."

House of Commons

Tuesday 29 October 2002

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

COMMITTEE OF SELECTION

Order read for resuming adjourned debate on Question [16 October],

That Mr. John Hayes be discharged from the Committee of Selection and Mr. Peter Luff be added to the Committee.—*[Mr. Woolas.]*

Hon. Members: Object.

Debate to be resumed tomorrow.

Oral Answers to Questions

HEALTH

The Secretary of State was asked—

Diabetes

1. **Mr. Adrian Sanders** (Torbay): If he will make a statement on progress towards a national service framework for diabetes. [75349]

The Minister of State, Department of Health (Jacqui Smith): We recently published two important national targets for the NHS to improve diabetes care over the next three years. We are currently finalising the wider delivery strategy that will underpin those targets and the national service framework standards, published last December. We shall publish the delivery strategy shortly.

Mr. Sanders: Given the ever-increasing rise in the number of diabetics being diagnosed, are the Government satisfied that the sums of money being talked about will be sufficient? What mechanisms will be in place to ensure that the Government's targets are met?

Jacqui Smith: I know that the hon. Gentleman and the all-party group play an important part and have a close interest in this issue, and I welcome that. The two targets that I outlined, for improving the monitoring and treatment provided through primary care and for ensuring that diabetic retinopathy screening is more widely available, are in the planning and performance framework. That is the programme for the NHS for the next three years, and it will receive historic levels of funding—real-terms annual increases of 7.5 per cent. Compared with even the wilder dreams of the Liberal Democrats, that is a considerable investment.

As I made clear, both the standards produced last December, which set out the basis and the direction of travel for local health services, and the delivery strategy that we will publish shortly will put some flesh on the bones of that policy. The strategy will be delivered at local level because diabetologists, specialist nurses, GPs, dieticians, podiatrists, ophthalmologists and, increasingly, patients managing their own care need to be able, within those national standards, to make the important decisions. I can assure the hon. Gentleman that, thanks to this Government, there will be extra investment to help to support those decisions.

Mr. David Stewart (Inverness, East, Nairn and Lochaber): As secretary of the all-party diabetes group, may I ask the Minister when she expects to receive advice from the UK screening committee on the possibility of having a screening programme for type-2 diabetics?

Jacqui Smith: I recognise my hon. Friend's important contribution to the all-party group.

As we outlined in the standards, there is an important role for the national screening committee in spelling out the most effective way of developing a screening programme for type-2 diabetics. I am sure that my hon. Friend will agree that, given that diabetes disproportionately affects people in disadvantaged areas and people from black and minority ethnic communities, and given that it is often causally related to coronary heart disease, it is important that we find the most effective way of targeting that screening programme and of ensuring that we effectively develop the services for those affected. We look to the national screening committee to come forward with more advice, and we may then need to consider how to pilot the programme to ensure that we are targeting it in the right places.

Mr. Nicholas Soames (Mid-Sussex): Given the truly wicked and insidious nature of the disease, is the hon. Lady sure that the gross discorrelation between services throughout the country—there is little consistency or sameness of service—will be addressed quickly enough by the steps the Government have taken? I accept that the Government have a big investment programme, but is she sure that it will happen quickly enough? Will she discuss with officials what steps could be taken to bring about greater efficiency in the service, so that more people get the same high-quality service?

Jacqui Smith: The hon. Gentleman asks an important question: how can we ensure that the good practice found in some parts of the country is spread more uniformly? That is the reason for the development of the national service framework. The standards published in December were the first ever national standards for diabetes care. As we have developed the delivery strategy, we have been careful to do so in partnership with those who will have to make it work—people working in primary care, diabetes specialists and, importantly, patients themselves, because patients are increasingly able to manage their condition. I am

confident that the national service framework and the process of developing it will make an important difference to people with diabetes, but so, too, will the investment—investment that has already been made, as well as future investment—

Mr. Speaker: Order. I do not like to interrupt the Minister, but I need briefer replies.

Poverty and Deprivation

2. **Mr. Tony Lloyd** (Manchester, Central): What plans he has to give greater emphasis in the allocation of funds to poverty and deprivation as causal factors of poor health. [75350]

11. **Andy Burnham** (Leigh): If he will make a statement on progress with the development of a new funding formula for primary care trusts, with special reference to social deprivation. [75360]

The Secretary of State for Health (Mr. Alan Milburn): The existing formula used to allocate national health service resources is under review. Later this year, when I announce resources for local health services, distribution will take place based on a new formula that takes better account of health needs, which I hope will contribute to reductions in health inequalities.

Mr. Lloyd: My right hon. Friend will be aware that the historic formula inherited from Conservative Governments was perverse, in that it rewarded areas politically, not on the basis of health needs. Given that almost the whole of the north suffers from poor health, and that northern cities such as Manchester, Liverpool and Newcastle come near the bottom of most health tables, will he guarantee that the review will be driven not by the needs of London and the south-east, as his Department told my office this morning, but by a recognition that health deprivation is a nationwide issue and that funding is needed in northern cities such as Manchester?

Mr. Milburn: You always learn something new at Health questions, Mr. Speaker. We have taken some steps to address this country's severe inequalities in health outcomes. It is worth reminding the House that, for 50 years or more, the gap between rich and poor in terms of health outcomes has been widening, not narrowing. One of the ways to tackle that is to get the resources in the right place, according to need. My hon. Friend is aware that in this financial year we have allocated an extra £148 million—including an extra £4 million for his part of the country and Manchester—specifically to deal with those issues, but there is no doubt that there is more to do.

In any review, whether of local government resources or NHS resources, we have to get the balance right between two competing pressures: different labour market pressures and different needs pressures in different parts of the country. Only if we get that right will we get resources in the right place.

Andy Burnham: The Secretary of State will know that people in Leigh and the communities represented by my hon. Friend the Member for Manchester, Central (Mr. Lloyd) are more likely to develop chronic illness than people elsewhere in the country, and on average they do so at a much younger age—in my area, at 53 as opposed to 60. That places great strain on the local NHS, but the extra costs of providing health care in former mining areas, where there is a high incidence of chronic illness, are simply not picked up by the current formula. May I urge him to use his welcome review of health funding to right that historical wrong and to introduce a new formula that, while recognising the other pressures he mentioned, gives full weight and priority to deprivation and chronic ill health?

Mr. Milburn: We will try to do precisely that. Both my hon. Friends are due to come and see me soon to discuss the needs of Manchester and the surrounding areas and to make their case face to face. Later this year, for the first time, we will allocate resources directly to primary care trusts for the next few years. I confirm that when we do so, that allocation will be based on a new formula that addresses the issues my hon. Friends have raised.

It is important that we do that. Our intention is to improve the health of the nation overall, but given that there is a such a health deficit in the poorest communities, it must also be right to aim to close this country's health gap, so that we improve the health of the poorest people fastest. I hope that that objective is shared on both sides of the House. We have begun to try to put that right: for example, we have targeted intervention and treatment rates for coronary heart disease in those parts of the country where its incidence is greatest—there has not always been a straightforward correlation between treatment rates and incidence rates. The problems will take some time to put right, but we have an opportunity to do that now because we have the resources to ensure a more equitable distribution.

Mr. David Cameron (Witney): As well as poverty and deprivation, will the Secretary of State consider scarcity and rurality in terms of funding, especially for social services? There are three excellent care homes in my constituency, all of whose future is in question. One of them, in Milton-under-Wychwood, meets all the Government's standards. Yet, because it is small, it is threatened with closure. I hope that the right hon. Gentleman understands that rural communities want small care homes close to where people live. The funding formula should reflect that.

Mr. Milburn: I very much agree with the hon. Gentleman. He will be interested to know that those who have been examining how we distribute resources have been considering sparsity and rurality, for example. These are issues that he and other right hon. and hon. Members on both sides of the House have been raising. Obviously, we must get the balance right between how we distribute resources to areas of great health need, to areas with a rurality problem and to other areas with a labour market problem.

I say in all candidness to the hon. Gentleman that we can redistribute resources only if we raise resources. The problem for the hon. Gentleman and for other Opposition Members is that they are now committed as a party to not matching the levels of resources that the Government are putting into the national health service.

[Interruption.] Well, they shake their heads but that is what their document, "Leadership with a purpose", had to say, when it said that—

Mr. Speaker: Order. I call Mr. Hywel Williams.

Hywel Williams (Caernarfon): Perhaps the Secretary of State will be familiar with the document entitled "Lles yng Nghymru" or "Well Being in Wales", which was launched by the Minister with responsibilities for health and social services. The report contains the statement that

"average life expectancy in some parts of Wales is 5 years less than in others".

Is that not an indictment of the Government's policy and the policy of previous Governments? Does the right hon. Gentleman not recognise that there is inequality of resource allocation not only within England, but between England and Wales and other countries?

Mr. Milburn: As the hon. Gentleman knows, that is a matter for the Welsh Assembly.

John Cryer (Hornchurch): In Rainham in the south of my constituency, which is a relatively deprived area, we recently had a successful campaign to save a GP surgery. Despite that, we still have a shortage of GPs. Frequently, GPs have a list of 3,000 to 3,500. My right hon. Friend will know that the current funding formula often militates against these areas because it makes it difficult to draw in resources to attract the additional GPs who are needed. Will the new funding formula recognise that, so that we can start to attract new GPs into the area?

Secondly, does my right hon. Friend not find it extraordinary that certain Members argued for extra resources for their own areas but voted against the general proposal in the Lobby?

Mr. Milburn: I do not know to whom my hon. Friend was alluding, but I can guess. He is absolutely right on two counts. First, all too often we have the poorest services serving the poorest communities. That must be put right.

As for primary care services, for example, we are making available extra payments to try to entice GPs into some of the poorest communities. That is the right thing to do. There is a long way to go, and I hope that in time the policy will produce results.

In my hon. Friend's constituency and parts of inner-city London, we are making available extra resources through the private finance initiative and through public-private partnerships to improve the primary care estate. We will not get GPs, district nurses and other primary care staff into these communities unless they are working in decent premises. The state of some of the premises that I have seen in the east end of London is pretty deplorable. That is not surprising because for decades—*[Interruption.]* The hon. Member for North-East Hertfordshire (Mr. Heald) is chuntering from the Opposition Front Bench. He might take responsibility for the lack of investment over many decades, precisely in communities where the health needs are greatest.

Secondly, my hon. Friend is right to say that it is pointless for right hon. and hon. Members to argue in the Chamber, and even more so in their constituencies, for more money for their local health service when they voted against money for the national health service.

Mr. David Tredinnick (Bosworth): Does the Secretary of State accept that the deprived are often unable to access complementary medicine? The problem is a direct result of his policy of not requiring primary care trusts to look closely at buying in acupuncturists, homeopaths or herbal therapists. Is he aware that, until he does that, there will always be inequality throughout the nation? It is only those who can pay for the 60,000 complementary practitioners who can get their services.

Mr. Milburn: Question Time would not be Question Time without the hon. Gentleman. He is a ray of complementary therapy himself. As for primary care trusts and their freedom—*[Interruption.]* I know that he has some complementary medicine that he will pass to me later. That had better be a private transaction rather than a public one.

Primary care trusts are free to commission appropriate services and should do so. We are moving to a situation in which more such decisions should be taken locally rather than nationally. We will try to provide more information to patients and primary care trusts so that they can make the right commissioning decisions, but in the end, the decision must be a matter for them rather than me.

Mr. Dennis Turner (Wolverhampton, South-East): The Secretary of State will be aware that Wolverhampton and the black country, through poverty and deprivation, have the highest incidence of heart disease in the west midlands. He will also be aware that bricklayers, glaziers, roofers and carpenters are very soon to be on site giving their skills to building a state-of-the-art £60 million coronary care centre to which he has given his full support. What he is not aware of, however, is the wonderful black country welcome that he will receive when he comes to Wolverhampton in January. He will be as welcome as the flowers in May.

The Minister of State, Department of Health (Jacqui Smith): But not as pretty.

Mr. Milburn: It is as my hon. Friend says. One cannot have everything.

I am grateful to my hon. Friend the Member for Wolverhampton, South-East (Mr. Turner) for his support. There is absolutely no doubt that the cardiac centre is desperately needed in the part of the black country to which he refers. We have had to consider such issues not only in Wolverhampton, but in other areas such as Blackpool, where we recently met for the Labour party conference, and Teesside. My hon. Friend the Member for Stockton, South (Ms Taylor) has been advocating precisely such measures. When we considered the big diseases that were killing too many people in this country, we saw that there was a gap between where they occurred most and where treatment services were available. That gap had grown up over

very many years. It is right to take corrective action so that we can locate services in the right places and save more lives.

Non-clinical Personnel

3. **Mr. James Clappison** (Hertsmere): How many non-clinical NHS personnel were employed (a) on 1 May 1997 and (b) on the latest available date. [75351]

The Parliamentary Under-Secretary of State for Health (Mr. David Lammy): Work force numbers are collected annually on 30 September. On 30 September 1996, 299,080 non-clinical staff worked in the national health service, and on 30 September 2001, there were 312,820 staff.

Mr. Clappison: Can the Minister tell us which is now the greater number in the NHS—the number of administrators and estate staff or the number of beds?

Mr. Lammy: Clearly, between 1980 and 1997 the number of beds fell by 60,000. It is now increasing. The latest figures, for September 2001, show an increase of 714. The hon. Gentleman talks about managers, but the figure is small, at 3 per cent. of the NHS work force.

Laura Moffatt (Crawley): Does my hon. Friend agree that the hon. Member for Hertsmere (Mr. Clappison) is making a huge mistake in comparing clinical and non-clinical staff? As I well know, having worked as a nurse for 25 years, our NHS contains people who are not trained as doctors or nurses but who are doing a fantastic job working in partnership with clinical staff. They include Maria Haines, who is here today and has devoted her life to Crawley hospital as a cleaner and cook. She values that position and wants to remain part of a fantastic organisation and not be judged against clinical staff.

Mr. Lammy: My hon. Friend is exactly right. We on the Labour Benches value the work of porters, cleaners and caterers, and have sought to deal with capacity problems in the NHS. All members of the work force—doctors, nurses and support staff—were under-capacity because of the lack of investment from the Conservatives.

Dr. Liam Fox (Woodspring): It is worth reminding the Under-Secretary that the Labour party came to office in 1997 promising to cut NHS bureaucracy, yet it has increased to unprecedented levels. Will he explain the reason for the success in recruiting more administrators for the NHS and the failure of the Government's campaign to recruit overseas doctors? Only 26 doctors have been recruited through the Government's fellowship scheme; 19 through their global campaign. Not one is from the targeted group of heart and lung surgeons, and all came from Spain or Germany. Why have the Government been so successful in recruiting administrators and boosting bureaucracy, but so useless at attracting overseas doctors?

Mr. Lammy: The hon. Gentleman misunderstands the policy of recruiting overseas doctors; it is a three-year programme. We are working towards recruiting 250 doctors, and we are on that journey because of the capacity problems that we inherited in 1997. In our 2001 manifesto, we made an obligation to increase the number of nurses by 20,000 and that of doctors by 10,000. At the time, the hon. Gentleman suggested that we were making promises that we could not fulfil. We have fulfilled our promise about nurses—we now have more than 20,000.

Consultants

4. **Mr. Chris Mullin** (Sunderland, South): What recent discussions he has had with representatives of the British Medical Association about the consultant contract; and if he will make a statement. [75352]

The Minister of State, Department of Health (Mr. John Hutton): The Department agreed the framework for the proposed consultants' contract with the central consultants and specialists committee of the British Medical Association on 12 June. I last met representatives from the BMA to discuss the proposed new contract on 11 September.

Mr. Mullin: In the light of the apparent rejection by consultants of the contract negotiated on their behalf by the BMA, and endorsed by the BMA's annual conference, will my right hon. Friend assure the House that not one penny of the many millions set aside to implement the new contract will find its way into the pockets of those who refuse to co-operate in reducing waiting lists?

Mr. Hutton: Obviously, it would not be productive or useful for me to speculate on the outcome of the ballot. We shall have the result on Thursday. We have always made it clear that one of our principal objectives is to provide better rewards for consultants who make the biggest contribution to the NHS. That will remain the case.

Dr. Richard Taylor (Wyre Forest): My impression is that dissent among consultants about the proposed new contract relates to lack of trust and, in many places, poor relations between managers and clinical staff. What can the right hon. Gentleman do to improve those relations?

Mr. Hutton: Again, I shall not speculate on the outcome of the ballot; we must wait and see. I believe that relationships between consultants and managers are pretty good throughout the NHS. If the hon. Gentleman wishes to draw to my attention specific examples of poor relationships, I shall be happy to examine them.

Mr. Bob Blizzard (Waveney): Has my right hon. Friend read *The Times* report today that speculates that consultants are about to reject the new contract, which offers them a 15 per cent. pay rise? My constituents will be horrified that people who were trained through the public purse want to turn down a 15 per cent. pay rise,

are unwilling to join a national effort to reduce waiting lists and would thus let down the public whom they are trained to serve.

Mr. Hutton: I have a great deal of sympathy with my hon. Friend's point. It is worth reminding hon. Members that the proposed contract will be good for patients and the NHS. That is not only my view, but that of the hon. Member for Woodspring (Dr. Fox). The contract holds out the prospect of significant improvements for NHS consultants' terms and conditions of work, and I hope that we can take the matter forward positively.

Dr. Evan Harris (Oxford, West and Abingdon): The impending rejection of the Government's new contract by current and future consultants is not because of money. Does the Minister accept that they are rejecting giving more power to the Secretary of State and managers, who would put political targets before clinical need? Are not junior doctors, who are currently exploited, rejecting a definition of a normal working week that includes working late in the evening and on Saturday and Sunday mornings?

If the Minister wants more consultant time, why does not he insist that the NHS creates more consultant posts and allows those on non-consultant career grades, the majority of whom are from ethnic minorities and stuck in such posts, to apply to be consultants? They have the skills to increase NHS activity.

Mr. Hutton: I am afraid that the hon. Gentleman is wrong in just about everything he has said. We are increasing the consultant work force in the NHS. When we came to office, there were 21,000 in England; there are now 26,000. We are taking a number of measures to improve the terms and conditions of all doctors in the NHS, but his position on all those issues is complete incomprehension of the need for reform. The need for reform here will be just as important on Friday—the day after the ballot result is announced—as it is today. There is a strong need to reform the consultants' contract. That is not only my view, but that of the BMA.

Mr. Dennis Skinner (Bolsover): Does the Minister agree that, more than 50 years ago, consultants played a part in holding up the reforms of the Minister of Health, Nye Bevan? It seems that they are still at it. It seems rather odd that everybody else in the hospital has to sing to the same tune, yet consultants, who are making money on the side, seem to wield tremendous power. I say all that against this background: I have to go and see one in a month. I hope that the Minister manages to tell them that it is time they played the game.

Mr. Hutton: I have a great deal of sympathy with the points that my hon. Friend makes. I hope that the consultant who is seeing my hon. Friend voted yes to the new contract; otherwise, he might be in a bit of trouble.

I say in all sincerity to my hon. Friend, whom I hold in the highest regard, that the point that he addressed is fundamental, and there will still be an issue of accountability in the NHS, not only for managers, but for senior doctors. Those arguments about accountability to the taxpayer and to patients and the wider community in which we all live will be just as pertinent the day after the BMA announces the ballot result on Thursday as they have been in the 50 years since the NHS was established.

Dr. Liam Fox (Woodspring): But if the reports referred to are correct and the consultant contract is rejected, who will be primarily to blame?

Mr. Hutton: As I have said repeatedly, I will not speculate on the outcome of the ballot, but I would be interested to know whether the hon. Gentleman, whom I suspect hears the sound of a bandwagon rolling and now wants to get on board, has changed his view, which he expressed in June, that this is a good contract for the NHS.

Dr. Fox: We are touchy today. Although I accept that there are positive aspects to the contract for doctors and for patients, if there is a rejection, it will be of the contract's culture, not its substance. Doctors fear far greater interference in their clinical work, which is hardly surprising, given the Government's target culture. Despite all the Secretary of State's rhetoric, he has tried to micromanage the NHS from Whitehall, which has resulted in ever more administration and red tape as well as a distortion of clinical priorities. The rejection of the contract and the chaos that that may bring will be a direct result of the Government's approach to running the NHS. Does the Minister accept that, ultimately, the buck therefore stops with him?

Mr. Hutton: The hon. Gentleman, rather like the hon. Member for Oxford, West and Abingdon (Dr. Harris), is wrong on all those issues and all those counts. Interestingly, it appears that it is now the policy of Her Majesty's Opposition to set themselves against any national target for the NHS. They have collective amnesia on the other side of the House, because only last summer the hon. Member for Woodspring (Dr. Fox) and his right hon. Friends were committing themselves to national waiting time targets across the NHS. What does he want?

North-West Public Health Observatory

5. **Helen Jones** (Warrington, North): If he will make a statement on the work of the north-west public health observatory. [75353]

The Parliamentary Under-Secretary of State for Health (Ms Hazel Blears): The north-west public health observatory is taking a lead role in the north-west region and nationally on important policy areas of communicable disease, health protection and drug misuse to provide intelligence to protect the public's health. Its success is reflected in a move from annual funding to a three-year funding programme.

Helen Jones: I thank my hon. Friend for that reply. What she says about funding is good news, but what steps will she take to ensure that the work of the public health observatory is properly disseminated and that it informs the decisions of primary care and acute trusts, so that decisions on the provision and accessibility of health services are directed at those areas most in need?

Ms Blears: My hon. Friend makes an important point. The north-west public health observatory has a link to the Department on communicable disease and drug misuse, so its information and evidence are fed through the system. There was an excellent example of that recently when the observatory was able to trace the people involved in a significant outbreak of syphilis in the Manchester area, and to carry out tests. As a result of the intelligence that it gained on the ground from that important project, it was able to inform our policies centrally on prevention and tracing.

Mr. Oliver Heald (North-East Hertfordshire): Is not the Minister aware that the Government have been heavily criticised by their own adviser, Steve Jamieson, who has said that the Prime Minister and the Government delayed introducing the sexual health strategy because they were embarrassed about the high level of sexually transmitted disease? He said:

"while they were sitting on the strategy there were people out there who could not access services and were contracting sexually transmitted infections."

While the Government were dithering over this issue for three years, how many people did the observatory monitor who needlessly fell ill or were denied treatment? Does the Minister agree that the dismantling of the Public Health Laboratory Service on top of all this will make matters worse?

Ms Blears: The hon. Gentleman knows that the Government have introduced the first ever sexual health strategy, so we are taking the issue seriously. It is backed by additional funding of £47 million, and an extra £5 million this year for genito-urinary services. I have visited GU services in the past few weeks, and I know the pressure that they are under. They are having to treat many more people, which is why the Government have put their money where their mouth is and have established a strategy with money to back up the action plan.

CT Scanners

6. **Mr. Michael Jack** (Fylde): When he expects decisions to be reached on new computerised axial tomography scanner allocations. [75355]

The Secretary of State for Health (Mr. Alan Milburn): Local consultations on the allocation of the next 50 CT scanners are well under way, and I expect decisions to be made before too long.

Mr. Jack: In welcoming the Secretary of State's promise of a decision, may I remind him that a powerful case for Blackpool to have an additional CT scanner was made with all-party support in February? We were promised criteria for their allocation in the summer, but they did not appear. Now we are told that strategic health authorities were supposed to have made recommendations about the allocation of the scanners to his Department in September. May I press him to be more specific about when he expects that announcement to be made? Can he help Blackpool by telling us whether it is in with a chance?

Several hon. Members *rose—*

Mr. Milburn: I see the Blackpool mafia on both sides of the House rising to their feet. The Blackpool Victoria infirmary does a good job and has made an impressive case. Given that there have been gaps in CT scanner capacity, it is right that we match demand with supply. That decision is best made locally, so the strategic health authority in the area is considering a number of possible sites for additional scanners. I cannot say exactly what the decision will be for Blackpool, but its case will be fully taken into account. I hope that I can make final decisions in the next couple of months. We can make these investments precisely because we have raised the resources. We back those resources, but the question for the right hon. Gentleman is whether his party does.

Mr. Lindsay Hoyle (Chorley): I congratulate my right hon. Friend on the fact that the Government have ensured that there are more CT scanners throughout the country and that capacity is expanding. Would not we get better value if we could ensure that they were in use for longer hours and that there was a better choice for people who need them? That is important. What can he do to ensure that we get better value?

Mr. Milburn: My hon. Friend makes an important point. We must plug the huge, historic gaps in capacity. By the end of this year, we expect that the number of CT scanners will have increased by more than 50 per cent. since 1997, and that the number of magnetic resonance imaging scanners will have increased by almost 100 per cent. That means that 28 per cent. of MRI scanners and 48 per cent. of CT scanners now working in the NHS are new and have been provided since January 2000. Communities up and down the country are benefiting from them, although we need to do more to plug gaps in capacity.

Obviously, the equipment will work only if there are staff to operate it. As my hon. Friend knows, there is an acute shortage of radiologists and radiographers. That is why we are increasing the number of radiographer training places, which was cut in the past. It will take time to achieve what we want to achieve, but I want to record my thanks to radiologists, radiographers and other scanning department staff, who do an outstanding job in what are often difficult circumstances.

Mr. Paul Marsden (Shrewsbury and Atcham): Does the Secretary of State believe that CT scanners and other diagnostic measures such as radiotherapy units are vital to the provision of NHS treatment? If so, why are so many being funded through the lottery and local charities?

Mr. Milburn: I think that even the hon. Gentleman understands that most members of his community do not much care where the money comes from. What they care about is getting a CT scanner.

NHS Trust Mergers (Durham)

7. **Mr. Kevan Jones** (North Durham): If he will make a statement on the merger of North Durham Health Care NHS Trust and South Durham Health Care NHS Trust. [75356]

The Minister of State, Department of Health (Mr. John Hutton): My hon. Friend the Member for Redditch (Jacqui Smith), the Minister of State, Department of Health, approved the establishment of the County Durham and Darlington Acute Hospitals NHS Trust from 1 October 2002. The merger will offer patients greater choice and faster access to specialist treatment at a wider range of hospitals.

Mr. Jones: Does my right hon. Friend agree that one of the main problems facing the trust is bed blocking at the new North Durham hospital? The solution clearly lies with a number of organisations—the primary care trusts, Durham county council, the district councils and the trust itself. Will he support an initiative from the county council to get all the stakeholders round the table to come up with such a solution?

Mr. Hutton: I agree with my hon. Friend, and hope that he too will play a positive role in the process. I can tell him that Durham county council, the strategic health authority and the new acute trust are already trying to find a better way of tackling what I accept is a problem in his constituency.

Mr. Peter Lilley (Hitchin and Harpenden): Will the Minister warn the people of Durham that mergers of this sort are usually followed by proposals for mergers or closures of accident and emergency and acute hospitals? The merging of all the trusts in Hertfordshire was followed by proposals to close between half and three quarters of Hertfordshire's accident and emergency hospitals. Will he promise a national study of the alleged results of past mergers of this kind before any more are allowed to proceed?

Mr. Hutton: I think that the right hon. Gentleman is describing what happened under the last Conservative Administration. As my hon. Friend the Member for Tottenham (Mr. Lammy), the Under-Secretary of State for Health, has said, for the first time for many years, bed numbers in the NHS are increasing. Under the Administration of whom the right hon. Gentleman was a prominent member, the number of beds fell by 60,000. A little more penitence from him might go a long way.

Mr. Gerry Steinberg (City of Durham): At a recent meeting between Durham Members and the county council, the social services department told us that it had not received money promised by the Government for the releasing of beds, and that the money had been retained by the primary care trusts. At Prime Minister's Question Time a while ago, the Prime Minister said that the money would release beds. Will the Minister's Department investigate, and find out exactly what happened to the money and whether it was spent on releasing beds?

Mr. Hutton: I will certainly look into that. Durham county council received £1.8 million by way of a new special grant this year to help it to tackle problems relating to delayed discharge. We expect the money to be used to tackle that problem, and for no other purpose.

Kennet and North Wiltshire Primary Care Trust

8. **Mr. James Gray** (North Wiltshire): What the level is of indebtedness of the Kennet and North Wiltshire PCT. [75357]

The Parliamentary Under-Secretary of State for Health (Ms Hazel Blears): Kennet and North Wiltshire primary care trust started the current financial year with a range of financial pressures, causing an underlying shortfall of £10.89 million. It received £3.3 million after applying to the NHS bank for support. The health authority will work with the trust to develop a three-year recovery plan to address the underlying shortfall.

Mr. Gray: It is amazing how Labour Ministers manage to spin things to make even the worst possible news sound wonderful. There is an £11 million debt in respect of the PCT, and a further £22 million debt hangs over it as a result of the shambles at the Royal United hospital in Bath. I am meeting the Minister of State this afternoon to discuss a parallel crisis in mental health care funding in North Wiltshire, which has also resulted in a huge debt. What can the Minister possibly say to the people of Wiltshire, who face a deep and damaging crisis in every aspect of health provision in the county?

Ms Blears: This is a serious situation, and clearly the primary care trust will not be left to face it on its own; it is a matter on which the whole health community should work together. For the first time ever, there will be a three-year allocation to enable planning over the longer term to meet the demands of the community. I have already told the hon. Gentleman that I am perfectly happy to meet him and his colleagues to discuss the situation. He will also be aware, however, that his health community has had a massive increase in expenditure in the past few years, and that the biggest ever investment in the NHS will take place over the next three years. If he has problems about funding, I must ask him seriously why his party is not prepared to match our commitment to increasing investment in the NHS.

Care Homes

9. **Dr. Julian Lewis** (New Forest, East): If he will make a statement on the availability of care home places in the south-east. [75358]

The Minister of State, Department of Health (Jacqui Smith): Department of Health figures show that, as of March 2001, there were 91,895 care home places in the south-east. Figures produced by the independent analysts Laing and Buisson suggested that occupancy levels in the southern home counties in March 2002 were 90.8 per cent. in residential homes, and 91.8 per cent. in nursing homes. As my right hon. Friend the Secretary of State announced to the House in July, the provision of an extra £1 billion a year in real terms for social services

for older people by 2006 will ensure more support to help more people who need care in residential and nursing homes.

Dr. Lewis: You would never guess from that answer, Mr. Speaker, that between April 1998 and April of this year, 916 care home places have gone in Hampshire alone—just under 10 per cent. of the total. Is that not due largely to the unrealistic demands put on care homes through the Government's legislation of 2000? Is not the fact that the Government are backtracking on that legislation an admission that they got it badly wrong?

Jacqui Smith: I will keep it snappy. We listened to the concerns of care home owners and we acted on them. The hon. Gentleman cannot complain about the support that this Government are putting into care homes: increases in fees, funded by extra investment that he and his party failed to support.

Fiona Mactaggart (Slough): There is a problem with getting GP cover for increasingly sick people in care homes in Slough, and persuading GPs to offer such cover without charging care homes substantial sums. Will the Minister encourage primary care trusts in areas where that problem exists to meet care homes to resource proper GP cover for care home residents?

Jacqui Smith: Yes, my hon. Friend makes an important point. Of course, people in care homes should have access to the general services of a GP in the same way as anybody else, but there may well be particular concerns in relation to care homes. My hon. Friend has assured me that we can consider this issue in relation to the contract, and her point about the role of PCTs in looking at the problems in particular localities is another important one, which we can consider.

Mr. Oliver Heald (North-East Hertfordshire): The Minister may have acted, but does she not realise that she has acted far too late—two years too late—after 60,000 places have been lost in care homes? Has she seen the latest figures for emergency readmissions, which show that the number of patients aged over 75 who are readmitted within 28 days has risen to 8 per cent.? Does that not show that elderly patients—if they do have somewhere to go—are being discharged too early because so many other patients cannot leave hospital? They cannot leave because, as a result of this Government's action, no care home places are available. It takes something special to have not only a waiting list to get into hospital, but a waiting list to get out.

Jacqui Smith: This Government's additional investment of £300 million over the past two years has helped to ensure a reduction of more than 1,200 in the number of older people who are stuck in hospital, and who, rightly, are better off out of it.

The hon. Gentleman has nowhere to go, however. Opposition Members complained about environmental standards, and the Government listened to the concerns expressed by those who run care homes. We acted responsibly but, in the end, capacity for the care of older people depends on investment. As my right hon. Friend the Secretary of State spelled out in July, the Government are willing to invest in choice and capacity for older people. That means that more care will be available for them in residential care homes and in their own homes. The hon. Gentleman opposes that investment. He has nowhere to go, and nothing to say.

Infection Control

10. **Dr. Vincent Cable** (Twickenham): If he will make a statement on the adequacy of infection control procedures in the NHS. [75359]

The Parliamentary Under-Secretary of State for Health (Ms Hazel Blears): The Government take infection control in our hospitals very seriously. We have set standards to ensure that there is a managed environment that minimises the risk of infection to patients, staff and visitors. Recent analysis of hospitals' performance in that respect shows that there has been an improvement over the past two years, but more needs to be done and actions are being taken nationally, regionally and locally.

Dr. Cable: I hope that the Minister can explain an apparent contradiction in policy. When the Government are challenged about rising infection rates, especially the fiftyfold increase in methicillin-resistant Staphylococcus aureus over the past 10 years, they point to the clean hospitals programme. That is a key part of the response. Last week, however, a departmental spokesman denied that there was any scientific link between hygiene and MRSA. Which line is correct?

Ms Blears: Research has shown that there is no direct correlation between cleanliness and MRSA. That is contrary to what many people would expect, but it is clear that there are links between good infection control and hygiene. A key part of the action that we are taking is to encourage simple, practical measures. They include disinfecting beds properly between patients, promoting more hand washing in hospitals and making sure that people use the alcohol gel where there are MRSA infections.

The hon. Member for Twickenham (Dr. Cable) knows that MRSA is not a uniquely British problem: it is common throughout Europe and the world. The systems in this country are among the best in the world when it comes to collecting the data and taking practical action to reduce the incidence of MRSA in our hospitals. We have instituted the clean hospitals scheme at a cost of £62 million, and a £200 million scheme to improve the decontamination of instruments and equipment. They are helping reduce the incidence of these very serious infections.

Dr. Nick Palmer (Broxtowe): Will my hon. Friend the Minister welcome the state-of-the-art marrow transplant unit to be established at Nottingham's City hospital? The unit will have a very high level of protection against infection. Does she agree that only sustained investment in the NHS over a period of years will resolve the problem, not a sustained investment in rhetoric?

Ms Blears: My hon. Friend is right. Throughout the world, the incidence of infection will increase as more complex procedures are introduced and more

vulnerable patients treated. As we get more successful at treating more vulnerable people, we must be extremely careful when it comes to monitoring infection rates. I am delighted to welcome the establishment of the unit in my hon. Friend's constituency, which, as he noted, will be state of the art. However, this is a long-term problem. It requires long-term solutions and a commitment to long-term investment. We are determined to make sure that that investment happens.

Michael Fabricant (Lichfield): I am delighted that the Minister has spoken about the need for hygiene and for hand washing, although she is doing no more than echo what Florence Nightingale said 160 years ago. However, she is wrong to say that the problem faces hospitals in countries around the world. Is she aware that the European anti-microbial survey found that people were more likely to catch MRSA and associated diseases in British hospitals than in those of any other European country?

Ms Blears: The hon. Gentleman knows that this is a worldwide problem. The authorities in America are very worried about it, and recent estimates are that as many as 50,000 or 60,000 people there could die from MRSA infections. I am sure that he is aware that other European countries face problems similar to ours. However, we now have a mandatory system for recording the relevant data. That has not existed before. We want to get to the truth of the matter so that we can take appropriate action and do not have to work in the dark. For the first time, we have proper data and are taking action nationally, regionally, locally and at the level of health trusts. Some of the actions involved, such as promoting hand washing and better infection control and disinfection, are very simple, but we also want to spread good practice across the health service, in community settings as well as in hospitals. Unfortunately, MRSA is probably with us to stay, but good control can help to reduce the incidence of infection by between 15 and 30 per cent., and thereby make people's time in hospital a lot safer.

Children's Trusts

12. **Mr. Hilton Dawson** (Lancaster and Wyre): If he will make a statement on the establishment of children's trusts. [75361]

The Minister of State, Department of Health (Jacqui Smith): Children's trusts will provide an opportunity for delivering better services and outcomes for children and families. They will be based in local councils with power for the first time to commission health and social care. The first pilot sites will start from April 2003 and we will be seeking expressions of interest in the next few months.

Mr. Dawson: I thank my hon. Friend for that response and for the news about possibly the most hopeful development in children's services in 30 years. May I have a pilot project in my constituency? Such a development would be particularly relevant in north Lancashire, where we struggle with the archaic structures of county councils and district councils. People who work hard to deliver good services need extra support to enable them to provide joined-up services linking health, social care, education and the voluntary and community sectors. I can make no better recommendation for my constituents.

Jacqui Smith: My hon. Friend is a very good campaigner for his constituency and also for the principle behind children's trusts. I know that he believes, as I do, that children who have been abused or neglected or who are disabled need a joined-up service. They do not need bureaucratic boundaries getting in the way of the provision of that service. I hear what he says about his constituency. He makes an important point about the need to ensure that we develop the pilots in a range of areas, including those with two-tier authorities like his. Although I cannot make him any promises today, I will certainly listen carefully to any proposals that come forward from his constituency and area.

Mr. Andrew Lansley (South Cambridgeshire): In establishing trusts and, I hope, managed networks for the provision of children's services, can the Minister tell the House when she will publish the Government's substantive response to the Kennedy report about the configuration of acute hospital services for children?

Jacqui Smith: We have published the response to the Kennedy report. We said that it raised considerable issues about acute hospital care and that that would be the first part of the children's national service framework. We are hoping to publish that first part of the national service framework later this year.

Autism

13. **Dr. Stephen Ladyman** (South Thanet): What progress has been made in implementing the national service framework for children in relation to autism. [75362]

The Parliamentary Under-Secretary of State for Health (Mr. David Lammy): The disabled children's external working group is developing draft standards and interventions that will help improve services and support for disabled children. One of the national service framework exemplars that we publish will be on services for children with autism.

Dr. Ladyman: The national service framework, using autism as an exemplar, has the potential to provide a sea change in the way in which autistic people and their carers are looked after, but the key will be to ensure that it is a genuine cross-departmental exercise and that the exemplar is followed in the field. How will my hon. Friend ensure that it is being implemented out there, where it matters?

Mr. Lammy: My hon. Friend takes an active interest in autism as chair of the all-party group on autism. Francine Bates, chair of the external working group, is meeting him on 5 November to take these ideas forward and we will consider them in due course. Joint guidance

has been issued for consultation by the Department of Health and the Department for Education and Skills to help families, children and carers affected by autism.

Mr. Henry Bellingham (North-West Norfolk): Is the Minister aware that children on the autistic spectrum often need speech therapy and occupational therapy? A constituent whose child needs occupational therapy recently told me that the list in west Norfolk is running at 36 months and that the child has therefore been removed from the list. There is a big problem in some areas; it is not simply a question of resources but of long-term planning and of the Government emphasising recruitment. Will the Minister take this on board?

Mr. Lammy: The hon. Gentleman makes a good point. The number of language therapists has increased from 4,870 in 1997 to 5,680 in 2001. He is right to say that we must continue to work hard in that area.

Iraq

3.30 pm

Mr. Tam Dalyell (Linlithgow): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 24, to debate an important matter that requires specific and urgent consideration, namely,

"the statement of the Iraqi Foreign Minister at the weekend about weapons inspectors."

This is against the background of much concern in the United States, not least from the American conference of Roman Catholic bishops who urged the President and members of Congress to step back from the brink of war and to work with other nations and the United Nations actively to pursue effective alternatives to war to address Iraq's threats.

There are a number of questions that the House of Commons must address urgently.

First, will Britain be, in a legal sense, in a state of war with Iraq if we join the US attack?

Secondly, why did President Bush have to get a vote in Congress authorising the use of force, when the British Government have not indicated their intention of doing so?

Thirdly, if British forces are engaged, will that be done under the royal prerogative, which requires no parliamentary authority?

Fourthly, what will be the position of British citizens now living and working in Iraq? Will they be advised to leave the country before the attack or to stay and, if so, what protection can the Government give them?

Fifthly, will British troops, if they are captured, be entitled to protection under the Geneva convention?

Sixthly, will British troops be under the orders of American officers and will they be required to serve in an army of occupation?

Seventhly, will the British Government be consulted on the date when hostilities begin and will they be a signatory of any agreement to bring the war to an end?

Eighthly, what compensation will the British Government give British citizens who suffer financial loss as a result of war?

Ninthly, will Iraqi citizens living in Britain be treated as enemy aliens and imprisoned, and under what statutory authority?

Tenthly, what rights will Iraqi soldiers captured by British forces have, and will they qualify for the protection of the Geneva convention?

Eleventhly, what will be the position, under military law, of members of the British armed forces who refuse to fight because they believe that a war waged against Iraq that has not been authorised by the United Nations could lead to their being charged at a war crimes tribunal under the International Criminal Court, which the British Government support?

Twelfthly, how would the position of British troops charged with war crimes differ from that of American troops, given that the United States has declared itself exempt from any international criminal court?

Thirteenthly, how would the British Government respond to a charge of war crimes of the kind brought under the Nuremberg court?

Fourteenthly, have the Law Officers been consulted on these issues and will their report be published and laid before Parliament?

In no way am I anti-American. I share a great great-grandmother with one of the American Presidents. I have many American friends, as do many people in the House. We are not anti-American, but we think that these questions should be urgently addressed.

Mr. Speaker: I have listened carefully to what the hon. Gentleman said and I have to give him my decision without stating any reasons. I am afraid that I do not consider that the matter that he has raised is appropriate for discussion under Standing Order No. 24 and I cannot, therefore, submit the application to the House.

Mrs. Alice Mahon (Halifax): On a point of order, Mr. Speaker. Many of us are deeply concerned about the latest threats from Colin Powell and believe that they are evidence of the further intention and determination of the United States to start that sort of war. We think that it is time for the fancy footwork from those on our Front Bench to stop and for us to have a firm statement about exactly what our policy is on Iraq. I appeal to you, Mr. Speaker, as the protector of Back-Bench rights, to urge the Government at least to make a statement to the House.

Mr. Speaker: Ministers will have heard what the hon. Lady has said.

Air Weapons

3.34 pm

Jonathan Shaw (Chatham and Aylesford): I beg to move,

That leave be given to bring in a Bill to amend the Firearms Act 1968 to restrict the acquisition and possession of air weapons; and for connected purposes.

All Members receive complaints about antisocial behaviour, which comes in a variety of guises. The consequences for victims will depend on the severity of the crime and how the individual overcomes the trauma, be that physical or emotional. Almost every year, Parliament approves a crime Bill, in the genuine belief that the provisions will protect the innocent, help the victims and deter and punish the perpetrators.

Our constituents have a right to expect us continually to pursue the fight against crime, but they know that there is no magic wand and that some laws are more successful than others. Yet in our pursuit they expect us to consider not only new laws but existing laws, and whether they need revising in order to be relevant to our modern day. It is on that basis that I, together with colleagues from both sides of the House, believe that the time has come to take an important first step to tackle the airgun menace, and I am grateful to all the hon. Members who signed my early-day motion on that.

My Bill seeks to amend the Firearms Act 1968, by raising the age for unsupervised possession and use of air weapons from 14 to 17 years. That would bring the legislation relating to air weapons into line with other gun control legislation. My Bill will not have an effect on youngsters under 17 using air weapons in registered clubs.

The power of the modern air weapon means that it is used to kill, to maim and to cause serious injury to our constituents. The power of the modern air weapon means that it can kill, maim and cause serious injury to animals—domestic and wild.

It is reasonable to ask whether raising the age to 17 for unsupervised use and possession will put a complete end to the misery caused by air weapon use. The answer is no, not a complete end, but it might help, perhaps considerably. That is enough in my book to meet the test that all proposed legislation must meet: "Will it work?"

Every week, a local newspaper somewhere in the United Kingdom will carry a story about a person or animal being attacked, or being the victim of an air weapon. The effects range from a minor abrasion to death. Last year, I launched previous, related legislation, the Firearms (Amendment) Bill, and since then I have been inundated by letters from victims and from local newspapers—to which I am very grateful—that are running their own campaigns. The Police Federation has written to me to express its support for the proposals, and doctors also want further restrictions on air weapons. Animal welfare organisations, such as the Royal Society for the Prevention of Cruelty to Animals—to which I am grateful for helping me to prepare the Bill and providing me with research material—all want change. Why? Because of the costs incurred in time and money and, most important, in human and animal suffering.

Air weapons offences are on the increase. In 1997 there were 7,506 offences; in 2001 there were 10,227. In the same period, the trends for slight and serious injury were on the increase. Those relate to the person. The RSPCA reports that tens of thousands of domestic and wild animals are attacked by air weapons every year; it advises me that its most recent survey among vets shows a further increase in such attacks.

Why the age restriction? Home Office figures show that, overwhelmingly, the average age of conviction for air weapons offences in England and Wales is in the middle teen years. All too frequently, the hundreds of newspaper cuttings that I have been sent describe the perpetrators as teenagers. The many campaigns run by local newspapers deserve our praise, because they have been a considerable force in bringing to our attention the nature of these weapons and the effect that they are having on the communities that we represent.

Air weapons are seen by many as toys. Perhaps that is not surprising, given that children as young as 14 are able to possess them. While in Blackpool this year, I saw a sign in a gun shop that apparently boasted that no licence was required for the deadly-looking weapon on display.

Parliament needs to send a clear message to our constituents that we take this matter seriously, and the Bill would make a start. I should like to provide the House with some examples of the crimes committed with air weapons in our communities. Some are random victims of air weapon attacks, such as 15-year-old Tommy Morris from Abbey Wood in south-east London. He was out with a friend on his bike in the local park and felt a thud in his back, which resulted in breathing difficulty, and he was rushed to hospital. The pellet had punctured his lung, destroyed his gall bladder and ricocheted through his liver, ending up just a millimetre away from the main artery. Tommy was unable to have a liver transplant—the risk was too great—so now he lives with a pellet in his liver that could move at any time.

Eleven-year-old Kirsty Hill from Portsmouth was shot in the face while playing with a friend and nearly lost an eye. In Bradford, two boys, aged 15 and 16, were seen hanging out of a bedroom window, firing indiscriminately at children while they played, which resulted in a 12-year-old's eye being shot out.

A 15-year-old from Gateshead, Nicola Disten, lost one of her eyes when it was shot out by two teenage boys. Her local newspaper, the *Evening Chronicle*, collected some 18,000 signatures from people calling for stricter gun laws. Her injury is one of many incidents in the north-east that have been highlighted by the *Evening Chronicle's* campaign. In Lancaster, a 16-year-old was shot in the jaw and surgery was required to remove the pellet. In August this year, Teresa Brooks, a 36-year-old married woman from Hull, was shot dead by an air pistol.

In every part of the country, there are scores of incidents where people are victims of airgun attacks, but as well as human suffering, thousand and thousands of animals are victims of air weapon attacks every year, and they are frequently used as target practice. The Cats Protection League estimates that some 10,000 cats are killed, maimed or injured every year. The RSPCA reports that swans are used as target practice. In Bolton, a postman came under attack himself when trying to protect three swans from an air weapon attack, and he and the swans ended up with severe injuries.

The number of attacks always rises during school holidays, giving further weight to the argument to raise the age limit for possession by youngsters from 14 to 17, but as well as human and animal suffering there is concern about the cost to our public services. Research by doctors at St James's university hospital in Leeds found that one in 10 victims of air weapon attack had to be hospitalised.

More than half the call-outs of some police armed response units are in response to incidents involving air weapons; as I have said, I am pleased to have received the Police Federation's support.

The law has not kept pace with the increasingly powerful weapons that are causing misery and mayhem in our constituencies. It is simply not good enough for us to wring our hands and tell our constituents that nothing can be done. As I have said, my Bill is not a panacea, but it is an important first step to tackle the air weapon menace that is plaguing our communities, and I commend it to the House.

Question put and agreed to.

Bill ordered to be brought in by Jonathan Shaw, Vernon Coaker, Mr. Chris Mullin, Ms Bridget Prentice, Ms Julia Drown, John Austin, Paul Holmes, Jeff Ennis, Michael Fabricant, Mr. Roger Gale, Derek Conway and Mr. David Amess.

AIR WEAPONS

Jonathan Shaw accordingly presented a Bill to amend the Firearms Act 1968 to restrict the acquisition and possession of air weapons; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Thursday 7 November, and to be printed [Bill 198].

Speaker's Statement

3.44 pm

Mr. Speaker: Before I call a Minister to move motion No. 2, it may be helpful to indicate to the House how the debate will proceed on the modernisation and procedure motions that are before us today. Assuming that the business of the House motion is agreed to, I propose to allow a general debate covering motions Nos. 3 to 13 together. At 10 pm, we will then go through the motions in order. On each motion, we will vote first on the amendments that I have selected, and then on the motion itself, amended or not as the case may be.

I remind the House that the scope of debate on the business of the House motion is limited to the procedural arrangements for the main debate.

BUSINESS OF THE HOUSE

Ordered,

That, at this day's sitting, the Speaker shall put the Questions necessary to dispose of proceedings on any Motions in the name of Mr Robin Cook relating to Modernisation of the House of Commons, Parliamentary Questions, and Amendments to Standing Orders not later than Ten o'clock, and such Questions shall include the Questions on any Amendments selected by the Speaker which may then be moved; the Questions may be decided, though opposed, after the expiration of the time for opposed business and the Order of 28th June 2001 relating to deferred Divisions shall not apply to them.—*[Jim Fitzpatrick.]*

Modernisation of the House of Commons

3.45 pm

The Leader of the House of Commons (Mr. Robin Cook): I beg to move,

That this House approves the Second Report from the Select Committee on Modernisation of the House of Commons, and endorses its proposals, in particular for more effective law making by more routine publication of bills in draft for pre-legislative scrutiny, for consultation with Opposition parties on the broad shape of the legislative year and more flexibility in programming, for an annual House of Commons calendar which would allow honourable Members to plan work in their constituencies more effectively and provide sittings in September balanced by an earlier recess in July, for more effective use of the Chamber including more regular use of time limits on speeches, and a Parliament that is more accessible to the public that it serves.

This is a Parliament with a long history stretching back over eight centuries. That history can be a strength of this place. Our very antiquity is one of the reasons for the legitimacy of this place in the nation's constitution. It can also be a trap, however, if we become too attached to our procedures because that is the way in which we have always done things, or if we resist change that is necessary to be representative of a rapidly changing society outside.

The day of our debate sees publication of a poll that underlines the challenge facing the House if it is to retain public respect. Most of the public believe that we are not effective at our job. A majority believe that we are

"old fashioned and out of date",

and that majority has got bigger over the past year. The best case for modernisation is that this House will lose its authority if it is seen by the nation to be out of date.

Mr. Nick Hawkins (Surrey Heath): Will the right hon. Gentleman give way?

Mr. Cook: I have just begun. I will, of course, give way to hon. Members as I proceed with my speech, and I am conscious that many Members will wish to intervene. It might be helpful if I am allowed to proceed a little further, and the hon. Gentleman can intervene at the appropriate moment in the speech, in which I will cover several different issues.

First, however, I want to say that the sole purpose of the measures before the House tonight is to produce a more effective Parliament. Since the publication of my memorandum on modernisation a year ago, I have rejected the notion that there is some kind of conflict between Government and the House of Commons on the need for an effective Parliament. Good scrutiny makes for good government

Mr. Eric Forth (Bromley and Chislehurst) *indicated assent.*

Mr. Cook: I am glad that on at least one point I carry the right hon. Gentleman with me. I live in hope.

At the heart of the package, therefore, are a number of proposals to improve scrutiny. I want to start with the measures to make Question Time more relevant and more topical. I congratulate the members of the Procedure Committee, and particularly its Chairman, the hon. Member for Macclesfield (Sir Nicholas Winterton), on a thorough investigation and a radical set of proposals, nearly all of which have been accepted by the Government—*[Laughter.]* The right hon. Member for Bromley and Chislehurst (Mr. Forth) laughs at that point. May I commend to him the fascinating historical account of Question Time at the opening of the Procedure Committee report? I was intrigued to note from that account that in 1991 the Conservative Government rejected the shorter notice for Question Time that this Government are accepting. I hope, therefore, that the right hon. Gentleman will spare us any extravagant claims about Conservative commitment to parliamentary scrutiny, which was never borne out when the Conservative party was in office.

We welcome the proposal for a radical reduction in the period of notice for oral questions. The present period of notice is a clear fortnight, which is a ludicrously long period. Events in the real world have a tendency to move faster than the leisurely pace of our Standing Orders. The Standing Order before us today cuts the period of notice dramatically from 10 sitting days to three sitting days.

The Government also accept the recommendation for electronic tabling of questions. Traditionalists will be relieved to hear that they can continue to table questions with a pencil and a buff form. However, the Standing Order gives authority to Mr. Speaker to introduce electronic tabling for those Members who wish to use modern information technology, and who will welcome the convenience of being able to table questions direct from their constituency or while on parliamentary delegations. No business starting out today would adopt our present manual procedures, which are more in keeping with the period architecture of this Palace than the high-tech economy in which our constituents work.

Mr. Hawkins: Does the right hon. Gentleman not share my concern that the opportunity for Members to table questions from their constituencies will simply lead to many Labour Members failing to attend the Chamber at all? They are more interested in being absentee MPs than in doing the job of parliamentary scrutiny here.

Mr. Cook: I only have to look around the Chamber to be encouraged by the fact that my hon. Friends are here to take a full part in the debate. The hon. Gentleman makes an unfair and unreasonable slur on the commitment of my colleagues. One reason why there is a majority among Labour Members in favour of earlier sitting hours is the fact that we are full-time professional MPs who are in the precincts in the morning anyway.

Shona McIsaac (Cleethorpes) *rose—*

Mr. Simon Thomas (Ceredigion) *rose—*

Mr. Cook: The hon. Member for Surrey Heath (Mr. Hawkins) has started something. I give way to my hon. Friend.

Shona McIsaac: Is my right hon. Friend aware that, of the 146 Members who vote in more than 80 per cent. of Divisions, 134 are Labour Members and that only

six are Conservatives? Does that not show that we on the Labour Benches take parliamentary scrutiny seriously? Of those Members, 34 are Labour women.

Mr. Cook: I am grateful to my hon. Friend for quoting figures that were, of course, on the tip of my tongue. They demonstrate beyond argument Labour Members' commitment to making this an effective Chamber.

Mr. Simon Thomas: I very much welcome the right hon. Gentleman's comments about the tabling of questions and give the proposals my full support. However, will he explain why an extra day has been allowed for the Wales Office? Has he seen its postbag since devolution was introduced? It has diminished considerably, so why should an extra day be allowed for the territorial offices? Should not the arrangements be the same as for other Departments?

Mr. Cook: I warmly support devolution and I rather thought that the hon. Gentleman's party did too. However, the consequence of devolution is that the execution of policy and, indeed, decisions on policy are now taken in Edinburgh, Cardiff and, when the Northern Ireland Assembly is restored, Belfast. The territorial offices have very small staffs and depend on consultation with the devolved bodies for consultation on answers. I would have thought that he would want us to introduce a change that would enable those Departments to consult the devolved bodies before coming to Parliament with an answer. That is why they will have an additional day in which to prepare the answers.

Before leaving the issue of electronic tabling, I wish to point out that we attach great importance to the principle that any question tabled in the British Parliament must be put down by an elected Member. It is important that we guard against parliamentary questions being initiated by staff without the approval of a Member. We will therefore seek a robust system of authentication that will show that the Member concerned has given specific approval to the question. We fully agree with the Procedure Committee that Mr. Speaker should keep the new system under review and be ready to intervene if there is evidence that it produces a sharp increase in the total volume of questions, as that might indicate abuse.

At the request of the Table Office, the new procedures for questions will not come into effect until January so that thorough preparations can be made. Before I turn from the Procedure Committee's report on questions, I hope that I will carry the whole House with me in recording our appreciation of the Clerks in the Table Office who always work under pressure and in circumstances that, on occasions, require a fine line in diplomacy.

Mrs. Angela Browning (Tiverton and Honiton): On a point of clarification, is it the right hon. Gentleman's intention to allow encrypted signatures in the tabling of questions?

Mr. Cook: These are matters for the House authorities, whom we will consult. Indeed, we have offered them the services of the e-Envoy so that we introduce—*[Interruption.]* I am not sure what the right hon. Member for Bromley and Chislehurst finds objectionable in that. The e-Envoy has a large, well-staffed and well-resourced office that contains expertise on electronic operations in government. Surely it is right for the Government to make that expertise available to the House to make sure that we get a robust system of authentication.

Mr. Andrew Mackay (Bracknell): I am sure the Leader of the House carries us all with him when he proposes to reduce the length of time for tabling oral questions from 14 days to three. That would obviously improve scrutiny. In the same mode, I assume he agrees with my hon. Friend, whose constituency I cannot remember—[HON. MEMBERS: "Macclesfield."] How could I forget? I assume the right hon. Gentleman agrees with my hon. Friend the Member for Macclesfield (Sir Nicholas Winterton), the Chairman of the Procedure Committee, and supports the essential amendment on topical questions.

Mr. Cook: I suspect that I am slightly more familiar with the report and the hon. Member for Macclesfield than the right hon. Gentleman appears to be.

By accepting a dramatic reduction in the period of notice to three days, we expect Question Time to be more topical in general. If an urgent question needs to be addressed by someone other than the Department that is answering questions, it is open to the Speaker to accept a private notice question, which we propose should be renamed urgent question so that it is intelligible to the wider public.

Mr. Bill Wiggin (Leominster): Will the right hon. Gentleman give way?

Mr. Cook: If the hon. Gentleman will forgive me, I must make progress.

I want to mention one other aspect of questions. Another improvement to scrutiny will come from the proposal by the Modernisation Committee to introduce a question session on cross-cutting issues. Increasingly, Whitehall Departments are adopting a cross-cutting approach. If Westminster wishes to provide effective monitoring, we must also adopt new forms of scrutiny to match those developments. If the House approves the package tonight, we will consult the Chairman of Ways and Means on the best way to introduce such sessions in Westminster Hall. I would envisage the first such question session to be on youth policy, to a team of Ministers from the Home Office, the Department for Education and Skills and the Department of Health.

Better scrutiny is also why I believe that the Commons should be prepared to return as a matter of routine for September sittings. It is not healthy for the elected representatives of the British people to be absent for three months at a stretch. Too much happens while we are away, and too many decisions necessarily have to be taken by Government in our absence, for which there is no opportunity for Ministers to give an account to the Commons.

I was struck at the last two business questions by the number of hon. Members who demanded a statement on events that took place during the recess. If we had

[Mr. Cook]

routine September sittings, there would have been statements on many of those issues. I am confident, for instance, that the House would have heard, and would have welcomed, a major statement on the outcome of the important Johannesburg summit on sustainable development. Recent experience is that we have to make emergency arrangements to come back in September anyway. If every Member who demanded the recall of Parliament some time this summer votes for September sittings, I am confident of a comfortable majority.

I stress that this is not a proposition covertly to cheat Members out of the total length of their summer recess. The deal is that the House will rise two weeks earlier in July, which will be for the convenience of those Members with children at schools that go back in August. In return, Members will be expected to come back for two weeks in September. I understand the concerns of those Members with young children who wish to be at home when the children go back to school in the first week of September. In the event of the House agreeing to September sittings, I propose that we return in the second week of September.

Mr. Forth: Will the Leader of the House give way?

Mr. Cook: Of course. I could not resist giving way to the right hon. Gentleman.

Mr. Forth: I am sure that the right hon. Gentleman has not committed an inadvertent slip of the tongue, because he never does. We were led to believe that the House would sit for three weeks in September, which we fully and enthusiastically support. Has that mysteriously slipped back to two weeks in September, and if so, why?

Mr. Cook: There is no sudden change. On the contrary, if the right hon. Gentleman looks at the report he will see that we discussed the possibility of two or three weeks. I have announced that we will return for two weeks in the coming year. We are open to consultation and have made it clear in the report that we will consult. If the right hon. Gentleman wishes to press us to meet in the first week of September, we will listen to those representations, but I think he will find them at variance with the wishes of many hon. Members, especially those with young children who attend schools that start in that week. It is only reasonable that we take account of the pressures on them.

I have stressed that the package will improve Parliament's ability to question Ministers and to scrutinise Government policy. The other major role of this Chamber is to scrutinise and test Government legislation. The package of measures before the House makes a number of proposals to improve the scrutiny of Government Bills. The first of these is the recommendation in the resolution before the House that there should be more routine publication of draft Bills for pre-legislative scrutiny. If we want better laws, Parliament should be consulted before the texts are set in stone. Pre-legislative scrutiny can be carried out through Select Committees or through Joint Committees of both Houses. Either way it gives the MPs who are most specialised in the subject the opportunity to comment on the draft and to explore any problems in it with Ministers.

The reality is that by the time we reach the Second Reading of a Bill, battle lines have been drawn up on party lines. If the House wants to influence the shape of legislation, it has to get in on the act when those Bills are still in draft. The key to more effective scrutiny of official Bills is to provide more time for their proceedings through Parliament. I readily admit to the House that, as Leader of the House, I would like Bills to lie for a longer period before Parliament. I am sorry that only one Bill this Session has had enough time to be committed to a Special Standing Committee with the power to call witnesses.

The reason that I am compelled to hurry Bills through the House is the convention that any Bill that is not completed by the end of the Session faces sudden death. As far as we can discover, no other Parliament in the democratic world has such an eccentric rule. Our constituents imagine that they have elected us for a four or five-year term, and most of them would be surprised to hear that in truth they have elected us for a succession of four single years.

The official Opposition cannot have it both ways. Of course I understand that they will try to have it both ways, but they cannot really hope to have it both ways and keep a straight face at the same time.

Mr. Forth: Just watch.

Mr. Cook: I have to tell the right hon. Gentleman that he is very bad at keeping a straight face, which makes proceedings very entertaining.

The Opposition cannot demand more time for Bills and simultaneously insist that every Bill drives into a brick wall at the end of the Session. In the last Parliament, the Conservative party commission, chaired by the distinguished constitutional expert, Lord Norton, came down in favour of carry-over. In its report to the last leader of the Conservative Party it recommended:

> "We believe carry-over should be the norm, not the exception. This will permit more structured scrutiny and more efficient distribution of the parliamentary workload."

If the right hon. Gentleman proposes to treat us to a display of indignation at the effrontery of the Modernisation Committee in recommending carry-over, perhaps he could also explain why his party's commission on the same topic came to the same conclusion.

I accept the Modernisation Committee's recommendation that if carry-over is adopted by the House, the longer timetable that it will permit should be used by the Government to provide more flexibility in the programming of Bills. I ask the official Opposition if they will accept the parallel recommendation: that if the Government demonstrate such flexibility, the Opposition should be willing to engage constructively in agreeing to programming motions.

Mr. Kenneth Clarke (Rushcliffe): May I assure the right hon. Gentleman that I am not acting in collusion with my Front-Bench colleagues? He knows that I am

concerned about this issue, and it is a little disingenuous to suggest that the arrangement is being made only to give us more time to discuss legislation in the House.

Does the Leader of the House agree that the main constraint on the quantity of legislation at the moment is not the time available in the House of Commons but the time available in the House of Lords before Parliament is prorogued? Every year, the Leader of the House has to tell colleagues to turn away Bills because he cannot get them through the House of Lords, where he cannot programme legislation, before the end of the Session. Does he also agree that the other place is at its most powerful at the end of the Session when Prorogation is approaching and the Government are given the choice, at least in theory, of losing their Bill or making modest concessions on the most important amendments? This disingenuous offering of more time will provide the opportunity, in a few years, to produce a conveyor belt of legislation through the House and greatly reduce the power of the House of Lords, sometimes assisted by this House, to modify Bills at the end of the Session.

Mr. Cook: I am grateful to the right hon. and learned Gentleman for clarifying that he is not acting in collusion with his Front Benchers, even though I sometimes think that they could do with his collusion—they might wish to consider that.

The Modernisation Committee's report is clear about carry-over. It states explicitly that the argument for carry-over is not to provide opportunity for more legislation, but to provide more time for current legislation. If the right hon. and learned Gentleman wants to rest on the House of Lords—I anticipate from his comments that he has some respect for that House—he should reflect on this point. Within the past year, the House of Lords has adopted proposals for carry-over of legislation. If the Lords can adopt such proposals, surely we in the Commons should not be left behind as the other House modernises its procedures faster than we do.

Mr. A. J. Beith (Berwick-upon-Tweed): Will the Leader of the House confirm that, in the case of any individual Bill, carry-over could not take place unless the Lords agreed to it?

Mr. Cook: We can carry over a Bill for our House, but we cannot do so once it has been through both Houses. I stress that under the Standing Order we are proposing, a Bill can be carried over only from one Session to the next, that it cannot thereafter be carried over, and that there will be a separate opportunity for the House to reconsider the matter if the Bill remains before Parliament for more than 12 months.

Sir Nicholas Winterton (Macclesfield): What would be the extent of consultation with Her Majesty's official Opposition and other Opposition parties prior to the Government deciding to carry over a Bill?

Mr. Cook: The hon. Gentleman highlights an important part of the motion before the House. As he will be aware, in the Modernisation Committee report we have committed ourselves to consultation with the other parties in the House—both the official Opposition and the other parties—on the broad shape of the legislative year, including consultation on which Bills might be introduced in draft, what the broad order of Bills coming before the House might be, whether a Bill begins in the Lords or in the Commons, and which Bills might prove to be appropriate for carry-over. That is wide-ranging consultation—much wider than any collective consultation that has previously been attempted in this House—and I hope that it will assist in developing consensus on the shape of the parliamentary year.

Mr. Patrick McLoughlin (West Derbyshire): Will the Leader of the House confirm that nothing currently prevents pre-legislative scrutiny, and that none of his proposals on carry-over adds anything to pre-legislative scrutiny? If the Government were serious, they could introduce pre-legislative scrutiny without making any of the changes that are proposed today.

Mr. Cook: There are before us no Standing Orders on pre-legislative scrutiny, but there is a motion, the contents of which would ensure that there was a mandate from the House for those matters in respect of which there is no requirement for a change of Standing Order. That is why the motion deals with several issues, such as September sittings, for which no change of Standing Order is required. We could indeed call September sittings without a Standing Order, but we want a mandate from the House. I would find it helpful to have a mandate from the House with a clear instruction that hon. Members want to see more Bills in draft, and that is why I hope that the House will support it.

Mr. Gerald Kaufman (Manchester, Gorton): Will my right hon. Friend give way?

Mr. Cook: Of course I will give way to my right hon. Friend, but then—if the House will indulge me—I should like to go back to making a speech.

Mr. Kaufman: Consequent on his response to the intervention by the right hon. Member for Berwick-upon-Tweed (Mr. Beith), will my right hon. Friend clarify the implications of carry-over in relation to the House of Lords? It is an attraction to me, and perhaps to other Labour Members, that the provision on carry-over could mean that—to pluck an example out of the air—a Bill to ban hunting with dogs would be sure to pass through the House of Commons; but if the House of Lords were not to carry over in that Chamber, it might provide an opportunity for the Lords to find another way of blocking the will of the Commons.

Mr. Cook: My experience of the hunting issue is that offering any comment on it will not assist me in building a consensus on the proposals that I am putting to the House. However, we in the Commons could carry over Bills that started here. In effect, that really means that carry-over will be relevant to Bills introduced late in the Session, say after Easter. I do not anticipate the Bill to which my right hon. Friend refers being one of those that will wait until Easter. I suspect that I shall be hearing from him regularly during business statements if it is not in this place before Easter.

[Mr. Cook]

I shall continue with my argument. I was about to say that there are two distinct parts to the job of a Member. So far, I have dealt with our role of providing scrutiny at Westminster. The other equally important task is our representative function in our constituencies. The two complement each other. It is an immense strength of this place that Members can bring to it their direct contact with the opinions and the interests of the communities that they represent, among whom most of them live, and all of them work. The package before the House will help colleagues to be more effective in their work for their constituencies. The motion provides a mandate for an annual calendar of the sitting dates and the recess dates for Parliament for a year ahead. It will help Members immensely to make more effective use of their time in their constituencies if they can plan their engagements a year ahead.

I have been in the House for almost 30 years without ever being able to plan from one recess to the next when I can count on being away from Westminster. The motion will enable Members to make sensible arrangements more than two months ahead. If the House carries the motion, it will be my intention to announce in the business statement on Thursday the provisional dates of recesses up to October next year.

Michael Fabricant (Lichfield): Outrageous.

Mr. Cook: I rather think that that would be welcome to many Members. I do not know what is outrageous about it. If the hon. Gentleman really objects, I shall try to make an exception for his constituency.

Michael Fabricant: Does the right hon. Gentleman say that if the motion is not passed, he will not give out the information at business questions? Is he saying that the information is available to him now but he will not divulge it if the motion is not passed, knowing full well that he could do so even if the motion is not passed tonight?

Mr. Cook: I must correct the hon. Gentleman. I am merely the servant of the House. I cannot possibly proceed with a course of action that the House has just rejected. If the House votes down the motion, it would not expect me to ignore its view on the matter.

I say to the hon. Gentleman and to all Opposition Members that I should underline "provisional". It will be our intention to stick to the dates, but our success in doing so must depend on progress. There will be an obligation aiso on the Opposition to make it possible for the House to rise on the announced dates.

Members' constituency work will also benefit from the commitment to an additional constituency week to be added to either the Easter or the Whitsun recess.

Lynne Jones (Birmingham, Selly Oak): Will my right hon. Friend give way?

Mr. Cook: I will finish this point.

As a result of a holiday period, there is a limit to the number of meetings that can be undertaken with constituency businesses during these holiday periods. An additional week will enable Members to be in their constituency for a full working week.

Lynne Jones: Will my right hon. Friend ensure that parliamentary recesses coincide, as far as is possible, with school holidays, so that Members can be working in their constituencies at the same time as their children may be off school?

Mr. Cook: I will obviously seek to do so. I anticipate that consultation with the other parties will reinforce that message. However, I cannot guarantee that it will always be the case. The important point of constituency weeks is that they should be spent in the constituency.

We recall that the Leader of the Opposition, to the entertainment of my right hon. and hon. Friends, has called on all Conservative Members to spend a week with the vulnerable in their constituencies. I am not sure whether the right hon. Member for Bromley and Chislehurst has been able to find time for his week with the vulnerable in Bromley and Chislehurst. I hope that he will find my proposal useful to him in seeking out the vulnerable in his constituency.

The earlier sitting hours on Thursday have assisted Members in their constituency duties by enabling most Members to return to their constituencies that same evening. We propose one adjustment to the hours on Thursday. We recommend that the House should rise one hour earlier at 6 pm, which would make it easier for many hon. Members from distant constituencies to travel back that same evening.

That naturally brings me to the interesting issue of the sitting hours on Tuesday and Wednesday, on which there are divided views on both sides of the Chamber. From many conversations over the past six months, I know that the only comment on the issue on which I can carry the whole House with me is that there is no prospect of consensus. I put the matter before the House in order that hon. Members can resolve it themselves. The Standing Order is a temporary one that will automatically lapse at the end of this Parliament if there is no positive decision to make it permanent. If it is carried tonight, it will come into effect from January.

On the Labour Benches, this will be a free vote. I am delighted to inform Conservative Members that twice when I have asked the right hon. Member for Bromley and Chislehurst whether he will permit a free vote, he has nodded in assent. I invite him to put that commitment on the record when he speaks, so that the quarter of Conservative Members who have expressed support for earlier sittings will be free to follow their own judgment.

There is nothing hallowed about our sitting hours. Our predecessors changed the sitting hours many times in response to changing social circumstances. The right hon. Gentleman might want to reflect that it was customary for the House to sit in the mornings and afternoons until the 19th century. It was only the invention of gas lighting that brought about what we now think of as the traditional hours of the House.

Perhaps it might help him to come to terms with earlier sittings if he were to think of them not as modernisation, but as a reversion to tradition.

Mr. Forth *indicated assent.*

Mr. Cook: I am glad to have carried the right hon. Gentleman with me on that point.

The present late start in the day dates from an era when MPs were unpaid. The hours were convenient for MPs who could do a day's work in the law courts or the City and still be at the House in time for the main debate. Today, the vast majority of MPs, certainly on the Labour Benches, are full-time professionals. We are paid enough by our constituents for them to expect us to work full-time. Most MPs are now on the precincts in the morning and there is no reason why our sitting hours should not change to reflect that reality.

Mrs. Alice Mahon (Halifax): I have read the Modernisation Committee reports very carefully and I cannot find any reference to consultation with the staff, who would undoubtedly be affected by changes in sitting hours, or with their trade unions. If I have missed such a reference, will my right hon. Friend point it out?

Mr. Cook: My hon. Friend raises a very important and fair issue. Indeed, the House of Commons Commission discussed it last week. If the Chairman of the Finance and Services Committee catches your eye, Mr. Speaker, he will wish to address the issue. He will be able to assure the House that the Commission has given an undertaking that there will be consultation with the staff on how we go about the changes and that we will want to ensure that no member of staff is disadvantaged.

I want the House to be a responsible employer. Personally, I do not take pride as an employer in hours that require many members of staff to be here late at night and some of them to be here for a number of hours after we have gone home in order that they may complete the day's business.

Mr. Stuart Bell (Middlesbrough): I am grateful to my right hon. Friend for mentioning me in dispatches. In the event that I do not catch your eye, Mr. Speaker, may I assure him and the House that the prospects for the staff are of the utmost concern not only to the Commission, but to Members of the House overall? I hope to make a very important contribution on their behalf if I do indeed catch your eye.

Mr. Cook: I think that that was the most elegant note to the Speaker that I have ever heard, but in the event of its being unsuccessful, my hon. Friend has been able to put his very important point on the record.

Sir Patrick Cormack (South Staffordshire): Will the right hon. Gentleman give way?

Mr. Cook: We are now hearing from the entire Commission. Of course I shall give way.

Sir Patrick Cormack: I speak as one who also hopes to make an important contribution to the debate. Does the right hon. Gentleman accept that, although the hon. Member for Middlesbrough (Mr. Bell) certainly articulates the unanimity of the Commission in wishing to protect the interests of the staff, there is real division in the Commission, as elsewhere, about what best protects those interests?

Mr. Cook: I fully understand that the hon. Gentleman has views on the matter, and I do not expect to find him in my Lobby at the end of today. It is fair to say that the Commission is divided, and I do not believe that I represented it as reaching a common position on the hours. However, we have a common position that if the House votes for change, we must ensure that our staff are consulted and not disadvantaged.

The most important consideration on sitting hours must be what will make the House most effective. It cannot be most effective for Parliament to make no use of Tuesday or Wednesday mornings.

Several hon. Members *rose—*

Mr. Cook: Let me continue a little further. Under current arrangements, exchanges in Parliament on major policy take place in the afternoon. We are all professional communicators: no one in the Chamber would plan a press conference for 4 pm. If we are serious about the elected Parliament of the people setting the agenda for public debate, we need to start earlier in the day so that questions, statements and opening speeches are made in the middle of the day rather than when many of our constituents approach the end of their working day.

Every week, I field complaints from the Opposition that the broadcasting media have speculated about the content of a forthcoming statement in the lunchtime bulletins. I agree that Parliament should be the first to hear policy announcements. Such announcements should be made to Parliament at a time when the lunchtime bulletins can report what has been said rather than speculating about what might be said.

Mr. Lindsay Hoyle (Chorley): My right hon. Friend's point is interesting. However, does it mean that we might first hear announcements on breakfast television?

Mr. Cook: My hon. Friend makes a fair point, and I join him in deprecating any early release of information. *[Interruption.]* I have done that repeatedly. The earlier statements are made, the better the chance of ensuring that they are rightly heard first in the Chamber.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Will my right hon. Friend give way?

Mr. Julian Brazier (Canterbury): Will the right hon. Gentleman give way?

Mr. Cook: I shall give way first to the hon. Gentleman to show fairness to both sides.

Mr. Brazier: The Leader of the House makes a strong point, but not in favour of the proposal on the Order Paper. Surely the matter would best be tackled through

[Mr. Brazier]

morning sittings rather than starting at 11.30 am, as on Thursdays, and having announcements during the lunch break when most of the press are having lunch.

Mr. Cook: I am deeply distressed by the suggestion that my proposal might interrupt press lunches. Given that weighty argument, I shall reflect on whether I should proceed with it. Of course, the hon. Gentleman will have an opportunity to vote for a 9.30 am start, which the Conservative amendment proposes. I regret that there are practical problems with that, not least for the Speaker's team, which must reach a view about the procedural matters on which they may have to rule when the House sits. I cannot therefore commend the amendment to my colleagues. That is perhaps a pity for the right hon. Member for Bromley and Chislehurst, because I doubt whether he will receive much support for the proposal.

Mrs. Dunwoody: In view of my right hon. Friend's points, I want to ask him about two matters. First, will he assure us that Ministers will not make all their public statements before 9 am on the various media? My second point relates to my right hon. Friend's proposal about Ministers' ability to make written statements, which deprives us of the right to question them. Will he assure us that Ministers will not make public statements on the media and then put their statements to the House of Commons in writing?

Mr. Cook: I disagree with my hon. Friend's last point. Our proposal on written statements accepts one of the Procedure Committee's recommendations. If she examines its report, she will read that the Committee commends the proposal because it makes such statements more transparent and more convenient for hon. Members. Every week, several written statements are published in *Hansard*. They are currently disguised as responses to planted questions. Frankly, it is much more open, grown-up, dignified and transparent to be open about their being written statements, and separately identifying them in *Hansard*, where we could all read them the following day. I regard that as progress.

Jim Sheridan (West Renfrewshire): Will my right hon. Friend give way?

Mr. Cook: I must make some progress, but I am sure that there will be an opportunity to intervene later.

I understand that many Members will want to continue to work in the precincts in the evenings, long after the House has risen. For their benefit, the Modernisation Committee has recommended that the Library, the Dining Room and other refreshment facilities should continue to be available in the evenings, as at present. I speak as one who once was locked in the Library by a security guard who assumed that all sane Members had gone to bed and was startled to be phoned up by a Member he had taken prisoner. I would not wish any colleague to be locked out of the Library or, for that matter, locked in.

The Modernisation Committee has also recommended that Committees should not meet during Question Time or the first statement. The Standing Order before the House would prevent Standing Committees from meeting between 11.30 am and 2 pm while the House is sitting. However, I want to stress, as there appears to have been some misapprehension on this point, that there is no bar in the proposed Standing Order on when Select Committees may meet. That will remain entirely a matter for the members of those Select Committees. They could, if they wanted, meet during Prime Minister's Question Time, although I would not recommend that they miss such entertaining exchanges.

In practice, the majority of Select Committees already meet during sitting hours of the Chamber. Last week, 20 Select Committee meetings were held while the House was sitting, most at a time that would have prevented the members from hearing any statement in the House. I believe that the new hours will be for the convenience of the members of those Committees, because they may use any part of the afternoon after 2 pm, secure in the knowledge that they will also have been able to attend Question Time and the first statement of the day.

I understand and sympathise with the concern of Members that the new sitting hours should not result in restricted access for the public. The Modernisation Committee wants more, not less, access for the public. We do not believe that the Chamber should be shut to the visiting public while we are sitting. That is why we have recommended that the line of route should be adapted so that it can operate while the House is sitting as well as when we are absent. Other Parliaments successfully provide glass-fronted galleries, which enable conducted groups to see the Chamber at work and to listen to guides or MPs without disrupting proceedings. Planning for such an innovation is in hand. Seeing the House while it is sitting, rather than an empty Chamber, will be of much greater educational value to the public and to school children.

Mr. McLoughlin: The right hon. Gentleman's motion, if the House passes it, will introduce these changes in January. When will the procedures to allow visitors to view the Chamber come into operation? Obviously, there will be a long delay. When does he expect a glass-fronted gallery to be built so that visitors can see the Chamber?

Mr. Cook: The hon. Gentleman is correct that it will take time to put the changes in place—I would not deny that—but planning has begun, and he is aware of some of the discussions that are taking place. I hope that we will see progress during next year.

Lynne Jones *rose—*

Ian Lucas (Wrexham) *rose—*

Mr. Cook: I have already given way to my hon. Friend the Member for Birmingham, Selly Oak (Lynne Jones), so I give way to my hon. Friend the Member for Wrexham (Ian Lucas).

Ian Lucas: A great advantage of the current Tuesday and Thursday sitting hours is that people from constituencies such as Wrexham can travel down the same day, see the House before it sits, visit stunning parts of the House that I was not aware of before I

became a Member, such as the other place and the Robing Room, and then see the House at work at a later hour. My concern about the proposals for Tuesdays and Wednesdays is that all those people who live outside the metropolitan area will have that ability removed from them.

Mr. Cook: I am well aware of the immense attraction of this place as somewhere to visit. Indeed, visitor numbers have increased with each passing year, and I believe that they can continue to do so. I would have thought that the ability to take constituents round the Chamber while we are sitting in circumstances in which what is happening may be explained to them has serious attractions for my hon. Friend. After all, we want this place to be valued not as a piece of architecture or as a place with an interesting museum history, but as the beating heart of a working democratic constitution.

Sir Patrick Cormack *rose—*

Mr. Cook: The hon. Gentleman has done more to cherish this place as a museum than any other, so I certainly give way to him.

Sir Patrick Cormack: Parties of visitors may be taken round when the House is sitting, but whatever glass menagerie is put up, it will not be possible to take them into the Division Lobby or through the Members' Lobby in the same numbers as now, and the present line of route will have to be changed considerably. As the hon. Member for Wrexham (Ian Lucas) said, if the House of Lords sits at similar hours, parties would not be able to go into the Robing Room and other such places.

Mr. Cook: The House of Lords will have to make its own decision. I believe that there are many ways in which we can make a visit to the House more meaningful and more educational. It is extraordinary that we still have no interpretative visitor centre for people who come here, and one of our key proposals is to ensure that we provide such a service.

Richard Younger-Ross (Teignbridge) *rose—*

Mr. Cook: If the hon. Gentleman will allow me, I must make progress.

We should not be frightened from change by being apologetic about the hours we work. The British Parliament sits on more days than any of the major European Parliaments. Typically, we sit for 150 days each year compared with an average across Europe of about 100 days. We sit longer than any of the Parliaments in the major commonwealth countries. Whatever the sitting hours of the Chamber, most Members of the House will continue to put in 60 hours of work in most weeks.

For me, the important question is why the Commons should not sit in the morning. I attach much more importance to that question than to the question of when we stop in the evening. I do not think it unreasonable that MPs should be free to leave the building, if they wish, around 7.30 pm after voting. We are all busy people, and most of us will be back at our desks early the next morning. Against that background, stopping at 7.30 pm can hardly be regarded as some kind of half day.

We should not kid ourselves that the public respect us for our commitment to public service when we stay up well into the night. On the contrary, they often think that it is daft. They see it as further proof that politicians live in a world of their own, and certainly are not representative of normal people.

In its statement of policy, the Conservative party states:

> "We see no reason why the hours of the House should not more closely resemble the normal hours that most people work."

I warmly welcome that outbreak of robust common sense, but it will read rather oddly if the majority of Conservative MPs vote to keep our present abnormal hours. Perhaps they should listen to the views of Conservative voters. Today's poll found that, by a thumping majority of nine to one, voters think that Parliament should sit for the hours that we have proposed. Even among Conservative voters, support for stopping in the evening at 7 pm ran at more than 80 per cent.

The final verdict on the reforms must rest with the public who sent us here. There cannot be a responsible Member of the House who is not concerned about the decline in public respect and esteem for Parliament. At the last election, three out of five voters under 35 failed to vote for any Member in this Chamber. Unless we increase the voting habit of that generation as it grows older, we will be faced with a long-term challenge to the legitimacy of the House.

Many different issues must be tackled if we are to restore faith in party politics as relevant to people's lives. The media could assist by factual reporting of the serious substance of our debates rather than portraying politics as a celebrity-driven soap opera. However, we need to accept responsibility ourselves. Part of the difficulty in engaging those younger voters is that they see our procedures as quaint, our lack of new technology as out of touch, and our working conditions as eccentric. The package before the House will make the Chamber more effective at scrutiny, our proceedings more relevant, and our working conditions more normal.

Of course I recognise that all Members have a deep affection for this place. It is because of that genuine affection for the traditions of the Commons that some Members find it difficult to give up the way in which we have always done business. Those of us who support change do so because of our love of this place. I love the Commons, but I do not want it to dwindle gently into a museum attracting visitors on the strength of its heroic history. I want the Commons to remain the great forum of our nation, in which the views of the public find voice and in which their opinions are heard. I want the Commons to derive its authority from the respect and trust of the public, and because of that authority to remain the crucible in which Governments are forged and are broken. To retain that public support, the Commons must accept reform. I ask all those who share my love of this place to demonstrate it tonight by voting to bring the House into the 21st century.

4.35 pm

Mr. Eric Forth (Bromley and Chislehurst): I am happy immediately to echo and endorse the sentiments expressed by the Leader of the House. It should be understood that there is no difference across the House—nor could there or should there be—in that we all share an interest and commitment in ensuring that this place plays its full and proper part in the parliamentary process. That much we share.

I have not been in the House for as long as the Leader of the House, but I have been around for about 19 years. Indeed, there are those who occasionally accuse me of spending too much time here; I cannot imagine why. That is my commitment to the House. All that I say today will be predicated on my judgment, and that of my right hon. and hon. Friends, as to whether or not the proposed changes enhance the role of the House of Commons vis-à-vis Government. Our principal criterion will be that. It will not be the convenience of Members of Parliament, or even the response to opinion polls. I know how wedded the Government are to opinion polls, focus groups and so on, but however important a role those may play in many people's minds, I do not think that some judgment about the Government's perception of this place should be the definitive factor.

If we consider parliamentary democracies around the world—if we look to the North American continent, to continental Europe and to the continental Parliaments that have chosen to emulate our proceedings and history—we realise the sad truth. No matter how differently those democracies approach their politics in terms of consensus or confrontation, in terms of sitting hours and in terms of behavioural pattern, all around the world electorates are losing faith in the political process.

I do not accept the analysis so often presented to us—the suggestion that if only we can change the image of the House, the electors will come flocking back to the polling booth. I think we can dismiss straight away any notion that if we turn up at 11.30 am instead of 2.30 pm, or 9.30 am, and install glass corridors along which people can walk and see what we are doing, the electorate will be enthused and turn out to vote more often. We must find some other solution.

I want first to draw attention to some of the key phrases in the Select Committee's report. I shall then consider the motion in the name of the Leader of the House and say a few words about the important proposals tabled in my name and those of some of my right hon. and hon. Friends.

Paragraph 7 states:

"Our proposals are based on the sound principle that good scrutiny makes good government."

There is no argument there. We believe that: we believe in the most effective possible parliamentary scrutiny of what the Government of the day are doing, and we seek to strengthen the power of scrutiny.

The report continues—what the Leader of the House has just said echoes this—

"The rights of every citizen would be diminished if Parliament lost its authority as the legitimate expression of our representative democracy, or if the decisions of Government are not effectively scrutinised by Parliament."

I am sure that Members throughout the Chamber can heartily endorse that proposition too. Where we may differ is in our view on whether what the Government—thinly cloaked as the Modernisation Committee on this occasion—propose will make the House of Commons more effective in scrutinising the Government and holding them to account.

According to paragraph 35,

"The prime problem in securing better scrutiny of legislation is the pressure on parliamentary time."

The Leader of the House made much play of that, in support of his proposal for what has come to be known as carry-over or roll-over. I challenge what he has said, at its most fundamental level. He has said that there is a lack of legislative time, meaning that the Government must be able to carry over their Bills from one Session to another. There are a number of flaws in that argument, the most obvious of which is that the Government are actually reducing the amount of time that the House sits. They want to do away with many Friday sittings, and they have already done away with the time after 10 o'clock in the evening, which the Leader of the House and his supporters much derided. The Government have systematically reduced the time available to this legislature for scrutinising legislation and holding the Government to account.

Worse than that, due to the systematic and ruthless programming of Bills—in other words, automatic guillotining—the Government have given themselves lots of time in which to legislate. So the argument that the Government are somehow pressed for time within a Session simply cannot be sustained. Time is freely available to the Government, and if they wanted more time within a Session, they could restore it by reversing all the things that they have already done. The analysis of the Leader of the House therefore holds no water at all.

The current end-of-Session buffer provides some form of discipline on the Government of the day. It forces them to prioritise their legislation, and to propose only those Bills that they believe are important. The Leader of the House wants to remove that discipline, so that the Government can legislate as much as they want, unconstrained by the end-of-Session buffer. That is our principal objection to the idea of roll-over. That good example shows that the right hon. Gentleman's argument—that this proposal will somehow enhance the role of the House simply—cannot be sustained.

Sir Nicholas Winterton: In my view, the Leader of the House gave a very firm assurance during Modernisation Committee debates that it was the Government's intention not to introduce more legislation, but to provide better scrutiny of the same amount of legislation. Will my right hon. Friend challenge the Leader of the House now to give that assurance not just to the Committee, but to the House?

Mr. Forth: My hon. Friend has done a very effective job in challenging the Leader of the House, and I am more than happy to pick up that challenge. In the end, I suspect that the acid test will be whether, over a very brief period, the Government start to increase the number of Bills that they introduce, unconstrained by

the end-of-Session limitation, and facilitated by continuing, ruthless and routine guillotining and timetabling of Bills.

Mrs. Browning: Does my right hon. Friend share my concern about a tendency that is developing? There is pre-legislative scrutiny of Bills and scrutiny of them in Committee, but the Government are tending to introduce a lot of new clauses in another place. Because of guillotining, we are unable to look at such provisions at all, and the same point will apply to the terms of the proposal before us.

Mr. Forth: Sadly, that has proved to be the case. As recent experience shows—it is one reason why we voted against the timetabling of Bills—evidence abounds of our being unable properly to discharge our responsibility, as one House of the legislature, in scrutinising Bills. As a result, we are passing that responsibility to those in another place. I yield to none in my admiration for what the House of Lords does; I just wish that we were still able properly to discharge our responsibilities, in the way that our colleagues at the other end of the Building are able to do.

Mr. Robin Cook: I am grateful to the right hon. Gentleman for allowing the hon. Member for Macclesfield (Sir Nicholas Winterton) and I to pass messages to each other through his speech. I respond to the challenge by saying that I fully stand by the commitment in the Modernisation Committee report that the purpose of carry-over is not to increase Government legislation. There would be no point in the Government's seeking such an increase, because it would be self-defeating. In the second year, one would run into even greater congestion if the total volume were increased. That is why carry-over—taking the two years together—cannot increase the total volume of legislation.

Mr. Forth: Well, we shall see. I think that we are entitled to be just a little suspicious of the Government's motives at this stage, so I shall sustain my opposition to carry-over, and I invite my right hon. and hon. Friends to do so as well.

Mr. Peter Pike (Burnley): Does the right hon. Gentleman not accept the belief of many that—as my right hon. Friend the Leader of the House said—because we elect a five-year Parliament, the phased introduction of legislation during that period would be much more sensible? When the right hon. Gentleman was a Minister and he introduced legislation late on in a Session, did he ever feel that it might not be properly scrutinised? On the other hand, did he ever have to withhold legislation that he wanted to introduce until the new Session? I ask him to recall his feelings as a former Minister.

Mr. Forth: My recollection is that I was always reluctant to bring legislation to the House and that when I did it was always well planned and well executed. I recall that in the 1991-92 Session I took through the House what was at that time the largest Education Bill ever introduced. We probably spent some 120 to 150 hours in Standing Committee before there was any thought of bringing in a guillotine. It is interesting to reflect on the approach to legislation in the 1980s and early 1990s, and compare it with the approach taken by the Government now. I have no difficulty with my memory of the rosy days that were my time as a Minister as they compare with the approach suggested by the Government.

The Modernisation Committee report contends:

"To be effective it is necessary for the House of Commons to make more use of the earlier part of the day."

I could not agree more. The Opposition are fully signed up to that proposition. What mystifies us is why the Government are making the odd, hybrid suggestion that the parliamentary day start at 11.30. In some ways, it is the worst of all worlds. We have picked the argument up and taken it to its logical conclusion: we propose that, to make the fullest use of the parliamentary day, it would make sense for the House to meet at 9.30 in the morning, and to allocate that morning session to the very important matters of departmental questions, topical questions, ministerial statements and all the other vehicles by means of which hon. Members of all parties can seek to hold the Government to account and question Ministers.

Mr. Brazier: Earlier, I invited the Leader of the House to comment on my right hon. Friend's excellent proposal. Did my right hon. Friend notice that the only objection that the right hon. Gentleman was able to raise was the technical one that it would somehow interfere with Mr. Speaker's ability to select amendments and so on? Is not that a bizarre argument, as such work could presumably be done on the preceding evening?

Mr. Forth: I have the utmost faith that you, Mr. Speaker, your colleagues and the Clerks of the House would be able to respond if the House wished to sit at 9.30 in the morning. I agree that the Leader of the House's objection to our proposal was rather spurious.

Having set aside the early part of the day to giving hon. Members the opportunity to question the Government and hold them to account, we want to be able to guarantee that the afternoon period between 2 pm and 7 pm would protect the House in its legislative role, which is when it considers the Second Reading and Report stages of Bills, for instance. The Opposition are mystified as to why the Government and the Modernisation Committee should have produced what is a rather half-baked proposal. What they propose is neither what we do now nor, as we see it, is it a proper use of the parliamentary day.

Sir Patrick Cormack: Will my right hon. Friend make it clear that, when he uses the royal "we", he is not referring to everyone on the Opposition Benches? Further, will he also answer the point raised by the Leader of the House by making it plain that the vote on the motion before us is totally unfettered and free and that, when I vote against a start time of 9.30 am—as I undoubtedly shall—I shall be exercising that privilege with his total approval?

Mr. Forth: I assure my hon. Friend that I would never dream of attempting to speak on his behalf, and that I

[Mr. Forth]

shall not do so on this occasion. The Leader of the House has teased me about this a couple of times now. The right hon. Gentleman is a student of *Hansard*, and will know that once or twice I have been reported as having nodded assent. The Opposition have asked colleagues to be present for this very important set of votes but, beyond that, we expect all hon. Members to exercise their individual judgment on the merits of the matters before them. My role is simply to set out my views, the views of those of my colleagues with whom I have discussed these matters, and the views of those in whose name the amendments have been tabled.

In that regard, Mr. Deputy Speaker, may I tender the apologies for absence of my right hon. Friend the Member for East Yorkshire (Mr. Knight)? He has been on parliamentary business abroad and has been unavoidably detained. He has asked me to convey his apologies to the House, and I hope that they will be accepted.

I do not want to get bogged down or diverted by the argument about hours, which I think reflects what the Leader of the House said. The hours that we sit have an importance, of course, and we must all make our own judgment about how best we think the House can discharge its responsibilities in the hours that it sits. However, that cannot be seen as the main issue. If we look back far enough in history, in its very early days the House sat at 8.30 am, for quite some time. Whether we choose to start at 9.30 or 11.30 in the morning or whether we continue with the current hours, we will consider the options and make our various judgments, but we must not become too distracted. We must focus on how we use those hours—that is the key to the matter. We must consider the way in which the changes will reflect that.

Paragraph 63 of the report recommends:

"On Thursdays main business should end at 6.00 pm which would better enable Members to travel that evening to their constituencies."

That is true, which is why we shall not oppose the recommendation. However, I know that many Members on both sides of the House find the argument about so-called family friendly hours a bit bizarre, when many families live in constituencies very far from Westminster. The sad truth is that this is rather an Islington argument. It has a certain appeal to those fortunate enough to have homes near the House. Even Mrs. Forth occasionally expresses enthusiasm for the idea that she might see me in the evenings. *[Laughter.]* I knew that I was pushing my luck with that remark. However, there is a serious point here—we must not become carried away with the idea that all Members of this House can go home, put on their slippers and cuddle the cat, or whatever else they cuddle in the evenings, because very many, almost certainly the majority, do not have that privilege. It is with that in mind that we, in our own ways, will be looking at the proposal on hours.

Caroline Flint (Don Valley): I thank the right hon. Gentleman for giving way, and I hope to catch your eye on this point later, Mr. Deputy Speaker. I represent a seat in south Yorkshire and live there with my family as well. One of the difficulties in the debate is that we all have different types of family: some of us have children, some do not; some of us live in London, some do not and some of us have constituencies nearby while some do not. It is not possible to have "one size fits all", but we can give greater meaning to the parliamentary week. If, when I go home at the end of the week, I am not tired because of sitting here until 10 or 11 o'clock at night, but have had a reasonable working day instead, I can better be a good mother to my family as well as a good MP to my constituents.

Mr. Forth: Far be it from me to comment on the hon. Lady's stamina. *[Interruption.]* I do not believe that such a consideration should be a principal determinant of the hours that we sit. When I came here in the 1980s as an obscure Government Back Bencher—admittedly as a much younger man—I was here very late a lot of the time, and I adapted and adjusted to that. *[Interruption.]* It has made me what I am today. Although that is a factor—indeed, all these matters are factors that we must consider—I do not believe that it should be the main determinant in deciding how we sit or work.

Ms Oona King (Bethnal Green and Bow): I recognise that that is not the main or determinant factor, but does the right hon. Gentleman concur that if Members have responsibility for families, working from 9 am to 11pm or midnight precludes having a life of any description? Of the 30 Members of Parliament on the Benches directly behind him, only two are women. We know of one Member who resigned recently because of this issue, so making our democracy more representative should be a factor that flits across colleagues' minds when they vote.

Mr. Forth: Of course that is a factor and each Member will decide how important it is to them in the context of their parliamentary work and their parliamentary duties. I have no difficulty with that proposition.

Gregory Barker (Bexhill and Battle): Will my right hon. Friend give way?

Mr. Forth: I will, but I really want to move on. I said that I did not want to get too bogged down in this issue and I meant it; but it is obvious that it is very much on the minds of Members, so I shall give way to my hon. Friend. However, I want to make progress.

Gregory Barker: I have three young children, who live in the constituency with my wife. I do not know what time Labour Members put their children to bed, but if we do not finish voting until 7.30, what time during a school week could we go home to see our children even if they lived in London? It is complete nonsense to say that the proposals are family friendly; they are about slacking off to go to the theatre or do whatever else Members might want to do, rather than being in this place holding the Government to account as our constituents expect of us.

Mr. Forth: I am grateful to my hon. Friend because he illustrates well the range of views that Members bring to

this matter. That probably explains the wide range of responses to the survey carried out by the Leader of the House.

Mr. Kaufman: The hon. Member for Bexhill and Battle (Gregory Barker) said that if changes were made it would be easier for us to go to the theatre, so I am rapidly being converted to new hours for the House.

However, does the right hon. Member for Bromley and Chislehurst (Mr. Forth) agree that it is bizarre to the point of being ultra-ludicrous to suggest that there is any way whatever that we can reform the hours or procedures of this place so as to turn being a Member of Parliament into a job comparable with any other job?

Mr. Forth: I am most grateful to the right hon. Gentleman.

I want to wrap up this part of my speech and move on. One of the conceptual difficulties that I have with the debate is that many Members seem to want to compare both our role and our environment with those in an office block or a factory. They see the House as a place where we clock in, pass as much legislation as possible and clock off.

Mrs. Mahon *rose—*

Glenda Jackson (Hampstead and Highgate) *rose—*

Mr. Forth: I shall give way in a moment, but I want to move on.

The debate illustrates—as it needs to do—our approach to our role in this place and, equally important, how we see the role of Parliament and of the House of Commons vis-à-vis the Government of the day. I do not see this place as a legislative factory and I do not believe that we should measure ourselves by the ease with which the Government get their way—quite the opposite. My avowed intention in this place is to make life as difficult as possible for the Government in order to try to ensure that what they do is properly scrutinised and that they are properly held to account.

Mrs. Mahon: I want to try to be helpful. In the real world, people outside this place work nights; they work shifts. Factories work 24 hours a day. Dare I mention firefighters, nurses, the police and local authority workers? May I also kill the myth about people not wanting to work in this place until 10 pm? I am sure that hon. Members will agree that for many women that is the only time that they can work. When my children were small, I worked at nights—12 hours a night—for many, many years.

Mr. Forth: I am grateful to the hon. Lady; she brings a rounded perspective to the matter. Many people outside would find this debate bizarre. People are often forced to work unsocial hours—sometimes through choice, but not always. In a funny way, if we work the occasional unsocial hour, we reflect the life style of many people outside. The idea that everybody "out there" works a neat nine-to-five day and thinks that we are a bit odd for working in the evening strikes me as strange.

Glenda Jackson: Surely one of the incomparable differences about the unsocial hours that the House works is the fact that it is unusual in other workplaces to find subsidised drink, subsidised food and television sets that are almost invariably tuned to sports programmes—almost exclusively football. If the right hon. Gentleman and, indeed, my hon. Friend the Member for Halifax (Mrs. Mahon) are confusing work with waiting until the Division bell sounds, I have to say, as a woman, that that is the antithesis of work.

Mr. Forth: The hon. Lady gives a very interesting description of the lifestyle of her colleagues. I, for one, will not intrude at all on that analysis, but it stands on the record and will return to haunt her—and them, I have no doubt—in future.

I want to move on as rapidly—

Kevin Brennan (Cardiff, West) *rose—*

Mr. Forth: I really do want to move on, because I want to go quickly through the resolution in the name of the Leader of the House, which sets the framework for today's debate. At this point I can switch to positive mode, which we are urged to do these days, and present the smiling face of the Opposition, because I want to stress that we agree with a number of factors, and many of the phrases, in the resolution.

Of course we welcome

"more routine publication of bills in draft for pre-legislative scrutiny".

The only thing that I regret is the cautious tone. I should have preferred it if the Leader of the House had said, "We will publish all Bills in advance for pre-legislative scrutiny unless, as an exception, some sort of unusual or emergency circumstances preclude that". I would prefer it to be done in that way, but we will take at face value what the Leader is saying here and we welcome it, because we want more pre-legislative scrutiny and we believe that that will help us in our duties.

I wish that I could believe that there will be "more flexibility in programming" of Bills. If the Leader of the House is prepared to have discussions with us in the usual way about the proper scrutiny of Bills in Committee, we shall be more than willing to participate in those discussions. The difficulty that we have with what has happened recently is with the ruthless, routine timetabling and guillotining of Bills, so that, as my hon. Friend the Member for Tiverton and Honiton (Mrs. Browning) said a short time ago, so many of them are not properly scrutinised.

We also enthusiastically endorse sittings in September because it will give the House more opportunity to hold the Government to account instead of giving the Government the free ride that they have traditionally had for two and a half months during the summer. I am still intrigued, although I will not press the point at this stage, as to why what we thought was three weeks of Government agony in September has suddenly slipped to two, but that perhaps is too obvious to need further comment or analysis.

We will be proposing that the House meets at 9.30; I have given my rationale for that. We will seek to oppose the idea of written ministerial statements, which, although it appears to be a technicality, seems to give some sort of endorsement to the idea that Ministers should do more and more by written statement instead

[Mr. Forth]

of coming to the House and being accountable by giving oral statements. We will oppose the carrying over of Bills, for the reasons that I gave, and we will oppose the absurdity of deferred Divisions, which again we are being asked to endorse this evening, and programming, because we want to continue to make the point that we believe that these matters are wrong and diminish the effectiveness of the House and of parliamentary scrutiny.

Mr. Chris Bryant (Rhondda): The shadow Leader of the House is saying, "We will, we will, we will"; does he mean that a whip is being operated by the Conservative party?

Mr. Forth: I do not know how often I have to say this, but I will say it again because it is obvious that some Labour Members require three or four repetitions before they understand. We are not whipping this business. What I have said is what I and my colleagues on the Front Bench believe to be the appropriate response to these very important matters, but we are telling our hon. and right hon. Friends that this is a House of Commons matter, and it is for them to judge, as they will in their different ways, and they will vote in different ways. If any proof is needed of that, following conversations with my colleagues I can assure the hon. Gentleman and others that, on many of these matters, there will not be unanimity among the Opposition. We shall demonstrate by the diversity of our views the mature approach that we take to these matters.

I hope that those who perhaps took a different view before I stood up will now be so persuaded with what I have said that nearly all of them will join me in the Lobbies tonight, but I suspect that that may be over-optimistic. I give way for the last time; then I will conclude.

Mr. Gordon Prentice (Pendle): I should be interested to know whether the shadow Leader of the House has any views on the future of private Members' Bills, because that is the great lacuna in the document. On Fridays, private Members can introduce their own legislation, or putative legislation, which can get on the statute book, but the document merely refers us to a review in the new Session, about a possible slot for private Members' Bills. Does the shadow Leader of the House have any views on this issue?

Mr. Forth: I am glad that the hon. Gentleman has given me the opportunity to do something that I like to do on these occasions: quote no less a person than Sir Winston Churchill. In giving evidence to the Select Committee on Procedure in 1931, he said:

"I am not very anxious to help private Members' Bills. I have seen a great many of them brought forward, and in most cases it was a very good thing that they did not pass. I think there ought to be a very effective procedure for making it difficult for all sorts of happy thoughts to be carried on to the Statute Book."

I could not and would not attempt to put it better myself. I believe that the present procedure for private Members' Bills is absolutely appropriate and that it gives a balance between the rights of private Members and the difficulty that should always be placed in the way of legislation, so my own personal answer to the hon. Gentleman's very reasonable question is that there is no need to change the procedure for private Members' Bills, and I am sure that Sir Winston would agree with me if he were here today.

I hope that the House will accept that our approach and response to these proposals is measured. We are not against change in all cases. I hope that I have demonstrated that, where we believe that change is beneficial to the House and where it enhances the role of the House vis-à-vis the Government, we are prepared to accept and endorse it, but where we think that it is yet another step in the diminution of the role of the House and in the reduction in the possibility for Members to hold the Government to account, we will oppose it. That is why we have tabled amendments perhaps to eliminate some items and to change others. I hope that Members will look at them and judge them on their merits, and I invite not only my colleagues—my right hon. and hon. Friends—but Labour Members to judge them in that respect and to vote appropriately later this evening.

Several hon. Members *rose—*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I must remind the House that there is a 12-minute limit on Back-Bench speeches, which operates from now.

5.7 pm

Mr. Peter Pike (Burnley): I am glad to have the opportunity to speak at this early stage in this important debate. As a member of the Modernisation Committee—I am the only Labour Member who has served on it since it was established following the 1997 general election—I recognise that this is a compromise package. My right hon. Friend the Leader of the House has tried for almost a year to reach consensus and to achieve as much support as possible to move forward the procedures of the House, and I congratulate him on his efforts. He will know that I would have wished to go further on one or two issues, but we have to go forward one step at a time, and I assure him that I shall vote with him 100 per cent. in the divisions later tonight.

Kevin Brennan: My hon. Friend describes these measures as a compromise package, but does he not agree that, although it is right for the House to take the decision, it would have been better to consult the people who work here and whose working hours will be affected by these changes before taking a decision?

Mr. Pike: I am sure that my right hon. Friend the Leader of the House will reply to that point at the end of the debate. The various House Committees—that on catering and others—have tried to take account of such views. Let us make it absolutely clear that if the main votes are taken at 7 o'clock, the House will not shut down; the catering department, the Library and other facilities will remain open and many Members, including me, will continue to work at our desks until 10 o'clock. I stayed here until gone half-past 11 last

night, although the House rose earlier than that. I have no doubt that that will not change as a result of the proposals.

Mr. Andrew Turner (Isle of Wight): Will the hon. Gentleman give way?

Mr. Pike: I want to make my speech, so this will be the last time that I give way.

Mr. Turner: Following the point made by the hon. Member for Cardiff, West (Kevin Brennan), does not the hon. Gentleman agree that conventional, modern employment practice involves people putting a proposal to their staff, asking the staff for their view—not assuming their view, as the Government have done—and coming to a conclusion on the basis of the staff's view, as expressed by their representatives? This process seems entirely topsy-turvy.

Mr. Pike: I do not accept that at all. My right hon. Friend issued a memorandum almost a year ago, outlining his thoughts on the way forward in the House, and I believe that people, including employees and the staff, have had opportunities to express their views.

I would have had sympathy with the Procedure Committee on a couple of issues in relation to questions. Members will know that I have long held the view that we should be able to ask questions in the recess, and I still believe that. I accept that we will not be able to do so at the moment, but I hope that we will return to the matter at a future date. I also sympathise with the Procedure Committee with regard to topical questions, but I accept that we will not address that issue at this stage, although we may return to it.

As the shadow Leader of the House indicated, overwhelming support exists for the proposed 6 pm finish on a Thursday. I remember that the Conservatives put up quite a lot of opposition when we originally proposed a 7 pm finish for Thursday nights. It is now accepted and recognised that that finishing time does not solve the problem for those who live in the north and other parts of the country. The move with regard to Fridays is also sensible. I welcome the fact that the Government will forgo all Government Fridays, and that there will be only private Members' Bills on Fridays in future.

In respect of the point made by my hon. Friend the Member for Pendle (Mr. Prentice), he and my right hon. Friend the Leader of the House know my view that one of the gaps that we will create should be used for private Member's Bills—I would suggest 7 pm on Wednesdays. Again, we must have a full inquiry on that issue, and I hope that, at a future date, we may be able to move in that direction. When we gave up Wednesday morning sittings in favour of Westminster Hall, I believed that that time slot could have been used for private Members' Bills. We will need to return to that issue.

Given the number of different proposals and views put forward by Members, I recognise that we will not get a consensus on Tuesday and Wednesday sitting times. I worked in a factory in which shifts changed every three days in a continuous glass-making process. Everybody used to say that they did not like the system, as they had to do three eight-hour shifts and then change and do another three eight-hour shifts before moving on. Management used to say to me, as the shop steward, "Find a system that the workers prefer, and we will accept it and implement it," but we could never find a system to which everybody wanted to change. Every Member will have a different view on the way forward. I believe that the proposals for Tuesdays and Wednesdays are sensible, and, as I said, it has already been indicated that overwhelming support exists for the proposal for Thursday.

I think that we will adjust to the new system in terms of our Committee and other work. As for the suggestion that it will cause problems for Committees, many Committees already meet at half past nine in the morning. The Regulatory Reform Committee, of which I am Chairman, sat at 9.30 this morning, as we have done consistently. I shall sit on the Modernisation Committee at 9.30 tomorrow morning. Some of the problems to which people are drawing attention are not insurmountable.

In my view, the most important change is carry-over, and I am very sorry to hear the Opposition's comments on the matter. Let us be absolutely clear—carry-over of legislation is crucial. I support it because I genuinely believe that people elect a five-year Parliament. At a general election, people vote for a Government to have a four-year or five-year programme, not four one-year programmes. There should be a sensible flow of legislation; it should not be restricted by an artificial cut-off, as will happen on Thursday next week. That is nonsense, and we must be sensible.

I link with that the introduction of more draft legislation, which will ensure better legislation, as carry-over will ensure better scrutiny of legislation. Many years ago, the shadow Leader of the House served on the Bill that became the Transport Act 1985. He will remember that that Bill was guillotined. Hardly any of it had been debated in the House of Commons, and many sections of it were not scrutinised in the other place. What an absolute nonsense for a Bill that has had tremendous implications for bus transport in the whole country since then.

Mr. Forth: Can I test the hon. Gentleman's memory a little further? Does he remember roughly how many hours my Government allowed that Bill in Committee before they guillotined it? Will he confess that one of the reasons why it was not properly scrutinised in the time allocated was that the then Opposition—I have no problem with this in those circumstances—filibustered the Bill so that it could not be scrutinised? Will he tell us how many hours the Bill was allowed in Committee?

Mr. Pike: I cannot remember the exact number of hours, but I can remember saying to the right hon. Gentleman in an intervention on one of his speeches that he made Margaret Thatcher seem a moderate. He said that that was a compliment and that he accepted it. That puts his position into perspective.

That style of debating and of dealing with legislation—the Opposition thought that their role in delaying proceedings and provoking a guillotine showed that they had opposed a measure—was nonsense. It was not constructive for the country and a 10-minute—or something like it—limit on speeches will ensure better

[Mr. Pike]

scrutiny. It is nonsense to believe that what we did in 1984 and 1985 is how people want Parliament to operate in the 21st century. I accept that there was filibustering, but I do not defend it.

I remember that when we considered the Gas Act 1986, the then Member for Rhondda spoke for two and a half hours about Wales having a national mistletoe planting day. At the end of that time, he had convinced me of the importance of the issue. However, debating in that way is nonsense, and that is what modernisation is trying to prevent. That is why we want time limits on speeches and better scrutiny.

The thrust behind the proposals for modernisation is not to make our job easier or to allow us to take hours off. That is not what I want. I want to ensure that we have better legislation and better scrutiny. I will not be here, but I accept that, in the years ahead, we will once again be on the Opposition Benches. That may be in 20 or 30 years, and the right hon. Member for Bromley and Chislehurst (Mr. Forth) may be in government again if he is not too old or past it. He will then view some of the changes that we are announcing today as very sensible. Draft Bills are important and carry-over is essential.

We also need an annual calendar. How stupid we all seem when constituents ask us whether we can do something in our constituencies and we have to say that we do not know. They sometimes ask us, "Can we come and lobby you on this issue in Parliament?", but we have to say that we do not know whether it will be debated. They tell us that they know that it will be because they have received notification. What nonsense that is. We should know and be able to plan the use of our time in our constituencies. If I accept a commitment in Burnley, I should know with 100 per cent. certainty that I will be able to fulfil it. The proposal is sensible.

Time limits on speeches are important. Many people will argue that it is wrong to impose such limits, but I believe that they are right. I do not have a right to speak at length if that means that I will prevent some of my colleagues from having an opportunity to express their views. We are all elected as equal Members, and we should have the same opportunities to debate the issues. The type of filibustering that the right hon. Member for Bromley and Chislehurst has carried out when he has opposed legislation has done the House a disservice. I hope that the proposals will be carried tonight.

5.18 pm

Mr. Paul Tyler (North Cornwall): I agree with much of what the hon. Member for Burnley (Mr. Pike) said. However, he paid tribute to the Leader of the House, and I hope that the Leader of the House will forgive me if I do not follow the hon. Gentleman down that path. The media and Members of the House seem to treat the proposals as though they are Government proposals. They are not. They are the proposals of a Select Committee, just as the proposals of the Procedure Committee, of which the hon. Member for Macclesfield (Sir Nicholas Winterton) is the distinguished Chairman, are from an all-party Committee. It is important to recognise that.

Mr. Forth: Will the hon. Gentleman give way?

Mr. Tyler: Yes, but I have only just started my speech.

Mr. Forth: Will the hon. Gentleman concede, however, that the so-called Modernisation Committee, like all Committees of the House, has a large Government majority and that in this case—unusually and wrongly—it is chaired by a member of the Government and, indeed, a Cabinet Minister? Does that not make the Committee rather different?

Mr. Tyler: The right hon. Gentleman is not a Committee member. I very much regret that the right hon. Member for East Yorkshire (Mr. Knight) is not here. I pay tribute to his role in Committee. He was helpful, sensible and level headed, and we attempted to produce proposals that would benefit the whole House in its relationship to Government.

I know that the right hon. Member for Bromley and Chislehurst (Mr. Forth) has read the report, but he did not sit through the Committee's sittings. There was no minority report. The Conservatives did not vote against the report. Indeed, they made a number of suggestions to improve and strengthen it, some of which my colleague and I supported. It is a grave pity if the right hon. Gentleman has not had the benefit of the advice of the right hon. Member for East Yorkshire. The Committee reached an important consensus on strengthening the role of the House in relation to Government. I pay tribute to the Leader of the House for accepting that suggestion. I dare say he did not play it up at great length in Cabinet discussions, but it is an important part of the report.

The right hon. Member for Bromley and Chislehurst plays a wonderful duet with the right hon. Member for East Yorkshire, who takes a level-headed, low-key approach. We have got used to the right hon. Member for Bromley and Chislehurst playing a more doom-laden, bloodcurdling role, as he did today. I see him nodding, so he agrees with my description. It is Dracula and Scooby-Doo.

Mr. Forth: Which am I?

Mr. Tyler: Whichever one the right hon. Gentleman thinks best displays his tendencies.

People who approach the problem with a conservative frame of mind—either big C or little c—must address the central issue. Unless the House does something to improve its working methods, we are in danger of becoming increasingly irrelevant and being bypassed by the Government.

Let me give an example. The right hon. Gentleman said that his colleagues have a free vote. I accept what he tells us because he is an honourable man. Last week, however, he and his colleagues briefed the *Financial Times* as follows:

"It had been assumed that all MPs would be given a free vote. But modernisers now fear that the Conservatives may not be, since Mr Forth last week set out what he called 'the policy of the official opposition on sitting hours'."

So they have a policy, but they also have a free vote. Even more indicative of their frame of mind is what the article went on to say:

"This would involve the House sitting at 9.30am midweek—rather than 11.30am as proposed—and breaking for lunch."

That is the real issue. If we have an hour for questions at 9.30 and perhaps another hour for statements, that would take us to 11.30. So the official approach of the Conservative Front Bench is that the House takes from 11.30 to 2 pm for lunch. That is what their policy is all about.

Some Members who contributed to the debates on modernisation and the work of the two Select Committees, and who also responded to the questionnaire about how best to manage our affairs, took a much more practical attitude than that displayed by the right hon. Gentleman on behalf of his party. We have a real opportunity to gain, or in some people's minds to regain, more control of the management of our business. It is an attempt to wrest back from the business managers and the usual channels greater control of our affairs. That might explain the rumours of the past few weeks, which also circulated in May. Perhaps the Government Whips are unhappy with some of the proposals. Opposition Members must think carefully about that. I hope that Back Benchers will not be bamboozled as they were in May.

Mr. Stephen McCabe (Birmingham, Hall Green): I was struck by the hon. Gentleman's idea that any doubt about the proposals makes one a conservative with either a small c or a large C. Does he think that the whole package must be adopted by everyone and that there is no space for critical examination of elements of it? Surely the view of the House is that there is much merit in some of the package, but that there is much doubt about other parts of it.

Mr. Tyler: I understand the hon. Gentleman's point. This is a package, but I am not suggesting that every part is essential. Indeed, I agree with the right hon. Member for Bromley and Chislehurst that hours are not the only or even the predominant issue; there are other good parts to the package. My party has no whip on this matter, but I think that the majority of my hon. Friends agree that the proposals hold together as a good package.

The issues that we must address this evening are important and, if approached positively by all parties, they could make a major change to what I would call the balance of trade between the House and the Government. One example is the Procedure Committee's recommendations on questions. I pay tribute to the hon. Member for Macclesfield and his colleagues on that Committee for their thorough job of investigating how we can improve our ability to put topical questions. I agree with the amendments on that subject tabled by several members of the Procedure Committee.

We should have topical questions, and I regret that the Government have apparently shut the door on that proposal. If it is not passed this evening, I hope that through the appropriate channels we may tactfully suggest to the Speaker that we would like more private notice questions to be permitted, particularly from Back Benchers. The extent to which private notice questions are dominated by Front-Bench Members, including, on rare occasions, my colleagues, is a pity. There should be more opportunities for private notice questions or, as we suggest in our report they should be renamed, urgent questions.

The purpose of the changes in hours is not to make the House and its procedures more Member friendly or even more family friendly; it is to make them more voter friendly. That is why the report places great emphasis on the fact that we have, through the various media, to address an audience that is quite different from the audience of 100 or 200 years ago. Parliament, if it is to be effective and relevant, has to be accessible, in the full sense of the word, and visible. It has to be shown to be setting the daily media agenda rather than simply reacting to it much later.

Mr. Simon Thomas: I want to make it clear to the hon. Gentleman that what I am about to say is coloured by the fact that I support at least 80 per cent. of the proposals. Is he not aware of recent moves by media companies such as the BBC to devote less broadcasting time to this place? For example, some reporters are going out, away from institutions such as Westminster, to set the political agenda elsewhere in the United Kingdom. We will not attract media attention and, therefore, voter interest back to this place until it does its job, which is to hold the Government to account. The hon. Gentleman has not yet proved that the changes, apart from being an improvement for the Members, will improve the scrutiny of the Government.

Mr. Tyler: That is a matter for individual Members to decide. The BBC gave evidence to the Modernisation Committee in which it welcomed the fact that Parliament would be seen to be taking the initiative earlier in the day. During the 1992–97 Parliament, when the hon. Gentleman was not here, there was a succession of evenings when we were voting at 10 o'clock and, on occasion, defeating the Government, but our electors had no idea of what we were doing. Commentators on the television and radio news repeatedly stated that something was going on in the House of Commons but they could not tell the public what was going on because the House was still voting—what a ridiculous situation.

There are still some members of the press who will sit through our proceedings all evening and attempt to get something about them in the broadsheets the next morning. The Press Association is the exception that proves the rule. However, the majority of those who, in a former age, sat in the Gallery and wrote screeds to be read by an elite in the broadsheets have long since gone. We must use the modern media to communicate with the people who send us here. That is what these proposals are about. Their aim is not to make life easier for us but to make Parliament more accessible to those who voted for us.

Mr. Edward Leigh (Gainsborough): I have some sympathy with the hon. Gentleman's arguments. The truth is that, apart from breaking news, the modern media will not report anything much after 5 pm. In my view, the proposals are not about protecting families or anything else, but about Parliament doing its job and

[Mr. Edward Leigh]

speaking to the nation. There is no point in having long, drawn out speeches at 8 or 9 o'clock in the evening, when no one is listening to us.

Mr. Tyler: I have a great deal of sympathy with that view, and I hope that all hon. Members will therefore support shorter speeches. I shall try to speak briefly, so perhaps I should take no more interventions.

As the Leader of the House pointed out, the House sitting in the evening is a comparatively recent phenomenon. I have to take indirect responsibility for that, in that it was a notable constituent, Sir Goldsworthy Gurney of Bude, North Cornwall, who invented a gas light that made it possible for Members of Parliament to see what they were doing in the evening, thus making it possible for the House of Commons to sit then. That happened in the early 19th century; before then, our predecessors found it impossible to see what they were doing, dependent as they were on candlelight. I therefore think that there is a strong case for adjusting our business to the current technological position.

I agree with the hon. Member for Burnley (Mr. Pike) about carry-over. There is an extraordinary degree of misunderstanding about carry-over. The absurdity of Second Reading debates and divisions coming along like London buses, three or four at a time, before Christmas, followed by a great dearth as the Bills go to the other place, and then a rush as they come back here for final stages, does not lend itself to intelligent scrutiny. It is similarly absurd that Governments introduce Bills that have not been properly prepared because they have to do so immediately after the Queen's Speech. Carry-over offers opportunities to spread the business, but safeguards are important.

There are two important safeguards, the first of which has already been mentioned. My hon. Friend the Member for Hazel Grove (Mr. Stunell) raised the issue in the Committee. If a measure is carried over and a bit more time is spent on it, less legislation is possible in the second year. There is a natural rate of throughput. I cannot accept the suggestion that carry-over means that a lot more legislation can be pushed through the pipeline—there simply is not the capacity to do that. More important still, as Lord Norton, an important constitutional expert, made clear, the House of Lords has also built in a highly effective safeguard to ensure that that House is not steamrollered into accepting carry-over, except in suitable circumstances.

Mr. John Burnett (Torridge and West Devon): What is important is the interaction on carry-over between the Lords and this place. Some Members on both sides of the House feel a degree of disquiet about that power, which we see as fettering our own. Will my hon. Friend confirm that there will be individual votes on each Bill to be carried over—it is a once-only thing—and individual votes by both Houses; and that failure in one House means that the Bill fails? Is that correct?

Mr. Tyler: It would be wrong of me to pretend any great expertise in how the other place will manage its business, but I think that the safeguard is critical. There is no way in which the carry-over can extend beyond the second Session—in effect, there is a 12-month envelope. Secondly, there is no way in which the Government can push an extension through the House of Commons without a debate. Of course, the Lords have to abide by their own rules and we cannot constrain them, but I am persuaded by the Conservatives' constitutional specialist, who gave evidence on that issue, that there are effective safeguards.

It is also worth mentioning that since all parties are now apparently devoted to the principle that the second Chamber, once reformed, will never again have a majority from any one party, the likelihood of the Lords proving to be irresponsible in applying the safeguards is extremely limited.

Sir Patrick Cormack: The hon. Gentleman favours a wholly elected House of Lords. How, in the name of goodness, can one guarantee that it will never have a majority from any one party?

Mr. Tyler: It depends entirely on the electoral system. I am sure that Mr. Deputy Speaker would not permit me to advance further down that route. There is no method under an electoral system that I would support, or I am sure that he would support—

Sir Patrick Cormack: No, I would not.

Mr. Tyler: —that would produce a majority for any one party in the House of Lords. I am grateful to hear the hon. Gentleman's apparent reaction to that.

Westminster Hall has proved a considerable success, not least because the different and more consensual layout enables Labour Members to cross-question Ministers without feeling in any way disloyal. The result is extremely interesting. I have participated in a number of debates at Westminster Hall, and Ministers have to answer to all Members in a way that is less party political but more effective.

I accept the point that the right hon. Member for Bromley and Chislehurst made about deferred divisions. We need to look at that matter again. It is notable—I am sorry that the right hon. Gentleman is not present to hear my compliment—that under the leadership of the Leader of the House there has been a great reduction in the number of deferred Divisions.

The issue of programming motions is also with us. I believe that it requires a great deal more attention. We have an explicit assurance that if the package before us makes some real progress, programming will be one of the subjects that has to be debated, not only with those who occupy the Front Benches of both Opposition parties, but with Members generally. I believe that those who will undertake a particular stage of scrutiny, as members of a Standing Committee or when a Bill returns to the whole House, should have the greatest say in how that exercise will be undertaken. That has begun to happen embryonically with some Bills and in respect of some Committees. The hon. Member for Macclesfield has given us a lead on the extent to which the Chair of a Committee can assist in that process. That is extremely important.

Finally, there is the issue of short speeches. Clearly, I should try to complete my remarks as soon as I can to meet the requirement. I shall take advantage of a

quotation that was handed to me by my hon. Friend the Member for Bath (Mr. Foster). Members may know that in former time reports of the proceedings of this place were sometimes illegal and sometimes very constrained. Very often the only people who could tell the outside world what was really going on in the House were the Doorkeepers. I am grateful to my hon. Friend, who has told me of a Mr. William White, a former Head Doorkeeper. In 1870, he wrote:

"If all useless verbiage could be strained out of our parliamentary speeches, their force would be increased, the morning papers might diminish their reporting staff and the House might rise every night at 12, and many a valuable life would be prolonged."

I intend to prolong my life by coming to a conclusion.

First, I believe that this place works best when we adopt an evolutionary approach to the way in which we operate, not a revolutionary one. To the extent to which we have achieved consensus in the Modernisation Committee, that is much to the credit of all members of it, not least to the right hon. Member for East Yorkshire, who has played a constructive role.

Secondly, I believe that we must increase the topicality and relevance of our proceedings. Thirdly, we must try to ensure that our proceedings are more visible and accessible to those who send us to this place; otherwise we are in great danger of becoming increasingly irrelevant and giving too much power to the Government, who will then have literally the whip hand.

As I have said, I believe that the proposals are voter friendly, which is what gives them their strength. If we can both improve scrutiny and have more control over the management of our own business in the House, we shall be doing a very good turn for Parliament this evening.

5.38 pm

Mr. Chris Mullin (Sunderland, South): I shall speak mainly against the proposed changes to the sitting times on Tuesdays and Wednesdays. The amendment to motion 6, which is in my name and those of other right hon. and hon. Members, will give Members an opportunity to vote against earlier sitting times on Wednesdays without denying them the opportunity to go home an hour earlier on Thursdays, which I support.

I am a moderniser—but not at any price. I am in favour of measures designed to improve the quality of scrutiny but opposed to any that diminish it. I am especially keen that Parliament should sit for at least two weeks in September. First, it has always seemed wrong that the Government should enjoy a three-month holiday from scrutiny each summer and, secondly, however hard we try, it is not possible to explain to our constituents that we are all hard at work in our constituencies during September. If we care about the esteem in which this place is held by people outside, the issue of the summer recess is a bullet that had to be bitten. I congratulate my right hon. Friend the Leader of the House on doing so.

As my right hon. Friend said, the big prize if we are to make this place more effective is prior scrutiny of legislation while it is still in draft and before it becomes set in stone. I know that there have been some successful experiments, but I look forward to seeing such scrutiny happen as a matter of course. I welcome what he said about the subject and I hope that I live long enough to see the day when it comes to pass. Some of the measures that we are considering—notably the ability to carry forward legislation from one Session to another—will make that easier, and I shall vote with enthusiasm for them.

Indeed, I shall support all the proposals except those that would allow the House to knock off at 7 o'clock on Tuesdays and Wednesdays. My right hon. Friend said in his opening remarks that his sole purpose was to make Parliament more effective. I cannot for the life of me see how cutting three hours off the parliamentary day will make us more effective. *[Interruption.]* I realise that hon. Members will suggest that we are not reducing the time, but simply moving it backwards.

Joan Ruddock (Lewisham, Deptford) *rose—*

Mr. Mullin: To save my hon. Friend the trouble of having to intervene, let me say that, for me, the parliamentary day does not consist merely of what goes on in the Chamber. That is the difference between us.

Helen Jackson (Sheffield, Hillsborough): I am grateful to my hon. Friend for giving way. I am aware that we are on opposite sides of the argument, but on the question of the number of hours in a day, does he recognise that the majority of us are conscientious MPs? We arrive here at 9 o'clock or 8 o'clock, but the different hours, in addition to the events, parliamentary functions and discussions that will continue throughout the evening—we are all politicos—will make our active day longer.

Mr. Deputy Speaker: Order. One good reform would be that of keeping interventions as short as they should be.

Mr. Mullin: Thank you, Mr. Deputy Speaker; bearing in mind that I am confined to 12 minutes, I hope that you might take account of the odd lengthy intervention.

I accept that all hon. Members—or just about all—are conscientious. I do not question that for a moment, but I repeat that I believe that a parliamentary day does not consist only of what goes on in the Chamber. That is my only point and I propose to move on.

We are told that the change is part of a drive to make this place more family friendly, but for those with young families—

Mr. Bryant: The Leader of the House never said that.

Mr. Mullin: I have heard it said, perhaps not by my right hon. Friend this afternoon, but many times. The proposal might make this place more family friendly for those who are lucky enough to live within commuting distance of Westminster, but what are the 500 or so of us who live beyond commuting distance supposed to do—wander around this place in twilight?

Mr. Bryant: Have a life.

Mr. Mullin: I have a life, actually.

[Mr. Mullin]

Are we supposed to go on cultural outings? Perhaps the theatres and art galleries of the west end will be full of newly liberated Scots and Welsh Members. Somehow I doubt it. If I were a spouse living several hundred miles away, I would prefer to know that my other half was snug in the warm bosom of the mother of Parliaments—*[Interruption.]* I am sorry if hon. Members do not like what I am saying, but I would be grateful if they at least did me the honour of listening. I would prefer to know that my other half was snug in Parliament, instead of roaming the streets of the west end with too much time on their hands and too much money in their pockets.

That, however, is not my main objection. My main point is that what my right hon. Friend is proposing will inflict damage on the Select Committees at a time when we are doing all that we can to enhance their status. Like many, though by no means all Select Committees, the Home Affairs Committee meets in the morning so that we do not have to compete with the business in the Chamber and in the hope—

Joan Ruddock: Will my hon. Friend give way?

Mr. Mullin: If my hon. Friend will forgive me—*[Interruption.]*

Mr. Deputy Speaker: Order. I say to the hon. Member for Lewisham, Deptford (Joan Ruddock) that it is clear that her hon. Friend will not take an intervention. She should therefore sit down.

Mr. Mullin: I hope that my hon. Friend will forgive me, but I am anxious to make my speech and our time is limited.

My Select Committee meets in the morning so that we do not have to compete with the business in the Chamber and in the hope that our deliberations will attract the attention of the outside world from time to time. That is more likely if meetings take place in good time for media deadlines and if we are not competing with the Chamber.

Mrs. Anne Campbell (Cambridge): Will my hon. Friend give way?

Mr. Mullin: I have made my position on interventions clear.

My right hon. Friend the Leader of the House said earlier that no one in their right mind would organise a press conference at 4 pm, to which I would add, "or a Select Committee". I chair the Home Affairs Committee, which used to meet at 4.30 pm on Wednesdays for the convenience of the practising lawyers. Soon after I became Chairman, I received a letter from the home affairs correspondents of *The Times*, *The Daily Telegraph* and *The Guardian*. It states:

"Can we press you to make one small reform in the way your committee is run? The previous chairman, for reasons of which we are not aware, insisted that the committee's hearings did not start until 4.45 pm. This timing made giving any media coverage to all but the most sensational proceedings of the committee very difficult as often the hearings did not end until 6.30 or 7.00 which is far too late for routine stories to be filed and used prominently in the next day's papers"—

[Interruption.] I am determined to get to the end of my speech, with the House's permission—*[Interruption.]*

Mr. Deputy Speaker: Order. And with my assistance, if necessary.

Mr. Mullin: The letter continues:

"Consequently much of the valuable and interesting work done by the committee was undertaken in complete darkness as far as the public were concerned . . .

Can we urge you to consider moving the time of your meetings?"

We solved the problem by moving the meetings to Tuesday mornings. However, if my right hon. Friend has his way, we will be forced back into afternoon or early evening sittings. Far from improving the quality of scrutiny, the proposal will diminish it.

Mr. Robin Cook: Five Select Committees met last week at 9.30 am. There is enough time for a two-hour meeting before the House sits at 11.30. There is no reason why Select Committees cannot meet before the House if they wish. However, it is extraordinary that my hon. Friend argues that the House should construct its hours around the Committee rather than vice versa.

Mr. Mullin: I accept that different Select Committees have differing experiences. The problem with the Home Affairs Committee applies to some of the other big Committees: a great deal of the business in the Chamber is within our remit. In some weeks, that applies to perhaps a third of the business. The proposed change will therefore prove difficult. I do not make too much of it, because I acknowledge that different Select Committee members will have different experiences. However, the problem exists, and changing the time will not improve scrutiny one iota.

I want to make another point that some hon. Members may consider minor, but is worth factoring in. A strength of our system is that Ministers are obliged to mix with the poor bloody infantry. Anyone who visits the Tea Room on any Tuesday or Wednesday evening after 7 pm will find Ministers, from the Deputy Prime Minister down, dining and socialising with Back Benchers. A good deal of informal business is done in that way. If Ministers are no longer obliged to come here after 7 pm because there is no vote, they will simply stay in their Departments until they finish their boxes. Those who live in London—most of the main movers and shakers do—will then go home, and the relationship between Back Benchers and Front Benchers will be damaged. I simply mention that minor point in passing in case no one else considers it. Perhaps those who care about the relationship between Parliament and the Executive will wish to bear it in mind when they vote.

I urge hon. Members to vote against motion 7, which provides for earlier sittings on Tuesday, and in favour of amendment (a) to motion 6. In supporting amendment (a), hon. Members would vote against earlier sittings on Wednesday without jeopardising the proposed new arrangements for Thursday and Friday, which I support. I shall press the amendment at the appropriate time.

5.49 pm

Sir Nicholas Winterton (Macclesfield): The majority of my comments relate to motion 4 on parliamentary questions, and to motion 5 and the amendments standing in my name and those of other members of the Procedure Committee.

I begin by thanking and paying tribute to all the members of the Procedure Committee from all political parties, who showed tremendous commitment and hard work in producing this very important report. The Committee's report on parliamentary questions is the first major review of the subject for over 10 years. We say that the system of parliamentary questions is

"an essential part of the process by which Parliament exercises its authority and holds the Government to account".

However, there are major flaws in the way the system works.

We began our inquiry by seeking the views of all Members of the House through a questionnaire. I believe that it was important to do so, because the composition of the House has changed so much since the last major inquiry.

Mr. Douglas Hogg (Sleaford and North Hykeham): For the worse.

Sir Nicholas Winterton: My right hon. and learned Friend is entitled to his view.

There is a new generation of Members, and we wanted to know how they use questions and whether they think the system is working as well as it might. The clear answer to the questionnaire was no, at least in some respects. We have put together a package of recommendations that attempts to redress the deficiencies that our survey clearly identified. I am pleased that the Government's reply to our report accepts most of those recommendations.

At this stage, I wish to pay tribute to the Leader of the House, who gave very stimulating evidence to our inquiry and has engaged constructively with the Committee at all stages. In a moment, I shall deal with a small number of recommendations that the Government have rejected, but that should not in any way detract from the fact that, overall, their response has been very positive.

The biggest single criticism of the oral questions system is that it lacks topicality and relevance. That is because the deadline for tabling questions is still 10 sitting days, or two calendar weeks. As a result, it is often impossible for Members to raise in the Chamber the issues that the rest of the country is talking about. The Chamber therefore appears to be out of touch and irrelevant. The real questioning of Ministers, as has already been said in the debate, takes place on "Newsnight" or the "Today" programme.

As part of our inquiry, we researched the history of the questions system. We found that the House never intended that the notice period should be so long. As we say,

"the present deadline arose as the unintended consequence of rules designed for other purposes".

We also point out that very short deadlines were the norm 100 years ago. Before 1902, a question could be tabled for answer the following day, and from 1902 to 1947, only two days' notice was required. The current two-week deadline is absurd. We have recommended that it be replaced by a deadline of three working days. We accept that the deadline should not be shorter than that, because I believe that it is reasonable for Departments to have two working days to prepare the briefing for their Ministers.

The Government's response to our report broadly accepts our recommendation, but proposes that the three territorial Departments—Scotland, Wales and Northern Ireland—should have a slightly longer notice period and that our proposal should be further modified by discounting sitting as well as non-sitting Fridays from the calculations. It is worth making the latter point to the House.

The Procedure Committee discussed the Government's response at its meeting last week. We were slightly sceptical about the need for the territorial Departments to be given several extra days' notice, which may conjure up the image of relays of horsemen galloping off to those far-flung places, Edinburgh and Cardiff, or people rowing across to Belfast. We concluded, however, that the Government propose relatively minor modifications of our proposals, which we are content to accept.

The overall thrust of our recommendations has been accepted by the Government, and is embodied in the Standing Order changes that the House is invited to approve tonight. I believe that if the changes are approved they will have a major impact on Question Time. They will make it much more incisive and much more relevant. We made several connected recommendations, which the Government have also accepted. In particular, we recommended that Members should be allowed to table oral questions on any day after their last Question Time and before the minimum notice period—that is, generally up to four weeks before the day for answer. That represents a major relaxation of existing rules, which would be much appreciated by all Members.

In general, Members who responded to our questionnaire are much happier with the written questions system than that for oral questions. However, there is concern about the distinction—I say this with emphasis—between named-day questions and ordinary written questions. About half of all written questions tabled are for a named day, and a third are for the earliest possible day. Frankly, the members of the Procedure Committee simply do not believe that such a high proportion of questions can legitimately be described as urgent. We believe that this is an abuse of the system. It is counter-productive, because it leads to a proliferation of holding replies and makes it less likely that the genuinely urgent questions will receive a rapid response.

Mrs. Dunwoody: Will the hon. Gentleman give way?

Sir Nicholas Winterton: I have limited time, so, as Chairman of the Committee, it is difficult to do so. If I can, I shall give way to the hon. Lady.

We have therefore recommended that the House should impose a daily quota per Member of five named-day questions. However, we rejected the Government's

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suggestion that the minimum period for a reply to a named-day question should be extended from three to four working days. As we say in our report,

"this seems to us wrong in principle: the object of a reform should be to reduce the total number of named-day questions to a sensible level, not to introduce greater delay in replying to questions that are genuinely urgent".

We make another major recommendation in relation to the use of technology; I know that this is both controversial and sensitive. We considered the implications of allowing questions to be tabled electronically. The big problem is ensuring that electronic tabling does not encourage abuse, with Members giving carte blanche either to their researchers or, even worse, to outside organisations and lobbying groups to table questions on their behalf.

It would be ridiculous to ignore the potential benefits of new technology and refuse to allow electronic tabling. We considered whether we should recommend that the House insist on what we called "strong authentication" of the identity of Members. We could employ a system using what are called biometric techniques, such as fingerprint or iris recognition, which would ensure that questions were submitted only by a Member in person rather than by anyone else acting on his or her behalf. However, such systems would be expensive, complicated and, we suspect, liable to extensive teething problems. Members might also find it rather undignified to have to submit their fingerprints or squint into an iris recognition device every time they want to table a question.

We have therefore recommended that, in the first instance, the House should conduct an experiment in electronic tabling of questions using a "weak authentication" system. It would be similar to the system already in operation in the Scottish Parliament and the House of Lords. There would be added safeguards—for instance, questions would be accepted only from addresses in the Parliamentary Data and Video Network, not just from any e-mail address. None the less, we recognise that there would still be potential for abuse with that option.

We have therefore recommended that Mr. Speaker should have power to abort the experiment if it became clear that large-scale abuse were taking place or if the number of questions tabled rose steeply and ran the risk of overloading the questions system. If that were to happen, we would have to cut our losses and revert to the more expensive option of strong authentication. I very much hope that that would not be necessary.

The Government have accepted all the recommendations that I have mentioned, sometimes with minor modifications. I shall conclude by dealing with the one major recommendation that they have rejected, which is that there should be a twice weekly session of topical questions in the Chamber. On Tuesdays and Thursdays, following departmental questions, there should be a 30-minute period in which questions would be asked on a single, topical subject. Mr. Speaker would choose the subject on the basis of applications made by Members the previous day.

In making his choice, Mr. Speaker would be guided by specified criteria, including

"topicality, urgency, the public importance of the subject, suitability in terms of potential for supplementary questions, party balance, and balance between Opposition parties and"—

this is even more even important to Government Members—

"backbenchers on both sides of the House."

I am looking particularly at the Father of the House, the hon. Member for Linlithgow (Mr. Dalyell), when I say that. Mr. Speaker would aim to achieve an overall balance between those criteria over a period of time. He would also have discretion, if he thought fit, occasionally to substitute two 15-minute sessions for one 30-minute session.

I am sorry that the Government have decided to reject that recommendation. In my view, it would be an effective way of restoring to the House some control over the use of its time, and that is important. At present, the Executive have total control over when statements are made to the House and on what subject. The system of private notice questions gives the official Opposition some scope to take the initiative, but only very occasionally, and Back Benchers have no equivalent opportunities.

Mr. Deputy Speaker (Sir Michael Lord): Order. The hon. Gentleman has run out of time.

6.2 pm

Mr. Stuart Bell (Middlesbrough): I intervene in the debate as a member of the House of Commons Commission. Under statute, the Commission is responsible for the House's finances and employs almost all its staff. We do not take any collective view on the merits of the Modernisation Committee's recommendations. I know that right hon. and hon. Members on both sides of the House are interested in the effects that the proposals will have on the House administration and on the services that the House provides. I am also aware of some concerns expressed by Members and by staff, which have been reflected in the questions put by my hon. Friends and responded to by my right hon. Friend the Leader of the House.

The implications of the motions before us are obviously of great importance to the Commission, and we and the Board of Management, chaired by the Clerk of the House, have given them considerable thought. It is extremely difficult to assess the full implications of the changes at this stage, mainly because there are so many variables. I shall give four brief examples.

First, I noted the comments of my hon. Friend the Member for Sunderland, South (Mr. Mullin) on when Select Committees may meet. Select Committees may decide to meet much earlier in the day. If they do, there may be difficulties for staff who would have longer journeys to work, and possibly a longer working day. As my right hon. Friend has said, it is up to Committees to decide when they meet. The Commission cannot anticipate: we have to react.

Secondly, many House staff are not allowed to take leave when the House is sitting. If the windows for leave narrow, that rule may have to be changed. In turn, that may require additional staff to provide cover.

Thirdly, at the moment the summer recess is a key period for major works with minimum disruption. All of us who happened to be here over the summer will have seen one of the largest building sites in Europe. September sittings will reduce that period, so there may be a cost premium, which in any year will depend on the nature and extent of the works. However, if we have a calendar for the year ahead, the ability to make firm plans will offset that perceived disadvantage.

Lastly, the earlier finish on Tuesdays and Wednesdays will probably affect the need for catering services in the evenings, but by how much will depend on how many Members, their staff and the staff of the House eat here after the rising. September sittings may redress the balance somewhat.

It will be clear to the House that the effect of these proposals will depend crucially on how the House, Committees and Members adapt to any new arrangements. The House is not just an organisation: it is also a living organism and, because of its nature, is not easily predictable. However, I can assure the House that we, as Commissioners, and the Clerk and his colleagues are on the case, if I may use the jargon from the television—which we do not always watch in the evenings between votes.

On finance, the Commission will try to meet any additional requirements in the current financial year from resources already allocated. In December, we will consider the House's estimate for 2003–04, and will have the opportunity to make financial adjustments then. In the longer term, we will make any necessary provision in the three-year financial plans, which will be approved next summer.

As for the staff, we must ensure that we remain good employers. That is a matter of concern, and my right hon. Friend referred to the Commission's strong involvement in that. If the House approves the motions before us, the proposals may well make life easier for many staff. If they do not, we must ensure that those staff are not disadvantaged or demotivated, and that services continue to be delivered to the present high standards. That is a priority for the Commission and the Board. If problems arise, they will be discussed with the staff affected and with the trade union side.

Mr. McLoughlin: Does the hon. Gentleman think that the new arrangements will reduce or increase the running costs of the House, bearing in mind the fact that the Leader of the House has said that the facilities that are currently open until 10 pm or 11 pm will remain open in the future?

Mr. Bell: I have already said that we will make any necessary provision in the three-year financial plans, which will be approved next summer, in the light of the decisions that the House makes tonight. If additional resources or staff are shown to be required in particular areas, we will provide them.

My right hon. Friend also raised the question of how we can become more accessible to our constituents. He mentioned a glass-fronted gallery that would enable constituents to see hon. Members in action. The hon. Member for South Staffordshire (Sir Patrick Cormack) called it a glass menagerie. However we describe such a proposal, the fact is that earlier sittings of the House will limit constituents' tours on those days. Hon. Members will know—my right hon. Friend has confirmed this—that one of the Commission's announced strategic aims is to increase public access to the House and knowledge of its work. Non-sitting Fridays will make up some of the shortfall, but we are also costing Saturday opening for visitors, and we are discussing those matters with the authorities of the House of Lords.

The long-term parliamentary calendar recommended in paragraph 74 of the Modernisation Committee's report would greatly help our long-term planning. I am sure that the House is pleased to hear my right hon. Friend's statement that provisional dates for recesses up to October next year will be announced in his business statement on Thursday. I know my right hon. Friend is well aware of the importance of ensuring that that is rolled forward every two months or so.

I hope I have made clear the strong concern felt by the Commission and the House about the effects on staff, facilities and amenities of any decisions that we make today. That concern will continue in the light of any such decisions. I commend the views of the Commission to the House.

6.10 pm

Sir Peter Tapsell (Louth and Horncastle): Two of the most misleading words in the political dictionary are "reform" and "modernisation". They are nearly always used to camouflage proposed changes with ulterior and concealed motives, and both therefore feature prominently on the cover of the report that we are debating.

We do not need to agree with the grand old Duke of York that any change at any time is always for the worse to know for a fact that some changes are not for the better. As our constituents find in their personal lives, changes are indeed often for the worse.

The House of Commons has been continually reforming and modernising its procedures and perquisites since Dick Crossman was Leader of the House in the 1960s. I remember listening to debates almost identical to this 40 years ago. When morning sittings were introduced they were a total flop: not only lawyers and stockbrokers like me but a great many Labour trade unionists and the like did not attend in the mornings. The Wilson Government quickly dumped the whole idea, and everyone agreed that Dick had been too clever by half. I hope that these proposals will have the same fate—although I do not think there is anyone quite as clever as Dick Crossman in the present Government.

As the hon. Member for Sunderland, South (Mr. Mullin) pointed out, the object of the exercise should be to improve scrutiny of the Government by Back Benchers. These proposals will have the opposite result. When I first arrived here, Ministers of all parties were genuinely in awe of the House of Commons. I am bound to say that I have never grown out of that myself.

In his retirement, Harold Macmillan told me that he was seldom able to lunch before the then twice-weekly Prime Minister's Question Time, so tense did he always feel at the prospect of facing questions from the House. It would be encouraging to think that the proposal to take parliamentary questions before lunch was motivated by kindly considerations of that sort, but I very much doubt it. I am told that Ministers eat only

[Sir Peter Tapsell]

sandwiches nowadays; moreover, their general behaviour demonstrates a complete contempt for the House and an absolute preoccupation with the media. That, in fact, is what lies behind all these proposals. Ministers have no great love of Parliament as an institution.

The proposed batch of so-called reforms will undoubtedly make things worse. The imposition of a permanent maximum 10-minute limit on Back-Bench speeches will greatly increase the influence of the Executive and reduce the power of the Chamber.

It is a mistake to assume, as someone did earlier, that all parliamentarians are equal. We are all equal in the sight of God, but we are not equal as parliamentarians. Some parliamentarians are very much abler and more experienced than others, as well as being better speakers. They are the ones whom the House and the country want to hear. The modern development whereby speakers are selected—largely by a computer, I understand—on the mathematical basis of how often they happen to have spoken during the current Session, rather than on the basis of whether they have a special contribution to make, is not desirable, and is one reason why the House is usually almost empty of all but those who think they will be called to speak.

If we want to improve the standing of Parliament, we should understand that the hours during which we sit have almost nothing to do with it. What will determine Parliament's status are the personalities of those elected to this place: their distinction, their experience, their character, their independence and their capacity for oratory—heart-moving oratory. Since Tony Benn left the House, there is hardly anyone capable of producing that.

Anne Picking (East Lothian): Is not the fundamental purpose of our being here to represent our constituents, not to stand up and be windbags?

Sir Peter Tapsell: As a matter of fact, I do think we must represent our constituents, but we do not do so by being dreary, ignorant bores.

A rigid, universal 10-minute limit on speeches would have destroyed our parliamentary heritage. I know we will be reminded—it is astonishing that we have not been reminded already—of the sermon on the mount and the Gettysburg address; but although Abraham Lincoln and Jesus Christ could move the world in 10 minutes, most of us need a little longer.

A great parliamentary speech is a work of art. It resembles a symphony: it has a beginning, a middle and an end. It must have light and shade, variations in tempo and tone, passion and wit, and sustained, serious intellectual content. It must concern an important issue on which there are strong, competing views in the House and in the country. I think of Wilberforce evangelising for the abolition of slavery, John Bright crusading for cheap food and free trade, Churchill pleading for rearmament, and Sydney Silverman, in my parliamentary youth, calling tirelessly for an end to hanging. All spoke from the Back Benches, and at length.

There were many, many others—a whole great galaxy of parliamentary heroes, some of whom never reached the Government Bench, but whose voices still echo across the centuries. If they had been confined to 10-minute speeches we would never have heard of them, and Britain would long ago have gone down the plughole.

Several hon. Members *rose—*

Mr. Deputy Speaker: I call—

Sir Peter Tapsell: I have hardly begun!

Lloyd George advised the young Harold Macmillan not to say anything in the first five minutes of his speech, but to wait for the House to fill up. It is happening rather slowly this evening.

Bob Spink (Castle Point): Is my hon. Friend aware that he would also be allowed to respond to no more than two interventions during his speeches? As he has taken one from the hon. Member for East Lothian (Anne Picking) and one from me, I have now denied others—including the hon. Member for Rhondda (Mr. Bryant), who I see wants to make a comment—the right to intervene. What does my hon. Friend think about that?

Sir Peter Tapsell: I think that I could have done even better without a second intervention.

Let me now turn to the proposals for sitting hours. New Labour seems set on turning the House into a safe haven for nursing mothers and geriatrics like me. I do not presume to speak for the mothers, but I suppose I should be grateful: if we are never to sit after 7 pm, I see no obstacle—the Almighty and my electors permitting—to my remaining here for several more Parliaments. I may, like Lord Randolph Churchill, die by inches in public, but at least I will not—unlike the hon. Member for Don Valley (Caroline Flint)—ever be tired.

The proposed new working arrangements are rather nicely judged to be unsatisfactory for effective opposition, but inconvenient enough to prevent Back Benchers from pursuing a profession and gaining experience of what is rather slightingly called "the real world", or acquiring honestly—rather than by brown envelopes—that financial independence that can be such a bulwark of independent thought, speech and voting integrity. The proposed new hours are, in short, a charter for party political hacks.

To develop the sensible point made by the hon. Member for East Lothian (Anne Picking), who intervened on my speech, the greatest merit of outside interests is that they enable a Member to maintain inside this House a proper perspective on the lives of the people whom he or she has been elected to represent. An MP cannot spend all weekend simply wandering around supermarkets in his or her constituency, much as I enjoy doing that. A competent MP needs to be able to put the interests of his or her constituents to the fore, in the context of the national scheme of things, and of the ever-growing international pressures of the modern world. To do that, he or she needs a great deal of experience that cannot be acquired just in this House, in its Corridors, or in the Rooms that used to be smoke filled.

Ideally, we would all have much more experience than we have at the moment. However, for a whole variety of reasons that are inevitable in the modern world, many of

us come into this place without the sort of experience that people had when I entered the House. A holder of the Victoria Cross, commanders of cruisers and brigades, major trade union leaders, chairmen of great companies and editors of great newspapers then sat in this House. All that has gone, and it is not going to come back, but we must not produce a way of life in this place that is attractive only to retired polytechnic lecturers.

What are we all going to do after 7pm? [HON. MEMBERS: "Ah!"] Ideally, we would all return to the bosom of our family, but many of those bosoms are far away. The prospect of 650 parliamentarians suddenly released, like the prisoners in "Fidelio", tramping the streets of London looking for vulnerable people to help, is one to which only a Hogarth could do full justice.

Mr. Deputy Speaker: Order. The hon. Gentleman's time, I am afraid, is up.

6.23 pm

Anne Picking (East Lothian): Thank you, Mr. Deputy Speaker, for calling me to speak after the hon. Member for Louth and Horncastle (Sir Peter Tapsell). What an abysmal contribution that was; it has set us back mega. It is great to be able to stand up, posture, pontificate, show off and make a wonderful speech, but, as I said in my intervention, we are here to represent our constituents.

The fact that I am even on my feet and speaking is overwhelming for me. Because of the pecking order and the current system, which is unfair, the opportunities for new Members to make contributions in this Chamber are very limited. I should be able to represent my constituents in East Lothian in the same fair and equal way that my hon. Friend the Father of the House is able to represent his constituents in West Lothian. If speeches are time limited, I and the other new Members who are trying to find their way and make a difference in this place—a place that we, too, are in awe of and respect—will be able to do that.

The reason I ended up on the Modernisation Committee is a story in itself. My hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) was my replacement on the Select Committee on Transport, Local Government and the Regions after its vote last July. My reward for doing the honourable thing by falling on my sword was membership of the Modernisation Committee. I doubt whether a new MP would normally have that honour, and I have thoroughly enjoyed serving on it under the leadership of my right hon. Friend the Leader of the House.

The Modernisation Committee seeks to make this Parliament relevant and engaging, and to increase the level of participation among elected Members of the House. What on earth is wrong with that? Rather than repeating what others have said, or trying to ensure that our speeches are heard back at the ranch or included in a press release, we should make disciplined contributions, and engage in meaningful debate and wholly proper and efficient democracy.

I intend to be unique. I intend to make the shortest speech because I want to set an example, but before I finish I want to point out that the argument concerning carry-over versus genuine scrutiny does not make sense. If we want more genuine scrutiny, we must adopt carry-over. It is absolute nonsense to argue that legislation will be rushed through and that we will run out of time. I want far more time, so that there is proper scrutiny to ensure effective and efficient legislation.

I hope that all other Members will adopt my policy of making short, sharp contributions. We should remember that this is an experiment—we do not have to get too worried about protecting the status quo. Let us try to do things differently. If the new method proves more effective, let us adopt it; if it does not, we can ditch it or change it. Nothing is set in stone. Just because the way in which we have worked over the years has been okay—just because we have eventually got there by dilly-dallying—that does not make it right. We have a duty to try to do our work more effectively. If we expect the firefighters to modernise in order to promote and provide better public services, what is wrong with us modernising to promote and provide better services for our constituents?

6.27 pm

Sir Patrick Cormack (South Staffordshire): I agree with the hon. Member for East Lothian (Anne Picking) on the subject of carry-over, and I do not agree with my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth). I say that because I was the spokesman on constitutional affairs when Lord Norton produced his report, which I thought a wholly convincing document. It made admirable sense on that subject, and I shall certainly exercise my free vote in favour of the Leader of the House's proposal in this regard. Much of the report is refreshing, attractive and acceptable. For instance, I have no difficulty in supporting the proposal for September sittings. It is extremely difficult to make a logical case against that proposal, so I shall vote for it.

I am not against so-called modernisation in all particulars. However, I do believe that if we are to change, it must be for the better, and I am troubled by a number of issues. I do not like the way in which the Government are going to abandon Fridays. We have little enough time in this House to debate issues on the Adjournment. Such issues may not be hugely contentious in political terms, but they are of great national importance and need discussing. To sacrifice Friday upon Friday is a profound mistake. Of course, I want a large number of Fridays to be devoted to private Member's legislation, but to get rid of all the others is, frankly, wrong.

Nor do I like the arbitrary 10-minute limit on speeches. Here, I join forces with my hon. Friend the Member for Louth and Horncastle (Sir Peter Tapsell), who made a marvellous, rumbustious speech. Would that he could have gone on for another 12 minutes. Mr. Speaker and his colleagues in the Chair—including you, Mr. Deputy Speaker—have the wonderful facility of decreeing time limits. Mr. Speaker decided on a 12-minute limit for today's speeches. Last week, he decided on an eight-minute limit. Sometimes he decides on a 10-minute limit, and on others he opts for a 15-minute limit. That seems the right, flexible approach. When a vast number of Members want to speak, we have to be cut down, but when they do not, it is entirely appropriate to allow us to develop our cases at rather greater length.

[Sir Patrick Cormack]

I come to my principal argument against the recommendation on length of speeches. I am one of those Members who like to speak without notes. I like the spontaneity of debate, but when we are time limited it is impossible to maintain that spontaneity and to give way when one likes to do so.

Mr. Tyler: I hope that the hon. Gentleman, with his usual fairness, has read the recommendations. A standard 10-minute limit on speeches is not proposed. The proposal is more elastic. It gives discretion to the Chair, but provides that the norm should be 10 minutes when there is pressure of time on a debate.

Sir Patrick Cormack: The recommendations give very little discretion to the Chair. Frankly, the hon. Gentleman is one to talk: he rabbited on for 20 minutes today and finds it very difficult to keep to a limit.

Mr. Bryant: Will the hon. Gentleman give way?

Sir Patrick Cormack: No, as I want to develop my arguments and deal with the main point, which is my reason for opposing this recommendation. Those hon. Members who have been here for a long time know that I like to give way. I enjoy the cut and thrust of debate, and like to be able to answer interventions. That is a good thing to be able to do, but it is very difficult when one labours under a limit.

I want to finish my speech in less than 12 minutes, so that other hon. Members can contribute. In the time left, I want to concentrate on the recommendation with regard to hours. It is true that, in the past, the House has sat at different times. It used to begin early in the morning in the 17th, 18th and 19th centuries, but in those days the Chamber was paramount. There were Committees, but nowhere near as many as now. In those days, hon. Members did not suffer from anything like as many conflicts, and their constituency work load was nowhere near as great as it is today.

I enter my office never later than eight in the morning, but even then I find it difficult to cope with all the demands on my time so that I can get to the Chamber at 2.30 pm. The hon. Member for East Lothian, as she spends more time in the House, will find that she becomes more involved in a variety of matters. My work in the House has caused me to be involved with heritage bodies and other organisations, and I have found that people—reasonably and properly—want to see me. They want to discuss with me the issues in which they are involved, and I need to have time for them to do so.

Moreover, I like to sit on Select Committees. At the moment, I am a member of the Foreign Affairs Committee, but I had to say that I could not attend this afternoon's sitting. I consider the Chamber to be of paramount importance, and I felt that I had to be here for this debate. If we move to the new hours, that conflict of loyalties will be increased by factors of 10 or 100 for some hon. Members.

There is nothing to be said in favour of moving to the proposed new hours on Tuesdays and Wednesdays. I was not terribly happy about the change made to Thursdays, but it is now part of the parliamentary calendar and I accept it. I shall vote for the proposal that the House finish its business at 6 pm on Thursdays because I reluctantly accept that the House will not do away with the experiment.

Paul Farrelly (Newcastle-under-Lyme): The hon. Gentleman is fair minded and independent, but the shadow Leader of the House has proposed that it is logical to start proceedings at 9.30 in the morning. Several hon. Members have cast aspersions on the motives of the right hon. Member for Bromley and Chislehurst (Mr. Forth) in apparently wishing to out-modernise the modernisers. Does the hon. Gentleman think that the right hon. Gentleman really believes that the House should sit at 9.30 am?

Sir Patrick Cormack: I would no more seek to answer for my right hon. Friend than he would seek to answer for me. He must answer for himself. As I said during his speech, I disagree with him. I believe the proposal to start at 9.30 in the morning is profoundly wrong. I shall not support it, and I would not do so even if a three-line Whip were imposed.

I believe that being a Member of Parliament is not a job. It is a way of life and a vocation to public service. We are not here to serve our personal convenience or to pander to the media's every demand. We are here to be the tribune of the people, and must serve at whatever hours are reasonable. I do not object to the move by the Leader of the House towards ending the practice of sitting very late into the night, but we are here to serve our constituents, as the hon. Member for East Lothian said, and to debate the great issues of the day. Most of all, we are here to hold the Government to account and to scrutinise legislation. We shall reduce our ability to do those things if we accept these recommendations.

Some hon. Members have said that parliamentarians are not the flavour of the month, and that people do not attach to the Chamber the same importance that they once did. One reason for that is that hon. Members have become increasingly toothless over the years.

I have made many speeches in the House—from the Opposition Dispatch Box and from both Opposition and Government Benches. I have criticised Governments of both parties. My right hon. Friend the shadow Leader of the House is the best example in history of a gamekeeper turning poacher, but as a Minister he did not like to be held to account much. He was as brilliant on his feet as a Minister as he is as an Opposition spokesman, but circumstances change cases.

I have been in the House for more than 30 years—not as long as my hon. Friend the Member for Louth and Horncastle—and in that time Parliament has become increasingly subject to the whims and caprices of the Executive. If we approve the proposed changes, we shall be giving up many of our freedoms as Back Benchers. We shall reduce still further the Chamber's influence on the nation's affairs.

Earlier, I mentioned the need to meet and talk to people from outside the House. I see nothing wrong with the possibility that some of those conversations might take place over lunch. Under the proposals, there will be no lunch hour. Those hon. Members who, like, me, want to be here on a Thursday, when the House sits at 11.30 am, have breakfast at about 11 and go through

the day without a break. That happened last Thursday: many of us sat in the Chamber through the whole day as the House debated local government finance. The proposed hours will deprive many people outside the House of the opportunity to talk to and influence hon. Members. If we are truly to serve the people of the nation, we must be available much more readily than the proposals will allow.

The Modernisation Committee's report is like the famous curate's egg—good in parts. Several of the proposals will improve the effectiveness and efficiency of the parliamentary institution. I support those proposals wholeheartedly. However, if adopted, the limit on speeches and, more importantly, the change in hours would make Parliament much less influential in a relatively short period of time.

There will be also knock-on effects for those who serve us here. They will not have quite the life that they have now. The hon. Member for Middlesbrough (Mr. Bell) was right to speak about the unanimity of the Commission in wanting to do everything possible to cushion staff from the effects of change, but effects there will be and they will not be to those people's advantage. I urge hon. Members not to support those proposals.

6.38 pm

Mr. Gerald Kaufman (Manchester, Gorton): The hon. Member for North Cornwall (Mr. Tyler) spoke about the House making greater contact with the electorate. My right hon. Friend the Leader of the House spoke about how the House needed to reflect a rapidly changing society. The hon. Member for Macclesfield (Sir Nicholas Winterton) said that the electorate should not feel that we were out of touch with people and that what we did was irrelevant.

If our constituents heard this debate, they would be amazed at its self-absorption and introversion. They want hon. Members to debate and decide the issues of the day. Some Labour Members will disagree with me but, regardless of what they and Opposition Members think, I believe that it is not our working practices that fail to engage with people or cause reduced polls in elections, it is what we in this House do and fail to do.

People are worried about the legislation that we pass and the issues that we discuss. They do not care about amendments to Standing Orders that might turn one set of gobbledegook to another. They care about what we do. I stay in this House because I want to participate in changing the lives of my constituents for the better and to participate with colleagues in debating the issues of the day. That does not mean that I necessarily agree with my colleagues. In addition to being a legislature, this House is a forum. If it is a forum, it has to have proper debate. My hon. Friend the Member for Linlithgow (Mr. Dalyell) may say many things with which I disagree; my hon. Friend the Member for Glasgow, Kelvin (Mr. Galloway), who is not here at the moment, may say many things with which I disagree; but it is essential that they have the chance to say them—and it is essential that they have the chance to say them in a way that could change minds in the House, but also communicate with people outside.

I support many of the proposals, but I am worried that some will make a genuine exchange of ideas in the House less possible. My hon. Friend the Member for East Lothian (Anne Picking) spoke about the need for meaningful debate. She is absolutely right about that. Indeed, what is happening this very evening has given us an opportunity to witness the way in which meaningful debate in the House is being eroded and damaged. My hon. Friend the Member for Sunderland, South (Mr. Mullin) did not take interventions; other Members did not take interventions, even with compensatory time, because they cannot look at the digital clock the whole time. That being so, genuine debate in the House obviously calls for self-discipline. We do not necessarily want Members making speeches of 20, 30 or 40 minutes, but to confine them to an arbitrary time limit on the basis of a mandatory time limit, as my right hon. Friend the Leader of the House proposes, will damage genuine debate.

Mr. Bryant: Will my right hon. Friend give way?

Mr. Kaufman: No, I will not give way for the very reason that I am giving.

We have in the Leader of the House one of the finest debaters I have listened to in the 32 years in which I have sat in the House of Commons. He would not have developed that reputation if there had been mandatory time limits when he was developing his skills as a speaker. My right hon. Friend knows the high regard in which I hold him, but it does look as though he is pulling up the ladder that he climbed and that others will be unable to climb it.

Genuine debate requires an exchange of ideas. Genuine debate means that when I listen to an hon. Member, I may have my mind changed. If I cannot do that because I am looking at the digital clock the whole time, wondering about the length of the intervention and the length of my response, I am hobbled. I do not claim for a moment that my contributions to debates in the House are necessarily of any great value, but my constituents send me here to represent them. That means that I have things to say, whether or not those things are good or valid. That is for me to decide and for me to have a chance of trying. That is why I believe that the House will be making a serious error if it votes for mandatory time limits.

Let us imagine it is 1938. Winston Churchill gets up: he inveighs against Chamberlain, he inveighs against appeasement, he inveighs against Hitler and he inveighs against Mussolini. He says that we must be prepared for a second world war. While he is developing his argument, Mr. Deputy Speaker says, "Order. The right hon. Gentleman has come to the end of his 12 minutes." We cannot know when a speech is necessary and we cannot know when a speech may not be [illegible] but essential to the way the country operates. That is why I hope that the House will not vote for these mandatory time limits, but leave it instead to the discretion of the Speaker, although I would actually prefer even that not to happen.

There is no way in which we will ever turn this House of Commons into a rational organisation comparable to other workplaces and activities in which people are employed. This place is sui generis—a large room in which people speak, listen to each other, change the laws of the country and revolutionise the country, as the Attlee Government did between 1945 and 1950. There is

[Mr. Kaufman]

nothing like it—we cannot compare the way in which we conduct our activities with the very important work done in a motor car or computer factory. This is different. This is a House of Parliament. It is not a sausage machine or a conveyor belt. It is not here to be efficient. A Parliament is not about time and motion studies; it is about listening to views, perhaps conflicting, and, out of the clash of views, changing the way in which the country works and reflecting the views of its people. This is a Parliament, not a factory. It is not a debating society. That is where the former leader of the Conservative party went wrong—he thought that it was just a debating society, but that was not enough.

If we lose sight of what we are here for, and believe that by having time limits we can hear more speeches and that by working from 9 to 5, or whatever it is, we will persuade our constituents that we are like them, we will fail. The very fact that we are here is because we want to represent our constituents, but we are not like them. If we were like them, we would not be here. If we were like them, we would not have fought to get here; we would not have done the things that got us here. We are sui generis—we are the British House of Commons. Although I support many of the proposals that my right hon. Friend makes and shall vote for them, I fear that the proposals on time limits and the change in hours will damage us as a House of Parliament, and I hope that right hon. and hon. Members will reflect on that.

6.47 pm

Sir George Young (North-West Hampshire): It is a pleasure to follow the right hon. Member for Manchester, Gorton (Mr. Kaufman). I agree with his theme that culture is more important than procedure, and I hope to return to that point in a moment.

One needs to put the debate in the slightly broader context of the modernising agenda since 1997. The balance of the reforms so far have, in my view, made life easier for the Government. The automatic programming of every Bill, the introduction of deferred Divisions and the cut off at 10 o'clock may, incidentally, have made life more congenial for individual MPs as well, and I am not against that. However, the consequence has been to tilt what I call the terms of trade away from Parliament towards the Executive. We now need to tilt them back.

Helen Jackson: Does the right hon. Gentleman accept that a large majority has something to do with it being easier for the Government than it was in the first Parliament to which I was elected?

Sir George Young: I strongly believe that in the last Parliament the terms of trade shifted away from Parliament towards the Executive and made it easier for the Government to get their business through the House. The criteria by which I judge the reforms before us is what they do to those terms of trade.

I find this a much more balanced package. There has been a genuine attempt to find and build a consensus, unlike what happened in the last Parliament, when the reforms were forced through using a parliamentary majority. I welcome the new tone and am able to support most of the proposals, with one exception.

The most radical proposal has not been mentioned once in the debate. I refer to paragraph 44 of the report in which collective consultation with other parties is proposed on the Queen's Speech. That represents, or could represent, the first tentative steps towards prising the Government's fingers off the programme of the House. Many people believe that ownership of that programme ought to be here and not with the Government. So I welcome that proposal, and would like to know more about it. Will there be a Committee? Will Back Benchers be on it? Will the Executive have a built-in majority on that Committee? If this proposal represents the first step towards the House repatriating the ability to control its own business, I believe that it could be more important than many of the others.

In principle, I am not opposed to carry-over. Like my hon. Friend the Member for South Staffordshire (Sir Patrick Cormack), I accept the arguments in the Norton report that carry-over is a more sensible approach to the scrutiny of Bills and that we would get a better flow of legislation. When the Leader of the House winds up the debate, it would be helpful if he would confirm what I think was said in an exchange during the opening speeches: if there is disagreement between the two Houses at the end of a Session, this House cannot unilaterally carry over the disputed measure. As long as we have that safeguard, I shall be happy with the proposals for carry-over.

I approached the question of an early start with an entirely open mind, but when I read that section of the Committee's report I found it one-dimensional and almost blinkered. Paragraphs 54 to 63 are nearly all about the Chamber—as if MPs did nothing else. In his introductory speech, the Leader of the House made the same mistake: he tended to discount what takes place in the morning. Only in paragraph 64 of the report is there an acknowledgement of life outside the Chamber. Then we hit this sentence:

"Changes to the sitting hours in the Chamber will require consequential changes for other parliamentary procedures, such as meetings of Select Committees, Standing Committees and Westminster Hall."

There are no real concessions there—no thinking through of the impact on the rest of the House.

I shall briefly quote from appendix 1 of the first report of the Modernisation Committee's first report in December 1998. Paragraph 12 states that

"the Government is not persuaded that a change of sitting hours to normal office hours is in the best interests of the House, individual Members or the Government."

That was the evidence of the right hon. Member for Dewsbury (Ann Taylor), who was Leader of the House only four years ago—an unequivocal finding against the decision to move the times of sittings. There are some powerful paragraphs in that annexe whose impact has not faded.

Mention was made of the impact on Ministers, who normally spend the mornings in their Departments or making contact with the real world. The report refers to the impact on constituency work—a point touched on by hon. Members in this debate. It states that morning sittings would be "bound to detract" from Standing Committee and Select Committee meetings. It is unclear what has happened during the intervening four years to overturn those unequivocal recommendations from a former Leader of the House.

A further, albeit subsidiary, point is that much of the business for Thursdays is unwhipped. On Thursday, we shall debate defence on a motion for the Adjournment of the House. Last Thursday, we debated local government finance on the Adjournment. If we stopped at 7 pm on Wednesdays and there was a tendency to schedule unwhipped business for Thursdays, some colleagues would be tempted to go home, compressing yet more business into two parliamentary days and generating unhelpful media comment.

I am not unsympathetic to the case, but the consequences have not been fully thought through, nor has the case been fully made. I am not minded to support the option for a 9.30 start either.

I welcome the move to greater topicality for departmental questions. I should have gone further and proposed a ten-minute period at the end of departmental questions for completely open questions. The Prime Minister tries to answer open questions about the Government for about half an hour each week so there is no reason that a Secretary of State, too, should not be expected to answer open questions for about ten minutes about the management of his or her Department. That would make the question session even more topical.

A reform that I should have liked is alluded to in paragraph 80. Opposition parties should be able to trade in Opposition days for the right to demand a statement on a subject about which the Government are reticent. The report's proposals ensure prime time—in fact, even more time—for Government statements, although I question the assumption that such statements should last an hour, but it would have been fairer to balance that reform with the right of Opposition parties to demand a statement, also in prime time. That would have been consistent with holding the Government to account. Traditional Opposition days, even if they are taken as half days, do not represent the best use of Opposition time. We need a more flexible approach.

I am unequivocally in favour of shorter speeches although I am open to persuasion as to how we would achieve them. Speech limits work well in the upper House where contributions tend to be focused. This Chamber should strive to be less like Radio 3 and more like Classic FM—a recommendation that may not find its way on to the BBC's "Yesterday in Parliament" programme.

The question is not whether a 15-minute speech is better than a 10-minute speech, but whether three 10-minute speeches add more value to the debate than two 15-minute speeches. The marginal utility of the last five minutes of a speech that could be shortened to 10 minutes is less than that of a fresh contribution that might otherwise be lost.

There is a risk involved. We see it already. Members who realise that they will not get in will clamber aboard the opening speeches, which are not time-limited. Some Front-Bench speeches are far too long and if Back-Bench speeches are to be compulsorily, or voluntarily, shortened, we must have discipline from the Front Benches.

Having spoken in favour of short speeches, I plan this to be one. The reforms will not dramatically change how we are perceived unless they are associated with what has been called "cultural change"; it is not when we meet, but what we do when meet. Prime Minister's questions, for example, represent not the best but the worst of the House. Until we can change that event from a ridiculous alternation of the obsequious and the over-aggressive to a more focused exchange on one or two serious subjects, the public will say that it does not matter when we are in the Chamber but how we spend our time.

Yes, procedural change is important, but it will not alter things of itself; cultural change is also necessary.

6.56 pm

Mr. Lindsay Hoyle (Chorley): It is a privilege to be a Member of Parliament and to be able to speak in the House. The debate is important, because we ought to set out where we stand on these issues. Many hon. Members want to put their case and it is important that we all have the chance to do so.

I shall support my hon. Friend the Member for Sunderland, South (Mr. Mullin). It is essential that we put the facts as we see them.

As we have the privilege to be Members of Parliament and to represent the voters who put us here, we should not be in this place out of self-interest. The problem with this debate, however, is that it is about self-interest, whatever we decide.

We ought not to abuse the privilege that people have given us, but that will occur if we continue to reduce our hours. No doubt, I shall hear later that the proposals do not mean a reduction in our hours, but merely a change. I disagree. The reduction in hours will come. If we start earlier in the morning, instead of in the afternoon, something will have to be squeezed somewhere. That will be either a Select Committee or a House Committee. Some of us are members of both; we make up the numbers because other Members do not want to serve on Committees.

What will the problems be? I am usually in the House before 9 am. Other Members have pointed out that they are in before 8. That is important because of our staff. The debate seems to have been all about us. Well, it should not be only about us; it should be about the people who work in this place and the people who work with us—the forgotten people. We find it easy to forget them, yet we make many demands on their time.

When we come in at 9 o'clock, there is mail to go through. We have to check the questions for that day, read the Order Paper and the newspapers. We have to consider what is relevant to the constituents we represent and what the people who work with us do for the rest of the day. There is work to be done first thing in the morning.

Then we might go on to a meeting of the Catering Committee, which begins at 9.30, or to a Select Committee that starts at 10. Those meetings are held in the mornings. It is important not to squeeze time, so that we continue to have the choice to take part in such meetings without giving up something else.

We were rightly told that Westminster Hall was a privilege when it was instituted. It is right that we can decide to speak in Westminster Hall in the morning without missing something in this Chamber, but if the reforms go ahead, we shall face challenges. Where will our time be spent?

[Mr. Lindsay Hoyle]

It is wrong to say that we shall not lose time due to the proposals. We shall obviously lose time. That is what worries me.

Mr. Bryant: There were several occasions when I took part in debates in my hon. Friend's name in Westminster Hall, on issues such as Gibraltar, when I had to choose between attending a Select Committee sitting or Westminster Hall. Do not all of us spend a great deal of our time choosing between different elements of our parliamentary responsibilities? Of course the day will not get shorter or longer as a result of these changes, but the important thing is to try to make it possible for the public to understand what we do in this place, and continuing until 10 o'clock at night makes little sense to them.

Mr. Hoyle: My hon. Friend makes an interesting point, because some might argue that it was not his choice to go to Westminster Hall but that he was instructed to go there, and that is what we all remember about those debates; so I do not think that he should get away with that quite so easily.

We do make choices as to how we allocate our time, and this debate is about those choices. We have made major changes in the House, and they have made it easier for Members. I think that 10 o'clock is the right time to end on Monday, Tuesday and Wednesday. There are genuine reasons for finishing earlier on a Thursday. I represent a constituency in the north-west. Whatever form of transport one chooses to take—the Virgin west coast main line, the motorways or whatever—the north-west is not the easiest place to get to in the British Isles. In fact it seems to be one of the hardest journeys to make at the moment. But it is important that we are seen to be working hard in the House on behalf of our constituents. That is so relevant and so important to them and we should not lose sight of it.

Many Members will wish to push their case and I respect every Member's views because they are all based on valid reasons, but I remind them that we represent those who work in the police and the health service, and others, who are on call 24 hours a day and work unusual hours. Have they the right to change their hours? No. They are on a contract; they are expected to work to it. They are expected to work to the hours that they are given on the rota. Surely we should respect the hours that we have put into the House, not change them to make things easier for ourselves.

We should be considering the people that work with us and the people that work in the House. I have not noticed anyone putting the case on behalf of the people who work with us and I certainly have not heard many people make a strong case about the staff that work in the House, who are very important as well. What do they wish to see coming out of this modernisation? Surely case studies of the people that work in this place should have been brought to us first instead of being presented after we have taken the decision.

Mr. Tyler: Is the hon. Gentleman seriously suggesting that our staff like us to stay here until 10 or 10.30 at night?

Mr. Hoyle: I am not sure how well the hon. Gentleman treats his own staff, who work with him. I think of people as working with me, not for me; I believe that it is a team that works together, so I always find it interesting when people say "who work for us". We should say, "the team that work with me". I meet them at 9 in the morning. They go off. They do not work until 10 o'clock at night; far from it.

The danger is that pressure will be brought to bear on the staff that work with us. If Members are in Committee at 9 in the morning, when will they meet their staff? Will it be at 7, 8 or 9 o'clock at night? That is the weakness of the case that has been made by the hon. Gentleman; I should have thought better of him. Those are the people that we should start looking to. The problem is that we are always looking to what we want.

Mr. Bell: I repeat the commitment that I gave as Commissioner: that we will of course take great interest in the future of the staff, whatever decisions are taken by the House tonight.

Mr. Hoyle: Surely it is better to take the views of the staff first, rather than what we decide in the House tonight. At least we should be taking a more enlightened decision if we began to understand what the staff views are, because they are important. I should have expected the trade unions to submit a paper to the Leader of the House. The GMB represents some workers in the House. I do not know whether it has sent a paper to my right hon. Friend the Leader of the House stating those workers' views, but I should have thought that it would have been beneficial to know what the people who make the House tick think. The great danger is that it is always about us, and the self-centredness of MPs becomes very apparent.

Mr. Martin Salter (Reading, West): My hon. Friend does not appear to be aware that the original memorandum from the Leader of the House has been out for consultation since December last year, and the Board of Management of the House of Commons has commented on it. The idea that that proposal has been railroaded through is untrue.

Mr. Hoyle: I did not say that; let me explain more slowly. I am serious about this, because the staff are important. There are many letters in the report, expressing many views, but they are from Members of Parliament. What I do not see is the opportunity for staff in the House to send a letter and for that to be reproduced, like our correspondence. It is a shame that we do not have the views of the staff that work here and of the unions that represent them. Those views have not become apparent to us; they certainly have not been given to us. It would have been beneficial if they had been.

David Hamilton (Midlothian): Surely my hon. Friend is not arguing that members of staff should be working long hours. Surely the argument should be that we should be paying them decent wages and giving them a decent contract to work for us. It is argued that we should be pushing staff towards longer hours along with us. That is wrong, surely.

Mr. Hoyle: My hon. Friend is absolutely right; that is why I have raised that point. I am making the opposite

argument to the one that he supposes; let me explain it in a way that we should all understand. At the moment, people who work in the House have split shifts. The great temptation will be to move to one shift. We shall then be putting pressure on staff to stay a little bit longer to accommodate the Members of the House. The danger is that we shall be extending their hours, not reducing them.

Linda Gilroy (Plymouth, Sutton): My hon. Friend is very generous in giving way. I wonder whether, among the views that he has read in the report, he read a submission by the Equal Opportunities Commission, which comments that business and industry leaders have in the past pointed out the irony of the situation whereby Ministers and other MPs speak to them about the advantages of work-life balance while current parliamentary practices make it impossible for Ministers to practise that themselves.

Mr. Hoyle: That is right. It is always interesting to see that we do represent one another and to note the views that are expressed. There is a widely held view that we shall be putting pressure on Ministers as well if we are not careful. If we contain the hours, some constituencies will lose the benefits of ministerial visits because Ministers will be under constraints forcing them to be in the House. That is a weakness. In ministerial terms, Lancashire seems to be the colonies of this country; it is rare for Ministers to come that far north. It will become impossible, I stress, to persuade Ministers to come that far north in future unless we have a conference there.

Mr. Stephen O'Brien: I associate myself with the hon. Gentleman's remarks and include Cheshire with Lancashire in that respect. I have just taken a straw poll in the Tea Room, of the staff, and they are all very much hoping that they will be able to retain the current hours, for precisely the reasons that the hon. Gentleman has so ably outlined.

Mr. Hoyle: I welcome that intervention. It is important that we ensure that the jobs of those people, who look after us so well, are not under threat. There is a great danger that if these proposals are approved tonight, those jobs will be under threat, and I certainly do not want to be associated with people losing their jobs.

7.8 pm

Mrs. Angela Browning (Tiverton and Honiton): It is always a pleasure to follow the hon. Member for Chorley (Mr. Hoyle). Many of us can concur with the common sense with which he makes his case. There is much in the proposals presented by the Leader of the House with which I can agree. I should like to mention those before coming to the ones that cause me more concern.

Pre-legislative scrutiny is most welcome, and I think that we would all like to see that extended as much as possible. The Leader of the House mentioned the tabling of questions, possibly using electronic methods. I support that, given the necessary safeguards. Technically, I cannot see why those safeguards cannot be introduced. I do not agree with the proposal that came from my hon. Friend the Member for Macclesfield (Sir Nicholas Winterton) about fingerprinting. I would not be very comfortable about handing over my fingerprints to the Conservative Whips Office. However, if we might use electronic signatures, as would happen in a business environment, to protect our security, I am sure that electronic tabling would be feasible.

Sir Nicholas Winterton: It was not our proposal.

Mrs. Browning: I am relieved to hear that.

A test should be applied: does each of the proposals before us tonight strengthen the opportunity for Back Benchers to scrutinise and challenge what the Executive is bringing forward? Some of the proposals not only do not advance that cause, but take it further back, so I oppose them.

The first of those proposals is that on the general change to the sitting hours of the House. Many people have given reasons why they do not believe that that should take place. I do not subscribe to the idea that, somehow, out there among the wider electorate, there is the belief that changing the fact that the House of Commons sits until 10 o'clock at night will enhance turnout figures at elections or people's perception of us.

It is indicative that, in the opening statements and elsewhere, the impression has somehow already been given to people on the outside who may have no idea of parliamentary procedures that we do not have that much of importance to do in the mornings, yet we all know that we may be attending Select Committee or Standing Committee sittings, or just doing our constituency work or other work that interests us in the House.

I particularly like to use mornings to see people on a one-to-one basis. I am not a great believer in the working lunch; I would rather people came in for an hour and made their case over a cup of coffee. I prefer information to be brought to me in that way, yet the opportunity to do that would be curtailed if the House were to sit earlier. I certainly would not expect many of the organisations, charities and people who come to see me to make their case to do so in the evening after the House had risen at 7 o'clock, and I am concerned about that restriction.

I am also concerned about written statements unless they represent a genuine alternative to the planted written question. Many hon. Members have experienced the anomaly of raising with a Minister something particular to their own constituency only to find that the issue is dealt with in a planted written answer to a question asked by a Member whose constituency is hundreds of miles away and who cannot possibly have a constituency interest in the matter. If the proposal were intended to tidy that up, I would have no problem with it. That would be a very sensible move forward. However, I would be concerned if the proposal were intended to let Ministers off the hook by allowing them not to appear at the Dispatch Box to answer questions from Members of Parliament.

My hon. Friend the Member for Macclesfield expanded on written questions to Ministers during his work with the Procedure Committee, and they are of genuine concern to all of us. I table named day questions, but not more than five a day. I do so because it is becoming more and more difficult to get a timely

[Mrs. Browning]

response to letters sent to Ministers on important constituency matters. One would expect the Cabinet Office rules to apply. They state that Members should receive replies from most Departments in 21 days, but I am sure that the Leader of the House will have noticed that many of us are forced to table written questions simply to chase up answers to letters sent to Departments.

I had to table such a question only last week, seeking a response to a very straightforward letter that I first sent in May to the Department of Health. I had chased that letter in June and again on 1 September, but I had to table a named day question as soon as the House returned after the summer recess to receive an answer.

I hope that the Leader of the House will take account of that in any change to tabling questions and the way in which we can question Ministers in a written format and orally, because there is huge frustration, certainly among the Opposition, at the rather sluggardly way in which Departments respond to questions and correspondence from Members of Parliament.

Although I support in principle the changes to the sitting hours, particularly those involving the summer recess and the House returning in September—I hope that we will know whether it will be for two or three weeks—one of the reasons given for those changes is that, if there were a need to recall Parliament, there would be an obvious window of opportunity to debate urgent matters that occur during the long summer recess. However, we should look much more seriously not only at the summer recess, particularly in relation to Departments being able to handle written questions, but at the need to recall Parliament.

The proposed war against Iraq arose almost immediately at the end of the summer term this year, but I have absolutely no doubt that the House would not have been recalled if it had not been for the actions of the hon. Member for Nottingham, North (Mr. Allen) and many other colleagues who arranged for Members of the House to convene outside the House under the chairmanship of former Speaker Weatherill to debate a matter of great importance to them. I agreed to participate, and I am told that 50 per cent. of all hon. Members indicated that they would attend that meeting in Church House. That would have been a great embarrassment to the Government, as I am sure the Leader of the House would agree. Back Benchers should not be forced to go to those lengths to get the Prime Minister to ask the Speaker to reconvene the House when a matter of such national importance is before us.

Sir Nicholas Winterton: Would it reassure my hon. Friend to know that the Procedure Committee may well undertake an inquiry into that matter during the next Session? We have received a number of representations, and I hope that it does not frighten the Leader of the House in any way to say that we believe that it falls within our terms of reference.

Mrs. Browning: I am comforted by that information, and I hope that the Leader of the House will be as receptive to the Procedure Committee's recommendations as he has been to other matters.

I wish to move on to matters in which I was involved in a previous incarnation that are before us again tonight: guillotines, programme motions and deferred voting. I must tell the Leader of the House that I am very concerned to hear flexibility in programme motions used as a bargaining chip. I stood at the Dispatch Box opposite the right hon. Member for Derby, South (Margaret Beckett) when she forced programme motions and deferred voting on the House, and my clear understanding was that there would be flexibility.

We were given many assurances—they are all in the record of the House—and the Government promised in introducing those proposals that there would be automatic flexibility and that they would listen to the official Opposition in arranging programme motions for each Bill. So it is a matter of concern that, somehow, that flexibility is promised only if others are prepared to go along with other proposals before the House tonight, and I ask the Leader of the House to reflect very seriously on that. I shall regard it as a broken promise if the promise that he is now making, which was not honoured by his predecessor, is used as a bargaining chip for other matters.

I have reservations about the carry-over of incomplete Bills, and I am waiting for the Leader of the House to reassure me during his winding-up speech that that proposal will not be used just to enable the Government to push through controversial legislation that has been blocked in another place.

I do not think that the work of the House will be enhanced, or made more effective or more popular simply by changing the sitting hours of the House. It is not my intention to support the right hon. Gentleman's motion to bring forward the work of the House during the week to 11.30, but equally, for the same reason, I cannot support it beginning at 9.30 in the morning either, so I warn my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) that I shall not support his proposal.

7.18 pm

Stephen Hesford (Wirral, West): May I begin what I hope is a short speech by referring to what was said by my hon. Friend the Member for East Lothian (Anne Picking), who is not in her place now, as she suggested the way forward? My hon. Friend the Member for Chorley (Mr. Hoyle) said that there was an element of self-indulgence in some of this, and I agree, having listened to some of the contributions so far. However, I am open to doubt about whether it is self-indulgence for the reasons that he mentioned or whether it is a question of self-importance. Should we not focus on what is effective, relevant and representative?

Listening to the views of some of my constituents, I do not believe that defending some of the traditions of the House speaks for them. When they come up to me at constituency meetings, they ask, "Stephen, how often are you down there? You work through the night, do you? You are there till 10 o'clock." They do not mean, "You're my hero, you're fantastic, what stamina you must have, I voted for you because you're a muscle man"—*[Laughter.]* The House has reformed its procedures over the years, as has been mentioned. My right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman), who is no longer in his place, said that

changing the practices in this place would not make us more representative. I disagree. It would make us more recognisable to the people out there whom we represent.

Some of the major changes in Parliament, such as guillotining of business, were made in the 19th century. I am sure that, in debates at the time, Members claimed that an ancient tradition of Parliament was being taken away. The then Liberal Government introduced programming motions and guillotines to deal with Irish Members—Parnell and others—who were filibustering simply to gum up business. It cannot be right that the House cannot reform itself. That is the purpose of the proposals, and I congratulate my right hon. Friend the Leader of the House and all those involved on bringing them forward. This may never have been a popular subject in the House, certainly among those who have served here for many years, perhaps for a good reason—perhaps a feeling of loss, because it is what they knew as lads—but I say, "Get a life, move on, let's modernise ourselves."

The hon. Member for Louth and Horncastle (Sir Peter Tapsell) made what was, in some senses, an entertaining speech, but it did not entertain me; nor did it entertain some of my hon. Friends. He talked about Members who spoke with distinction, and he named three people, all of whom were men.

Mr. Robin Cook: He couldn't stand Thatcher.

Stephen Hesford: My right hon. Friend says that the hon. Gentleman could not stand Thatcher, and many people in the House would agree with that sentiment.

Mr. Wiggin: Sexist.

Stephen Hesford: The hon. Gentleman says that that is sexist, but sadly, the speech of the hon. Member for Louth and Horncastle, which might otherwise have been considered entertaining, contained an element of sexism. It was an old-fashioned lads' speech about a lads' club that should not be changed.

Mr. Stephen O'Brien: The hon. Gentleman will recall that I had the privilege of listening to his extensive contribution on the Mersey Tunnels Bill recently. It was an example of a particular type of speech, which, I am glad to say, is not overused in this House. He nearly persuaded me to join him in the Lobbies on the issue of very short speeches.

Stephen Hesford: I am not sure what the relevance of that intervention was.

I want to pick up on two other matters, and I shall not repeat what other Members have said. One is from personal experience—mention was made of me going to the gym. As Members may know, I broke my leg earlier this year while playing for the parliamentary football team—

Mrs. Browning: How many women are in the parliamentary football team?

Stephen Hesford: The hon. Lady may be surprised to know that there are several women in the squad.

In terms of notice for oral questions, I agree that the time limit of 10 working days or two weeks should be shortened. When I was incapacitated and had to rest in my constituency, my constituents were saying seriously, "Stephen, you can't go down there, you can't travel, you can't move. How can you take part?" The answer, even in the 21st century, was that I could not take part, although I could table written questions. I suggest that in these days of video links, telephone conferencing and so on—this goes beyond the recommendations, so, in some ways, I am saying that the recommendations do not go far enough—

Mr. Forth: Come on.

Stephen Hesford: The shadow Leader of the House says "Come on", but let us think about dragging ourselves into the 21st century.

My main point is that if we do not reform ourselves, we do not make ourselves relevant to members of the public outside. I want to argue that point particularly in relation to female representation—*[Interruption.]* The hon. Member for Tiverton and Honiton (Mrs. Browning) says from a sedentary position that that is rubbish. Would she like to intervene and explain why?

Mrs. Browning: It is rubbish because men have families, too, and fathers in families are just as important as mothers.

Stephen Hesford: I am sure that the hon. Lady will agree—I thought that the Conservatives had realised this, being more caring and sharing these days—that her party needs more female candidates and more ethnic minority candidates. One of the reasons people are put off being Members of Parliament is the lifestyle.

Mrs. Dunwoody: Will my hon. Friend tell me how many seats there are in which the Labour party has difficulty in assembling a shortlist of candidates when there are vacancies?

Stephen Hesford: It is a question not of assembling a shortlist but of translating that into female representation in the House.

Geraldine Smith (Morecambe and Lunesdale): Is my hon. Friend suggesting that female Members do not want to work long hours? When I became a Member of Parliament, I realised that it was much more than a job—it was a way of life. My constituents come first. We should not be trying to cram all our business into shorter hours, as we will lose out, particularly if we go ahead with the proposals for Tuesday and Wednesday nights.

Stephen Hesford: I have only a minute left, and I want to draw the House's attention to a letter—I do not know whether every Member received it, but I hope that they did—sent out by the chair of the Equal Opportunities Commission.

Mr. Forth: Oh!

Stephen Hesford: Why does the right hon. Gentleman make a male chauvinist representation on all these

[Stephen Hesford]

issues? *[Interruption.]* I am sure that he will regard that as a compliment. The letter, from Julie Mellor, says that Members' attendance for the debate could mean

"the difference between allowing these important changes to take place or leaving Parliament where it is, with 19th century patterns of business and membership."

That would be a great lost opportunity to expand the representation in this Parliament.

7.30 pm

Mr. Edward Leigh (Gainsborough): It is a great pleasure to follow the hon. Member for Wirral, West (Stephen Hesford), who, I suppose, has proved why we need a time limit on speeches. I do not understand what he was going on about when he said that he was not able to speak in this place. I broke my leg in two places last week, and I am still managing to speak. It is not that difficult. I agree that the Opposition Benches are not exactly filled with retired VCs and major-generals, but we can still hop along and make a speech.

May I say to the Leader of the House that his appointment was a brilliant one? He is proving to be one of the best Leaders of the House that we have ever had. He is totally committed to this place. He loves it, as we all do. I have been here for only 19 years compared to his 30, and I will surprise him by saying that I agreed with much of what he said.

Quite a lot of myths have been expressed in the debate. We have heard some very good and amusing speeches. For example, we heard from the right hon. Member for Manchester, Gorton (Mr. Kaufman), and it is true that Winston Churchill made some truly tremendous speeches, but most of them were delivered when he was Prime Minister or the Leader of the Opposition, so they would not have been affected by the proposed time limit. Let us be realistic. In the 1930s, when he spoke on the Government of India Act 1935 and on other matters, he spoke to a House that was nine tenths empty.

However, I accept the right hon. Gentleman's point—I hope that the House will take it on board—that there will be occasions when a limit should not apply. For example, in a defence debate on a matter of national security it would be absurd to limit a Back-Bench speech from a former Defence Secretary to eight or 10 minutes and perhaps prevent him from making a valuable contribution based on his personal experience. Mr. Speaker and his Deputies must have discretion to allow some Members to speak at greater length.

Mr. Bryant: When Winston Churchill spoke in the 1930s he was a Privy Councillor, so he was not subject to the 10-minute rule that operated for much of the 1930s. In fact, he was able to speak from the Front Bench.

Mr. Leigh: That is a fair point. At that stage, Winston Churchill already had enormous experience, and the example underlines the point that I am making. There will be occasions when Members of particular experience should be allowed latitude.

We have all sat through debates in which the Whips have run out of the doors of the Chamber to look for people to speak to deliberately fill out the debate. Let us not delude ourselves: Parliament is not working—most of the time the Chamber is empty. There has been a flight of interest from the Chamber—and not just from the general public, but from Members of Parliament. That might be the result of our procedures or may be to do with the fact that we all have offices and televisions and many of us sit on Select Committees. That is the reality, but let us at least try to get debates that are topical and to the point and in which Members give brief résumés of what they believe. One can give a great speech in 10 minutes. How long was the Gettysburg address—three, four or five minutes? If one chooses one's language carefully, one can make a great speech.

Linda Gilroy: Does the hon. Gentleman not think that in today's conditions Churchill would have been able to rise to the challenge of giving a short speech on the important topics of the day?

Mr. Leigh: That is what I said. I am sure that Churchill would have done so.

I believe that the Leader of the House has generally got it right. On most occasions, for most speeches, from most Back Benchers, 10 minutes is enough. If that gives younger Members more chance to get in, that is all to the good. It is frustrating for hundreds of them—mainly those on the Government side—who can hardly ever take part in a debate.

Mr. McCabe: I certainly accept the hon. Gentleman's point about short speeches, but would not time-limited speeches tend to reduce Members' willingness to take interventions? That, in itself, would limit debate. Instead of debate, we would have a series of 10-minute statements.

Mr. Leigh: I have already given way three times in my speech, because I notice that the Clerk stops the clock each time that I do so. If we pass the reforms, there is the suggestion that speakers will have injury time. We should speak for 10 minutes, and the more interventions we take, the more interesting our speeches will be. If we are given injury time, that is all to the good. That suggestion is in the proposals, so I do not accept the point that time limits will lead to sterile debate.

I am normally a great admirer of the Chairman of the Select Committee on Home Affairs—he is a superlative parliamentarian—but I did not understand his argument on sitting hours. It was not one of his better speeches. What was the point that he was trying to make? He said that, as Chairman of the Committee, he was approached by members of the press who told him that there was no point in the Committee meeting after 4 o'clock because it would not be reported. It now meets in the morning, but he suggests that the Chamber should meet in the afternoon. There is no logic to his point.

David Hencke of *The Guardian* came to the Public Accounts Committee and told us that, since Gladstone's time, the Committee had always met at 4 o'clock on Monday and Wednesday. Our hearings are virtually never reported, and that is the honest truth. We get plenty of reportage about our reports on the National Audit Office and of some of my comments, but our hearings are very rarely reported, because they are at 4 o'clock. David Hencke said that there was no point in

our meeting at that time in the afternoon. The modern deadlines of the modern press world dictate that, unless one deals with a real item of news, what one says after 4 o'clock will never be reported.

What is the point of our being here and pretending that what we say at this time—7.36 pm—will be reported in tomorrow's national newspapers? How many Back Benchers now present have had their speeches reported recently, even in the broadsheets? The answer is precious few. It may be that even if they speak at 11 am, they will not be reported—that is probably true—but there is at least a chance that they will be.

My hon. Friend the Member for Louth and Horncastle (Sir Peter Tapsell) gave one of his marvellously entertaining speeches. He said that we must go out and work during the day as barristers, trade union leaders, members of the regular armed forces and that sort of thing. That is great, but how many former regular Army officers, with one great exception whom we all know, sit on the Opposition Benches? How many distinguished lawyers are on our Benches? There are very few. I see a lot of retired special advisers on these Benches. I am not criticising them, but that is the reality.

There is the myth that, if we can only keep our current hours, we will draw in great talent such as captains of industry, trade union leaders and distinguished barristers. However, they are not coming here, because we do not pay them enough. They earn too much outside and do too big a job. The reason that they do not come here has nothing to do with our hours. Let us leave aside the myth, because the truth of the matter is that, sadly, the House is primarily composed of full-time professional politicians. We must dispense with the illusion that we live in the Victorian age and that we all go out during the day to get to know the real world. I wish that were true, but it is not.

Mr. Forth: Can my hon. Friend give an example of what he thinks is a model legislature or Parliament that attracts the attention, support and enthusiasm of its voters?

Mr. Leigh: My right hon. Friend makes a very wise point. He is right. All over the world, interest is flying away from elected Parliaments. Whether one considers the Senate, which is non-confrontational, or the Australian Parliament, which is very confrontational, one sees that there is less and less interest. That is to do with the fact that our societies are very affluent. Certainly in the House, the two political parties are drawing closer together and there is not the great divide of class or the huge areas of poverty that there were in the past. All that is true, but it has nothing to do with the question of whether we meet at 9.30 am, 11.30 am or 2.30 pm. They are facts of life. Let us, at least, try to fight back.

We can live in the past and say that the procedures that we adopt now should remain the same as they have been for 100 years. We can give speeches of 20 or 30 minutes of very little relevance and delivered by people who do not understand the subject, who have been tapped on the shoulder by a friendly Whip and who speak in the hope that they will be promoted. We can make those speeches at 7.30 in the evening. It is all very cosy, but what does it achieve?

Mr. Stephen O'Brien: My hon. Friend makes it clear that he is saddened by the move to an increasing number of professional politicians, which is reflected in the proposal to sit earlier. Bearing in mind the fact that some of us have a manufacturing background, does he think that his approach will help to widen the composition of the House or merely to enshrine it, which would be the result of adopting the proposals that he seems to advocate?

Mr. Leigh: That is a fair point. As someone who had a real career outside the House, my hon. Friend is an exception to the rule. I wish we were encouraging more people like him, but we are not and we must live with that reality.

I have one last point to make on Committees. There is a great myth that we used to have wonderful Standing Committees. What we actually had was loads of filibustering. We wasted 100 hours in the early weeks of a Committee. In 18 years of Labour opposition, how many Bills did they stop by using that great parliamentary power of delaying legislation? Labour Members can intervene if they like.

We used to debate Cromwell's statue. It was meaningless. We need timetabling if we are to move with the real world. However, if I support the Leader of the House to that extent, will he at least acknowledge that much of the timetabling has been draconian and that we need co-operation between the two Front Benches so that we get a decent debate? In the last Parliament, a Bill's Committee stage, Second Reading, Report and Third Reading were held on one day, which was absurd.

The Leader of the House is a genuine parliamentarian. He is trying to change the approach and to get agreement, and he is broadly doing the right thing. I support him on limiting speeches generally, on timetabling and on Parliament meeting early in the day so that there is a chance that when we speak the nation will listen.

7.42 pm

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): I have been sitting here feeling deeply deprived. I go through my correspondence during the day and sit in my constituency surgeries at the weekend, and it is obvious that I have a unique, special and different electorate. I have always known that, but it has now been demonstrated. They talk to me about the laws on social security, education, housing and immigration, but somehow or other, and I cannot understand why, over the past 30 years no one has come to me and said, "I will not vote for you if you stay in the House of Commons after 10 o'clock at night." I have obviously been desperately deprived because what they say to me is, "This is a bad law. It affects me in this way. Go and do something about it", and they expect me to go and do something about it.

I am sorry that the Leader of the House is not in the Chamber. I am sure that that has nothing to do with the

[Mrs. Gwyneth Dunwoody]

fact that I have just risen to speak. I have read some of his suggestions carefully. They include:

"Modernisation is about enabling MPs to do a more effective job for their constituency and for the country"

and that the new Thursday working hours were a success because they enabled

"statements to take place in the morning when parliamentary scrutiny is more likely to influence the media agenda."

Not Members of Parliament, just the media agenda.

I have carefully scrutinised some of the gifts on offer from the Leader of the House. Sadly, I begin to detect that some of them come with slightly dubious origins and even more dubious benefits. For example, a number of radical and important changes were made in the last Parliament, every one of which had the direct effect of limiting something. Timetabling limits the opportunity of the Opposition to comment on legislation in an effective way. Timetabling of speeches limits the opportunity of Back Benchers to intervene and comment.

All those suggestions have to be considered carefully, and I ask myself one question: who benefits from the changes? Is it the House of Commons? Will we get better legislation? Where in the suggestions is there a drive to give Select Committees the right to debate their reports on the Floor of the House? Where is it suggested that Members of Parliament should have the opportunity to initiate legislation?

Members who have not been here for long—I used to hate people who said that—might not know that we had the right to initiate not just private Members' Bills, but motions to debate political subjects and to get a vote on them. Perhaps they do not understand the terrible power that has been taken away from them. On Friday we could debate important subjects and get a vote of the House. If 300 or 400 Members managed to stay here on Friday, as they did, and register their opinion on abortion, reform of the laws on homosexuality and other contentious issues important to their constituents, it was guaranteed that the Government of the day would take that seriously. They might not like it and go around exercising considerable pressure on the Members of Parliament who had registered their votes and views, but they took note of them. Now we do not have that opportunity.

Motions are not voted on. Everything that is contentious can be discussed in a debate on the Adjournment of the House. I have never worked out the socialist position on the Adjournment of the House, but I am happy to debate it at inordinate length. What I do know, however, is that that procedural change means that Members of Parliament who once had the opportunity to influence the Government have not got that chance today.

If I thought that tinkering with the hours would give Back Benchers a new power that would reinvigorate the Chamber and debate within Parliament, I would not only support my right hon. Friend but would be well ahead of him. I would be out there, drawing people into the Lobby, saying, "This is the best thing that's ever happened." But I will not be doing that because we have to judge the suggestions against what has already happened.

When my Select Committee was grandiose and large, one half of it used the pre-selective system to look carefully at local government finance. Much detailed work went into that. Committee members spent many hours of considerable importance reading documents and talking to members of local authorities and taking evidence from them. Her Majesty's Government took about as much notice of that work as if it had been written in Greek, and I do not think that many speak Greek even in this Cabinet.

It is suggested that all legislation will be in a form that will allow us to assess its importance. We will have a huge impact and be able to change it before it comes before us as a Bill. I have to say that I am slightly unsure whether that is the case. I have also considered other suggestions and applied them to my Select Committee. The Leader of the House watched with some interest what happened when the Committee wanted to take evidence from Lord Birt and others who not only had important parts to play in the legislation that we were examining, but had influenced matters. For example, Treasury Ministers were negotiating the contracts that my Committee was considering, but we were told that we did not have the power to insist on them appearing in front of us. We were told that they were simply advisers and outwith the parliamentary system. If the motion reformed that practice, I would be way ahead of the Leader of the House.

Let us get rid of the idea that these proposals are intended to benefit the female of the species. Nothing proposed by male parliamentarians is for the benefit of the female of the species, no matter which political party those males represent. Changing the hours will do nothing to change the representation of women in this place; no artificial means will do that. We belong to a voluntary party, and the only way to get good female candidates is to persuade the people whom they want to represent that they are capable of doing the job. They have had no difficulty doing so in the past, and they will have no difficulty in future.

People say, of the change to the hours, that after seven o'clock we will be able to have a life of our own. I have never had any difficulty in having a life of my own. There are those who say, "Of course, you would be able to stay here, in the Dining Room." I remember Barbara Castle, when she retired, saying to all the assembled members of the parliamentary Labour party, "I am not going to thank you for the friendship because, to be perfectly honest, it's been a bit uneven."

The people who vote for us do so because they think that we can have an effect. It would be nice if they voted for us because of the size of our hips or the kind of accent that we have, but they do not. They vote for us because we put before them a programme with which they identify, and they expect us to keep to it and to demonstrate that any law passed in this House is workable, is responsible, is not unfair and is properly drafted. When we understand that and we prove to the people of the United Kingdom that that is really what we are doing, we will not lack support for our political institutions and we will not have difficulty finding people who want to listen to what we say.

The hon. Member for Gainsborough (Mr. Leigh) says that Select Committees do not get any publicity if they sit in the afternoon, so they cannot do so. I have to tell him that I chair a Select Committee that has managed to

get quite a lot of coverage, and it meets at half-past 4 in the afternoon. It gets publicity because we talk to people about matters that they want to know about, and we put those matters into the public domain.

I came here to create laws, not to create a nice little timetable that would enable me to try to find a hairdresser after seven o'clock at night. I came here to influence political views. If we are really serious, my Government, of all Governments, should be saying to Labour Back Benchers that in future they will give every one of us much more power to question Ministers and to insist on statements—the things that are not in these proposals. If the Government were serious about that, every Labour Member would be in the Lobby behind them.

7.53 pm

Mr. Bill Wiggin (Leominster): There probably is no better example of why speeches should not be time-limited than the contribution by the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), the Chairman of what was the Transport, Local Government and the Regions Committee when I was a member. On the other hand, having heard the efforts of the hon. Member for Wirral, West (Stephen Hesford), I can see that 10 minutes can be too long, and having a time limit may keep people on their feet for longer than they should be.

I wanted to speak today because I am an extraordinary person: I am somebody whose father was a Member of the House, so I speak on behalf of the children of Members. That is why I believe that there is great validity in the proposals put forward by the Leader of the House. When people accuse us of being stupid for sitting here late into the night, we have a duty to our electors to defend ourselves against those accusations and to live in the real world—I must say that I find it difficult to live in any other world. Why are we not talking about sitting until 7 o'clock on a Monday as well? We should have consistency, and I rather fear that despite all the sanctimonious comments to which I have been forced to listen throughout this debate, the congestion charge will have far more of an effect on the timetable kept to by Members than anything that is decided today.

One serious proposal is the extra day for Departments to prepare answers to Wales, Scotland and Northern Ireland questions so that the Government can discuss those answers with the Assemblies and the Scottish Parliament. My problem with the proposal is that, as one knows if one has ever tabled a question on a devolved matter, such questions are rejected. I am therefore curious as to why an extra day is needed for Ministers to decide whether a question is out of order and whether they will answer it. If questions on devolved issues are to be answered, I welcome the proposal, because at the end of the day it is British tax that is divided up under the Barnett formula.

Ian Lucas: May I respectfully suggest that the hon. Gentleman consider his drafting of questions? I regularly table questions on devolved matters, and I have never had a question rejected.

Mr. Wiggin: I suggest that the hon. Gentleman ask real questions about real issues in the Principality because he will find that it is extremely difficult to get a straight answer.

Ian Lucas *indicated dissent.*

Mr. Wiggin: Yes it is. However, I am delighted that the hon. Gentleman can ask questions about devolved issues, and I wonder what Assembly Members think of his skills because I am sure that they fiercely defend their right to discuss devolved issues.

It is important to alter the summer recess, and I welcome the Government's suggestions for change. One of the most difficult tasks is to explain to electors why, for two and a half months in the summer, we are unable to put points to the Executive.

One criticism that I have of the proposals concerns the e-mailing of questions. The ability to table questions electronically would be a positive step, but it appears that it will not be possible to table them by e-mail. Instead there will be a special web-based formula. Why cannot we have e-mailing of questions? That is the format that most people would prefer, and we ought to have the most sensible and practical means of sending questions to the Table Office. I am also unhappy about the proposal for a fixed number of written questions for a named day because it would be constructive to have as much flexibility as we can muster.

One aspect of the operation of the House that I find most unpleasant is not tackled. I refer to the Speaker's list and the fact that one does not know when one is to be called or who will speak beforehand. The arrangements in the other House are sensible, and I wish that we would adopt them.

I shall not take my full quota of time because it is important that as many people as possible get to speak. If we could have more practical, positive and flexible opportunities, not only for Back-Bench Members but for all those who seek actively to represent their electors in the way highlighted by the hon. Member for Crewe and Nantwich, we would do something sensible today. Unfortunately we are only tweaking the arrangements, but at least let us change them for our families.

7.57 pm

Huw Irranca-Davies (Ogmore): If you will allow me, Mr. Deputy Speaker, I will go straight for the jugular and tackle some of the most controversial issues.

This is not an attack on tradition—we all value tradition—and it is not change for change's sake. This debate should not be called "Modernisation of the House of Commons"; its title should refer to efficiency or effectiveness. Modernisation for modernisation's sake is nothing. As parliamentarians, we should be trying to ensure that we have the culture, the environment and the framework to enable us to pass effective legislation on behalf of our constituents.

In contrast to what was said earlier by a speaker whom I greatly admire, my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman), I do not regard myself, in this place, as somebody who is different from others. I have always maintained that we are exactly the same as the constituents who send us here. We are here doing a job, a privileged job, as their representatives and as part of them—not as a glorified, strange species that exists in a rarefied environment—and that is how we should present ourselves.

I turn first to one of the most contentious issues: whether we should start earlier and finish at 7 pm on Tuesday and Wednesday. If amendments (a) and (c)

[Huw Irranca-Davies]

to motion No. 6 were agreed to, that proposal would be dead in the water. Efficiency is not about how many hours in the day one works. The macho concept that the more hours one works, the more productive one is, is outdated. The Government have led the way in tackling that attitude in industry. Surely it is not beyond the skills of those in this Chamber and of the administrative and support staff to organise our day in such a way that we can effectively carry out our work and still have a home life and be rounded human beings.

Let me restate the example already given of an MP who comes in at 8 o'clock in the morning and starts by opening her mail. At 9 o'clock or 9.30, she proceeds to a Select Committee or a Standing Committee sitting. Around midday, she breaks to meet someone for a cup of coffee—albeit a working cup of coffee—followed by a working lunch with the Church Commissioners. She comes into the Chamber to listen to ministerial statements—she is working very hard indeed—then away she goes for another tranche of Committee sittings. In the evening, she has the superpower to return to the Chamber to listen to the debate, to sit on the Bench for two, three or four hours, and then to contribute a superb speech displaying an intellect that is alive and an energy that is still going after 14 hours. She will not do this on only one day; she will do it on three days. I admire her. She is an example to us all—an example of the most ludicrous way of working I have ever heard of.

The organisation, no matter how busy or self-important it is, should be able to organise its working day more efficiently. The diligent MP I mentioned might be able to boast of the long hours to her constituents and the media, but surely it would be better if she were able to justify her existence by saying "I helped to pass first-class legislation, with a clear head, unclouded by a 14-hour shift—and, by the way, I also have a balanced family life which helps me to make fully rounded decisions."

John Mann (Bassetlaw): I am trying to follow the flow of my hon. Friend's argument about a balanced family life, but take my situation: my family lives in Nottinghamshire. How will the changes enhance my balanced family life?

Huw Irranca-Davies: That is a very good point, which highlights my lack of self-interest as a MP for Ogmore in Wales, a little further down the M4. I will not benefit from those changes either, but I would not deny the benefits to other MPs, and I think that their contribution will be more effective for the changes.

We must be aware that many members of the public do not believe in the fable of the hard-working MP. Instead, they believe in the fable of the old boys club, whose members include the MP who arrives late after his day job in the City.

Linda Gilroy: So persuasive has my hon. Friend been that as an MP for a far-flung constituency who started her day by representing the interests of her local airport in an Adjournment debate this morning, who wants to take part in the Adjournment debate on fireworks, and who has sat here for five and a half hours waiting to be called—making one or two interventions in the meantime—I now intend to listen to his speech, but then leave the Chamber to work on preparation in my office rather than remain here to speak.

Huw Irranca-Davies: I thank my hon. Friend for that intervention. Perhaps I will answer some of the points she raises during the rest of my speech.

As I was saying, many people do not believe the fable of the hard-working MP, expecting Parliament to be an old boys club, in which the MP turns up late in the day after working in the City, shows his face in the Chamber, perhaps contributes to the debate, and then disappears. We know that that is not the truth, do we not? None the less, that is how we are perceived outside. The House of Commons has many fine traditions, but blind adherence to nonsensical long hours is not one of them. What about the tradition before 1570, when Parliament met from 8 am to noon; or the tradition dating from 1650 to 1700, when the House met at 8, 9 or 10 o'clock in the morning; or the tradition of sitting on Saturdays, which came to an end only in the 1730s, so that Sir Robert Walpole could have at least one day's hunting a week? Fine traditions all, but I am glad that we have got rid of some of them.

A survey showed that over the summer—the long summer recess—the Houses of Parliament were the No. 1 visitor attraction in the whole of the United Kingdom. I therefore welcome making Parliament more visitor friendly—a place in which my constituents might learn about the workings of the House, not just about the long tradition and the pageantry. We must change the emphasis from ancient to contemporary, from pageant to working government, and from the past to at least the present.

The hours must be changed to reflect modern working practices. That does not mean that we will clock out at 7 o'clock in the evening. I urge the Government to propose ways in which after 7 o'clock we could make constructive use of the Chamber, Westminster Hall and elsewhere in the Palace. There should be no compulsion on MPs to participate into the evening—that would fly in the face of everything I have said—but there should be scope to make use of these fine buildings and the facilities, to argue more in Adjournment debates and to bring Ministers to the House. We could win the PR battle about the old boys club operating here, but be in danger of losing the next one, which starts when the media turn around and say that the changes are all about letting MPs clock off at 7 o'clock. We need to counter that with effective proposals on how to make use of the evening.

Mr. McCabe: Am I right in thinking that my hon. Friend wants to constrain the normal working day, but then create extra space for new activities? What is the value of that?

Huw Irranca-Davies: I will tell my hon. Friend what the value is. It is unbelievable to me that our organisation is supposed to represent the best in democracy, yet we cannot organise our core business to happen at times that other people recognise as the core working day. What else can we do in the evening? I can give one fine example—youth activities, with youth

parliaments and young people getting involved in our democratic processes—and I am sure that our talented Ministers can produce others.

The changes will allow Parliament better to set the news agenda for the day, and I do not rubbish that, but that will not be of benefit only to the Government. It will be of benefit to the Opposition if the press have more time to digest and analyse their responses—okay, perhaps there is a flaw in my argument and that is not such a good idea, but it will give more time for the quiet man to be heard.

Amendment (d) to motion 3 suggests a more radical option of commencing at 9.30 am. I am sympathetic to that proposal, but in this tradition, at this stage, I think it is a step too far. Many hon. Members, myself included, find that the initial part of the day is useful for preparation for speeches. However, I believe that the case for an earlier start will become clear in the near future, especially if we have the evenings in which to prepare.

Amendment (b) to motion 4 proposes a twice-weekly session of topical questions. My name is on that amendment, and I welcome the fact that it is being debated on the Floor of the House, but my colleagues will excuse me if I do not support it. The Procedure Committee unanimously agreed that it should be debated, and that is right and proper, but allowing questions to be submitted with three days' notice will guarantee a far greater element of topicality than we currently have.

I am running out of time, so I will skip part of my speech. The production of a calendar a year in advance is so obviously needed that I am surprised that we are discussing it only now, in 2002. An earlier finish on Thursday would be most useful to MPs who serve constituencies further afield than the home counties—I would certainly welcome the opportunity to get back to my family a little earlier. The additional week at Christmas or Easter that I can use in my constituency will be a tremendous advantage to any modern-day MP.

The change to the summer recess has considerable advantages in terms of media and public perception. It is right that we should return earlier, then break for the conference season. It is also right that we should break a little earlier for the summer recess, which will enable me to visit schools and talk to youngsters about how my role is important to them.

I close by paying tribute to the members of the Modernisation Committee and the Procedure Committee and to all those who have contributed to the debate. To vote against the proposals would be to send a message to our constituents and the public at large that we are more concerned with tradition than with good government. To support the changes shows that the House is moving from the medieval to the modern. I commend the proposals.

8.8 pm

Michael Fabricant (Lichfield): The hon. Member for Ogmore (Huw Irranca-Davies) has given one of the most illogical speeches that I have heard this evening. He prays in aid of modernisation the practices of the past, yet in the past there was very little legislation. It is the sheer volume of legislation that we have to deal with today that dictates the hours that I believe we have to sit. With a 12-minute allowance, he said that he had to skip a number of pages of his lengthy speech, yet he argues in favour of a 10-minute allowance for speeches, which would ensure that there would be almost no debate at all.

Tonight we have heard some tremendous examples of what the House of Commons can provide. We have heard bravura performances from my hon. Friend the Member for Louth and Horncastle (Sir Peter Tapsell) and, in his own and different way, from the hon. Member for Chorley (Mr. Hoyle), who was robust in dealing with interventions. However, we will not have any interventions if we are to have only 10-minute speeches.

Mr. Tom Harris (Glasgow, Cathcart): Will the hon. Gentleman give way?

Michael Fabricant: I shall give way to this one because I am sure that it will be a good 'un.

Mr. Harris: Does the hon. Gentleman accept that the first-class speech of my hon. Friend the Member for Ogmore (Huw Irranca-Davies) may well never have been delivered if it was not for the 12-minute limit on Back-Bench Members' speeches? That is the fact that surely every Back-Bench Member should welcome.

Michael Fabricant: The hon. Gentleman misses the point. It is up to the Speaker, the Deputy Speaker and the Chairmen's Panel to do just that. It is up to the Speaker to determine how many Members have asked to be called. Time limits on speeches can then be set to allow those Members to speak. The Leader of the House is suggesting that there be 10-minute limits, and that is just plain wrong.

Several hon. Members *rose—*

Michael Fabricant: I will not take a series of interventions because there is a time limit on speeches.

My hon. Friend the Member for Tiverton and Honiton (Mrs. Browning) asked the most profound question of all. She asked whether the proposals advance the ability of the legislature to question the Executive and call it to account. Will the legislature be better able to scrutinise legislation? I think that the answers to these questions are no. These proposals are all about making life easier for right hon. and hon. Members.

Some of the motions are good. For example, I think that the motions to introduce topicality will do considerable good. They will improve Parliament and make us more relevant. However, we must be clear about relevance and how we are perceived by the population. This evening, many Members have said that in the United Kingdom, in the United States and even in Australia, where there is compulsory voting, the numbers of people casting a vote, as opposed to turning up at a polling station, are falling. That is because Members and their legislatures are not seen as relevant.

I do not believe that any of the proposed changes, apart from those relating to topical questions, will improve the perceived relevance of the House.

[Michael Fabricant]

Going home at 7 o'clock and not properly scrutinising legislation will not improve the perceived relevance of this place.

Sir Nicholas Winterton: I am grateful to my hon. Friend for raising the matter of topical questions. Does he agree that perhaps the one positive thing that we are discussing is handing back to Back-Bench Members some authority over the timings of the House, which at present is almost exclusively in the hands of the Executive of the day?

Michael Fabricant: My hon. Friend is right. For that reason I shall be supporting his amendment. His Committee recommended that there be topical questions on Tuesdays and Thursdays. It is interesting and, indeed, revealing that the Leader of the House chose to ignore that suggestion.

I agree with some hon. Members who would say that the Leader of the House is probably one of the best that we have had in 10 or 20 years, but I think that he insulted the House by a most extraordinary display at the opening of the debate. He said—*Hansard* will record this—"If you vote for my proposition, on Thursday I will reward you by telling you when your Christmas holidays are, when your spring holidays are and when your summer holidays are." What a bribe, and what an insult to the integrity of right hon. and hon. Members—

Mr. Salter: Will the hon. Gentleman give way?

Michael Fabricant: I will not give way to the hon. Gentleman.

What an insult. The right hon. Gentleman thought that we could be bribed so easily. That is dreadfully wrong.

My hon. Friend the Member for Gainsborough (Mr. Leigh) talked about there not being captains of industry in this place. There are many reasons for that, but none that has anything to do with the number of hours that we sit. I like to think that I have made a contribution to this place—others have made many other valuable contributions—but such contributions are not confined to what we do in the Chamber. Contributions are also made in Select Committees.

I am well aware that the Leader of the House said that 20 Select Committees meet when the House is sitting. However, the proposition that important Select Committees, such as the Select Committee on Culture, Media and Sport, on which I serve, which is ably chaired by the right hon. Member for Manchester, Gorton (Mr. Kaufman), should sit at a time when there are questions and statements is absolutely wrong. It is bad enough already that we have to make the choices that we do. It is completely wrong that we should find ourselves in a situation where the House is weakened still further by Members being unable to be in the Chamber.

What alternatives are being planned? The second bribe that is offered by the Leader of the House is when he says, "Don't worry, we shall turn Parliament into a gentlemen's and gentle ladies' club. The House will not be sitting after 7 o'clock, but don't worry. The bars will still be open, as will the restaurants." I understand that the hon. Lady for Oscars, the hon. Member for Hampstead and Highgate (Glenda Jackson), would go still further. It seems that we shall have a cinema club. In fact, we shall all be able to go out and enjoy the cinema. No doubt that is being encouraged by the Whips on both sides of the House to ensure, as my hon. Friend the Member for Louth and Horncastle said, that the legions of people, as in "Fidelio", do not go out trawling the streets for goodness knows what.

Sir Peter Tapsell: That is a bowdlerisation of what I said.

Michael Fabricant: It is a summary of what my hon. Friend said. He made a powerful speech, which he would not have been able to deliver under the conditions that I believe will be introduced if all the proposals are passed.

Mr. Pike: On the issue of short speeches, does the hon. Gentleman recognise exactly what is being proposed? It is proposed to allow two extra minutes for interventions within a 10-minute speech, and time will be allowed for the interventions. Virtually 14 minutes will be available if a Member gives way twice during a 10-minute speech.

Michael Fabricant: Yes. However, what I do not understand, and what the hon. Gentleman has not taken up, is why there needs to be change anyway. I welcome the proposed change of Standing Orders, which will allow the Speaker to assess how many Members want to contribute to a debate, and to adjust the time allocated accordingly. However, it seems nonsensical that there will be a fixed limit of 10 minutes regardless of how few or how many Members want to participate in a debate. That seems to reflect the usual respect that is accorded by the Executive to those who wish to speak in the Chamber.

The hon. Member for Chorley—it is a pity that he is no longer in his place— took up the question of staffing in this place. It is clear from the response of the Leader of the House to a question asked by the hon. Member for Halifax (Mrs. Mahon) that there was no consultation about staffing before the event. There will be consultation after today, but no questions were asked before. My hon. Friend the Member for Eddisbury (Mr. O'Brien) said in an intervention that he had conducted a straw poll in the Tea Room, the result of which revealed that the staff, if they could, would resist the changes that are being proposed.

The hon. Member for Crewe and Nantwich (Mrs. Dunwoody) speculated on what we could do after 7 o'clock. She said that perhaps hairdressers could be opened for her later in the evening. I may or may not want to make use of that facility. However, we should not come here to visit hairdressers or to go to cinema clubs. We do not come to this place to enjoy a sort of social club. Our role primarily is to scrutinise the Executive and to examine legislation. That will not be best achieved by leaving the House at 7 o'clock. Similarly, it will not be best achieved by having to make difficult decisions about whether to appear in the Chamber or whether to attend meetings of Select Committees.

I believe that the situation that we enjoy now is enjoyed for the best. We shall gain no respect nationally if we make changes tonight that are not for the benefit of the legislature but are merely for the benefit of our personal convenience.

8.20 pm

Mr. Iain Luke (Dundee, East): I made it clear in my maiden speech, which was on this very subject, that I would certainly seek to serve to the best of my ability, however ineloquent I may be, those progressive forces in the House that work to promote the cause of modernisation. I have been glad to serve in that guise as a member of the Procedure Committee in its lengthy investigation of the way in which we table questions. I pay tribute to my hon. Friend the Member for Macclesfield (Sir Nicholas Winterton) for his chairmanship of the Committee, which I believe has had a lot to do with the number of suggestions that the Government have accepted. I shall return to that point later.

When I was a student studying political science and the nature of the British constitution and its institutions, of which this House forms the beating heart, one of my standard texts was written by John P. Mackintosh, a distinguished Edinburgh university professor and, until his death, the Member of Parliament for East Lothian. As the originator of many incisive and searching commentaries on the political world as he found it, he described and, indeed, defined in his texts the nature of the British constitution and its ability to accommodate change. Although he died some time ago, his analysis of how change comes about in the constitution is still relevant today.

John Mackintosh is best remembered for describing that regenerative process of constitutional change as the ability to fill old bottles with new wines. Even old bottles develop fault lines and cracks and need to be replaced rather than recycled. At the end of the day, it is not the bottles that are important, but the quality and clarity of the wines that fill them. In simple layman's terms, this debate is about the quality of the legislation that we produce. It is that which matters to our constituents, and not the quaint processes that we follow to produce it. While having one eye on the parallel world outside this House, we therefore need to seek to serve the public better by embracing modernisation and adapting to change by adopting more modern work practices, just as parties on both sides of the House have encouraged other public bodies to do.

The work of the Modernisation Committee must therefore be applauded and its proposals should be accepted as the part of the dynamics of change that we must all embrace. What organisation would survive, whether in the business, social or academic arena, if it did not plan its work in a constructive and strategic fashion, ensuring that those who are charged with carrying out its business construct a proper business plan and know exactly when that business will be conducted during the calendar year? Such plans make it clear when exams have to be sat or tax returns filled out, and might even deal with when family events can be arranged. In addition to the ability at last to carry over legislation from one Session to the next, such change will allow Governments truly to achieve and fulfil the mandate that they have been given by the public, without the fear that the business that they have been charged to conduct may be derailed through the obstructive and obscure tactics of an Opposition who are willing to employ technicalities of procedure to deny the popular will.

In the course of the consultation carried out by the Modernisation Committee, I made clear my preference for an early start at 11.30 and also for a finish closer to 9 pm than 7 pm. Such a finishing time would extend the hours available for business. I made the proposal not out of perversity, but in the hope that the extra hours would give Back Benchers such as myself greater opportunity to contribute to the debates in this Chamber. Indeed, I am glad to be called earlier in this debate than I usually am.

I also made the proposal in the light of the great unhappiness felt by a vast majority of Back Benchers—hon. Members should be well aware of this point—about the way in which their opportunity to contribute to debates is sometimes denied because of the preferential allocation of speaking time according to seniority. Membership of the Privy Council, often in respect of services given decades ago, gives a privileged set an unlimited speaking time. As a result, many hon. Members are excluded and their views and those of their constituents are ignored. I well remember sitting through the emergency debate about Iraq after having received letters and had meetings with churches, but being denied the right to speak. As a result, my constituents were disfranchised and left to one side. We cannot allow that to continue.

On balance, having listened to the debate, I am convinced that the proposals advanced by the Leader of the House are worthy of support. The early finish will allow greater and less interrupted opportunities for hon. Members to become more involved in the myriad all-party groups and Back-Bench committees and to question Ministers more. It will also aid them in developing a deeper and more comprehensive understanding of the issues with which we have to deal on a daily basis. I believe that a limit on speeches, however abused, will go some way to address my fears about speaking times in the House.

As for the opportunities that we Back Benchers have to contribute to debates and how they are ordered, I believe that the issue may be better addressed as a subject of the calmer and more collected deliberation of an appropriate Select Committee. Having served on a Select Committee, I can see the benefits of such a process. Certainly, the work of the Procedure Committee on issues relating to how we table questions and the way in which they are dealt with, which has made such a significant contribution to the modernisation proposals, offers a useful format for such a review. I should like again to pay tribute to the Chairman of the Committee for the way in which he guided our deliberations. I believe that the quality of the work that was done and the report is a tribute to him and the way in which he handled the Committee's proceedings.

It is also worth forcefully making the point that the Committee took the opportunity to visit the Scottish Parliament, which started from scratch, to review the way in which it dealt with tabling questions, before reaching our decisions and forming our recommendations. The reduction of tabling time, the

[Mr. Iain Luke]

introduction of electronic tabling and the cross-cutting question sessions in Westminster Hall on specific policy areas will have a huge impact on the way in which we scrutinise the Executive. The Committee could see the benefits of the first two of those proposals in action during our time in Edinburgh, where they have been in operation—I refer especially to electronic tabling—since 1999.

As a member of the Procedure Committee, I should like to speak in support of the amendment tabled in the names of its members, including mine, and set out on the Order Paper, proposing that we introduce an extended Question Time on Tuesday and Thursday that deals with specific topics of relevance and contemporary concern to hon. Members and their constituents. We feel that the proposals deserve serious consideration and we urge hon. Members to support the amendment.

I should like to take up a point made by my hon. Friend the Member for Ogmore (Huw Irranca-Davies), who is not in his place. The issue is not that we want to continue Question Time. We want the opportunity, which is already enjoyed in the House of Lords, to pick a specific topic for Question Time and have a half-hour in which hon. Members from both sides of the House can do a lot of work on that topic and focus on it. I know that the Leader of the House has referred to the proposed cut to three days in respect of tabling questions as a sop in that regard, but the issue at stake is completely different. It relates not to the tabling of specific questions, but to the ability to concentrate on a topic that we can choose in discussion with the Speaker and to put greater focus on the question at hand. Such questioning would give much greater opportunity to question Ministers more regularly and more quickly. It would also ensure that a sharper spotlight was focused on departmental policies. I think that that is a worthy and noble aim. The proposal would do a great deal to enhance the role and status of ordinary hon. Members and sits well with the rest of the long-overdue package of modernisation.

While supporting and welcoming the proposals, we should not accept them as a final word. Although we have made significant progress, if we succeed in gaining the approval of the House for all the initiatives, much will be left to be tackled. While the changes will make a difference, there is still a lot to do. However welcome they are, they go only part of the way towards ensuring that we adapt to and accommodate the rapidly changing world that lies just outside the vaulted and grand gateway at St. Stephen's entrance. That is where the real world resides. We have heard about engagement with the public, and some time soon we will undoubtedly have to review how we as parliamentarians and a Parliament interact with both the constituents who elect us and the communities that we serve.

I believe that many of the innovations of the devolved Scottish Parliament are worth considering. The work of the Public Petitions Committee, which is chaired by my constituency colleague and predecessor, Mr. John McAllion, must be an advance on the old, large, green handbag that sits forlornly behind the Speaker's Chair. If we consider the number of petitions in that bag and the number of people who can attend the Public Petitions Committee and present their case to parliamentarians, albeit in another Parliament, there is no comparison. The Leader of the House and his team should examine that. A Select Committee that is appointed to consider petitions and their bona fide anxieties would start the process of re-engagement.

Only when we meet the challenges, match the changes outside and look the modern world in the eye, without feeling embarrassed about the quaint and quintessential reminders of the way we were 40, 50 and 60 years ago that continue to be perpetrated in our practices, can we say that we have achieved genuine modernisation. There is a long way to go.

8.30 pm

Mr. Paul Goodman (Wycombe): I begin by making what is perhaps a dangerous admission—I am not familiar with every dot and comma of the report that has been placed before us. I have taken a course of action that is perhaps even more dangerous: coming to the Chamber to listen carefully to the Leader of the House, the shadow Leader of the House and other hon. Members.

There is sometimes a temptation on the Conservative Benches to regard any proposal that the Government support as a plot against the interests of Back Benchers. I emphasise that that is not my view. Some of the proposals that the Leader of the House advanced are right and I shall vote for them. It makes sense to return in September. I have experienced only one parliamentary summer and it appeared to go on for a long time. The proposals about questions are also right, and I listened carefully to the comments of my hon. Friend the Member for Macclesfield (Sir Nicholas Winterton) on that. However, I shall not support all the Government's proposals.

I want to consider the main subject of our discussion—the hours. I admit that it would be in my interest for the House to stop sitting at 7 pm more often. I represent High Wycombe in Buckinghamshire. I live there and in London, and it would be convenient for me to knock off at 7 pm more often, but that does not apply to other hon. Members. The hon. Member for Bassetlaw (John Mann) made that point in an intervention. Knocking off at 7 pm more often would not be convenient for him. However, the vote should not be decided on what is more convenient for me and less convenient for the hon. Gentleman. More important than my interests or the hon. Gentleman's are those of the House.

The House should fulfil broadly two functions. First, it should act as a forum for debate—a point that the right hon. Member for Manchester, Gorton (Mr. Kaufman) made well—and, secondly, it should hold the Executive to account. I want to outline my view of the impact of the Government's proposal to sit at 11.30 am. If the House sat at that time more often, the Chamber would fill for Question Time in the morning, but tend to empty in the lunch hour. What would happen then? Ministers would make statements at lunchtime, and it would not be in the interests of good government if the House emptied when Ministers made important, controversial statements on which they should be held to account.

Michael Fabricant: Does my hon. Friend believe that, in the spirit of modernisation, the Government will next propose bringing sandwiches into the Chamber?

Mr. Goodman: That thought was not at the forefront of my mind before my hon. Friend mentioned it.

Mr. Andrew Love (Edmonton): Business questions are taken at 12.30 pm on Thursday. Government and Opposition Benches are always full between 12.30 and approximately 1.30 pm.

Mr. Goodman: That is not always the case, although I agree that it sometimes happens. I do not believe that it would invariably be the case for statements, but I may be wrong.

All sorts of duties compete for Members' attention. They include coming to the Chamber and questioning the Executive, attending debates in Westminster Hall, meeting constituents and serving on Select Committees. Sitting in the morning would mean either that hon. Members would be more likely to come to the Chamber, and not have time to see constituents, serve on Select Committees or attend debates in Westminster Hall, or vice versa. I appreciate that there is some overlap, but how much do we want? We should aim for as little as possible.

Perhaps the debate about hours and timed speeches comes down to one simple question: what is a Member of Parliament? There are two views. First, a Member of Parliament is a person who does a job. If we believe that, we should sit from 9 to 5 or from 11.30 to 7, we should not have outside interests and we should be paid as professional politicians, without outside work that informs our job as Members of Parliament.

The second view is that a Member of Parliament is not simply a person who does a job, but a representative whose outside work informs being a Member of Parliament. I have no interests to declare and my entry in the Register of Members' Interests is therefore empty. However, I believe that the House gains from Members of Parliament who also work outside and can bring their experience to bear. It is therefore good that the House can sit for hours that are sometimes inconvenient.

Peter Bradley (The Wrekin): How many of the hon. Gentleman's colleagues who have remunerated outside interests work on the shop floor or stacking shelves in Tesco? Are the majority earning significant fees in the City, in consultancies or the law courts? Will he comment on the fact that those who have remunerated outside interests tend to vote in an average of 65 per cent. of Divisions, whereas those without such interests vote in 91 per cent.? What conclusions does he draw from that about the commitment to Parliament of his hon. Friends who have outside interests?

Mr. Goodman: I am happy for the hon. Gentleman to make a party political point, but it does not obviate the choice before us. We must decide whether the first view of what constitutes a Member of Parliament is more sensible than the second. I take the second view, but I understand if he takes a different one.

Glenda Jackson: Will the hon. Gentleman give way?

Mr. Goodman: No. I am sure that the hon. Lady will forgive me as I have given way to several of her colleagues.

The real question before us is whether a compression of the hours is more likely to enable the House to fulfil the objective of holding the Executive to account, or better to account. I do not believe that it is, which is why I shall not vote with the Government on their proposal to start at 11.30 am. I shall not, I am afraid, support my Front Benchers' proposal to start even earlier in the morning, either.

8.39 pm

Helen Jackson (Sheffield, Hillsborough): It has been an interesting debate so far, and many Members on both sides of the House have said, "Well, there is a lot in the Modernisation Committee's proposals that I agree with," before picking out one or two aspects of the package proposed by my right hon. Friend the Leader of the House that they do not like. That takes me back to 1 May 1997.

I must spoil the consensus by mentioning a couple of party differences. It is a mistake to think that there was not a clear party feel in May 1997—we were a new Government with a new, large majority. When we came to power, we were intent on introducing the minimum wage, reducing youth unemployment and many other big things, but the public also wanted us to get a grip of this place, as they felt that Parliament had been male, clubby and set in its ways. One of the driving forces that led us to a considerable election victory in May 1997 was the feeling that we really would make a difference, especially to how politics looked and felt to us all. I was delighted, therefore, to be on the first Modernisation Committee.

Mr. Tyler: I do not want to dilute the hon. Lady's partisanship, but she will recall that the proposals derive from an agreement between her party and mine in the so-called Cook-Maclennan talks before the 1997 election.

Helen Jackson: It is lovely how the Liberal Democrats always manage to say, "Me too, me too" if it is a good thing or, "Nothing to do with me" if it is a bad thing, although I am perfectly happy, on this occasion, to say, "Yes, all right, you were on our side then."

The lesson for many Members around the House has to be that, without the establishment of the Modernisation Committee, many of the reforms that have taken place since 1997 would not have happened, because there is no question but that a Modernisation Committee and the proposals in this package of reforms that the Conservatives agree with simply would not have been on the agenda had they won that election.

I want to refer to a right hon. Member, but I cannot remember his constituency. He is the tall one who rides a bicycle. [*Interruption.*] Thank you. In the first Modernisation Committee, of which I was a member for a whole Parliament, the right hon. Member for North-West Hampshire (Sir George Young) said that the Conservatives were adamant that sittings were not on the agenda. Why not? Because we did not finish at 10 o'clock, we did not programme legislation, debates were open ended and we frequently sat here until midnight and beyond.

The priority at that stage was to introduce some sensible programming to the legislative timetable, but there was opposition to any notion of carry-over to

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achieve a parliamentary timetable of Bills. That was considered dangerous. This is an incremental reform, and I very much welcome my right hon. Friend the Leader of the House taking it on board and taking it further.

David Taylor (North-West Leicestershire): I, too, served on a previous Modernisation Committee. My hon. Friend suggests that the existence of the Committee since May 1997 has led to considerable change. May I put a slightly different point to her? The Modernisation Committee on which I sat was rapidly becoming bogged down in the mud of past practice, but the vision, tenacity, energy and powers of persuasion of the Leader of the House have brought us to today's debate. It really is as simple as that.

Helen Jackson: I thank my hon. Friend, but he needs to recognise that the money was spent on Westminster Hall and that debates have been taking place there. Proceedings now finish at 10 o'clock, and there have been many other changes. This package is a continuation of the process.

I draw hon. Members' attention to something that has not yet been mentioned. Public opinion is still in favour of our reforming the sitting hours of the House. The figures in the YouGov survey show that 90 per cent. of Labour voters and 82 per cent. of Conservative voters are in favour of these reforms.

I stress that hon. Members who argue that these reforms are nothing to do with improving scrutiny are barking up the wrong tree. They have everything to do with improving scrutiny. It is a mistake to believe that scrutiny is achieved only through Select Committees. There are countless ways in which Back Benchers can scrutinise the Executive. Day in day out, we ask questions of Ministers during statements, we write letters to Ministers, we complain to the press, we use the media, we hold meetings, and we bring constituents to see Ministers. Some of the toughest scrutiny that I have participated in was through the all-party parliamentary group on water. When my party was in opposition, Members from both sides of the House piled in to support what that all-party group argued for. It was not a Select Committee, but we got changes to the legislation when the Labour Government came to power. It held its meetings in the evenings so that the public who cared about that issue could discuss it with Members.

That brings me to the question of the sitting hours of the House, which should be put in its historical context.

Mr. Peter Duncan (Galloway and Upper Nithsdale): The hon. Lady seems to be advocating that the only route to respect for this Parliament is through reform and modernisation. Would she accept the lesson that can be learned from Scotland? Members of the Scottish Parliament can submit parliamentary questions by e-mail, it sits for less than two days a week, and its longest sitting went to just beyond 6 o'clock, but esteem for that Parliament is the lowest in the United Kingdom.

Helen Jackson: I thank the hon. Gentleman for his contribution. He makes a point about the devolved Assemblies, which must win the support of the electorate in those areas. I believe that they will work hard to do that.

The sittings issue has caused the most dispute. It has been said that starting Question Time and statements earlier, with the possibility of further statements in the middle of the day, will have a negative effect on MPs' ability to scrutinise the Executive. I cannot see that. I believe that altering the sitting hours will, within a number of years, be acceptable to everyone in the House and outside. People will wonder why on earth Parliament took so long to change.

The historical context is that MPs were part-timers who earned their money in the mornings. Some Opposition Members, such as the hon. Member for Wycombe (Mr. Goodman), have been honest enough to admit that. He thinks that it is a good idea for Members of Parliament to be part-timers who earn money in the morning and come here to do their business in the afternoon. I do not think that that is what the public expect of Members of Parliament. The House will be improved and the public will give us more credit if we start our serious business in the Chamber in the morning.

Mr. McCabe: Will my hon. Friend give way?

Helen Jackson: No.

Some of the arguments about Select Committees are somewhat spurious. It has been said that Select Committees that meet in the afternoon will no longer be able to do so and will have to meet at 9.30 in the morning. There will be three clear afternoons a week for the deliberations of Standing Committees, Select Committees and other Committees, added to the possibility of two hours in the mornings. That will increase the potential for scrutiny in the House rather than removing it.

Mr. Alan Williams (Swansea, West): Will my hon. Friend give way?

Helen Jackson: If I get injury time.

Mr. Williams: May I clarify the position of Select Committee Chairmen? When the modernisation proposals were first presented, we made no recommendations about sitting hours. When I discussed the matter with the Liaison Committee on Thursday morning, it was evenly divided: as many Chairmen favoured the change as opposed it. There is no unanimous view that Select Committees will be damaged—and the Public Accounts Committee, of which I am a member, meets at 4 pm.

Helen Jackson: I believe that there is a difference of view. I refer to my side of the House, the other side of the House, the Commission and the Liaison Committee.

I think that when something that has existed for a long time is changed it is a bit scary, but people settle down and arrange how to do their work as well as possible remarkably quickly. I think that that will apply to Select Committees and scrutiny, and also to other aspects of the House's business.

Some people are worried about starting at 11.30 am because they do not know what they will do with their evenings. I would like to think that the House of Commons, indeed the Palace of Westminster, will continue to be a thriving, vibrant place in the evenings. Members of the public who work during the day will have an opportunity to come here for political meetings. We MPs are politico-nutcases: if a really useful political discussion is taking place in the evening with members of the public, we would want to meet them and hear their views. This is where that should happen. Indeed, I am sure that the Leader of the House will find new ways of using the Chamber after 7 pm, and of using Westminster Hall. I am sure that this will remain one place where we can spend useful evenings.

We will have a choice, however. Occasionally we may well want to eat outside with friends, because we are not tied to this place. It will become a good, grown-up Parliament.

8.53 pm

Mr. Martin Salter (Reading, West): There is more than a hint of fantasy in some of the rumours and bluster that have been flying around this place over the past few weeks, as traditionalists struggle to find coherent arguments against the sensible reforms proposed by my right hon. Friend's Committee. As a member of that Committee, I want to explain how we tried to construct a package that would benefit Members across the political spectrum and throughout the country. It was not an easy task.

These proposals represent modest progress towards a 21st-century Parliament, but they are hardly revolutionary. They include measures to ensure better scrutiny of legislation: more Bills would be published in draft, and more legislation would be carried over. The current archaic procedures create legislative logjam, and often result in the cutting off of proper scrutiny of Bills. That means that bad legislation finds its way on to the statute book too often. Question Time would become more topical and relevant. Parliament as a whole should aspire to that. Notice for the tabling of questions would be reduced from 14 days to three.

Some have fully embraced the conspiracy theory that our proposals for a limit of 10 or 12 minutes on speeches is part of some obscure Government plot to shut up awkward Back Benchers. I can assure them that the very opposite is the case. The limited opportunity for Members to speak—particularly for those from the 1997 and 2001 intakes—is a source of continuing irritation to those on both sides of the House. We have all seen stooges be occasionally wheeled out by those on both Front Benches to shut up a particularly awkward Back Bencher. That has certainly happened to me [Hon. Members: "You are a stooge."] No, it is the other way around. I asked for that, Madam Deputy Speaker. I can see a Whip smiling, so it is clear that they put their hands up to that one. More Members of Parliament speaking means a wider representation of views in this House, which could make life more awkward for the Government, rather than easier.

Long-serving Members should also understand the frustration of newly elected MPs at the fact that the time available for them to speak is often used up by 25-minute dirges from long-serving Members of a House in which seniority triumphs over brevity. It is high time that we dispensed with the Buggins' turn principle in this place. All our constituents should be treated equally; all have a right to an equal level of representation, however geriatric their Member of Parliament is, or is not.

The Commons is at its best when its arguments are short and to the point, and when as wide a cross-section of views as possible is expressed. I defy all but the most paranoid to conclude that these proposals are anything other than entirely sensible and fundamentally democratic. They will enhance the workings of Parliament for both Opposition and Government Members.

The opponents of reform have concocted all sorts of spurious objections to the modernisation package. The proposal on sitting hours was subjected to an incredible campaign of misrepresentation by those who oppose change for whatever reason. If adopted, the new hours will be exactly the same in number as the current hours, but they will be more civilised and more sensible. The proposal to begin the summer recess earlier in July, but for Parliament to reassemble for part of September, does not represent a single day's less work for any MP in this place. Whatever else these reforms are designed to do, they are not designed to make us work less hard or less often.

I do not have children myself, but I sympathise with my Scottish colleagues, who, due to differences in the school calendar, sometimes have only two weeks at home with their children in the school holidays.

Mr. Pike: The same is true in Burnley.

Mr. Salter: I am given to understand that the same applies in Burnley. I believe that the Leader of the House has been slightly remiss in not consulting Conservative Members on the exact calendar for school holidays for Eton, Harrow and other such places. In any case, as has been said in many other more eloquent contributions, three months is far too long for any Government of any political persuasion to escape the scrutiny of Parliament.

It was the devil's own job to produce a package that could appeal to a cross-House consensus. Obviously, the hour off on Thursdays will benefit people who have some distance to travel, and I welcome that. As the hon. Member for Wycombe (Mr. Goodman) said, the proposed hours for Tuesdays and Wednesdays could prove beneficial to people like him and me, who live some 40 miles from London. However, the flip-side is that those who, like me, travel home most nights will have less time to spend in their constituencies in the morning. As my hon. Friend the Member for Don Valley (Caroline Flint) said, there is no one-size-fits-all package. There is no perfect solution.

Mr. McCabe: I accept that there is no one-size-fits-all package, but given that there is no conspiracy here, what is the rationale for coupling the popular proposal for a 6 o'clock finish on a Thursday with the contentious change in hours? Where is the logic in that?

Mr. Salter: That is a question best directed to the Leader of the House, but I say to my hon. Friend in all comradeship that he will do himself no favours if he

[Mr. Salter]

cherry-picks elements of the package for purely personal reasons. We are putting together a package of reform for the House as a whole, not for individual Members.

Some Conservative Members have argued for consistency in the times that we start and finish. It is wholly ridiculous to assume that this House could meet before 2.30 on a Monday, given the distance that many colleagues have to travel. There is little scope to alter those arrangements, and no alterations have been proposed.

However, there is precious little justification for Parliament waiting to begin its business until 2.30 pm on a Tuesday and Wednesday. Conservative Members and sections of the press like to try and focus attention on the time that Parliament will finish its business, but the real question has to do with the time that we start. The earlier start is the key. When there are votes to be counted, the House will likely finish at 7.30 or 8 pm, but I fail to see how that is at the cutting edge of family friendly policies.

On Fridays, most hon. Members will have a full day of constituency business, advice surgeries and other engagements. That will eat into what the rest of the human race laughingly calls the weekend. Starting early will give the Commons more chance to set the news agenda for the day and allow greater coverage of our deliberations. The proposed earlier start will enhance Parliament, not diminish it.

Mr. Goodman: If we are to start early, why not start at 9 am rather than 11?

Mr. Salter: That question will be put to the vote. However, it is incongruous that the Conservatives, who oppose a start at 11.30 and propose one at 9.30, should be prepared to vote for the status quo if their proposal is not accepted. The Conservative proposal is a smokescreen to hide the party's real agenda, which is to disguise the fact that 66 per cent. of all Conservative Members have business interests outside the House. The hon. Member for Louth and Horncastle (Sir Peter Tapsell) said that morning sittings would not work because they would interfere with his stockbroking activities. That is the priority that two thirds of Conservative Members give to serving their constituents. They would rather sit in the courts or on company boards than in the House of Commons.

I am warming to my theme—the hon. Member for Wycombe (Mr. Goodman) has inspired me. One Conservative Front Bencher has no fewer than 16 directorships to nurture. It is no wonder that he wants the mornings off. He is not here now, and I wonder why.

There is a Conservative Chairman of a Select Committee who, as well as being a practising barrister, moonlights as a director of eight companies while at the same time being a partner in another company and an adviser to two more. We should not be surprised to learn that that hon. Gentleman opposes the reform of the House's hours of sitting. One wonders when he has time to sleep.

I commend the research that has been done into the reasons for and against reform, but the matter gets even more absurd when one hears that hon. Members are worried about what they will do with themselves between 8 pm and 11 pm, two nights a week. I assure them that it will be OK. The bars and restaurants will still be open; drinking, eating and working will not be banned under the proposals.

I expect the pattern of the House and its activities to change. There is no reason why the meetings that we have in the morning at present cannot be held in the evening. I look forward to having dinner with constituents without being interrupted by the Division bell. I do not need my pager to buzz or a Division bell to ring to tell me when to work and when not to. As Members of Parliament, we define the scope of our responsibilities in our own individual ways.

There is little that I can say to provide succour and support to any MP convinced that a change in hours will cause his wife to accuse him of having torrid affairs. The recently revealed activities of Mrs. Edwina Currie and Mr. John Major demonstrate that afternoons are as good a time as any for illicit love-making.

We have reached the depths of ridiculousness, but the opponents of reform have no shame. Only last week, I heard of a former Whip putting it around that the proposals are merely a plot to abolish the overnight allowance. That would have a particular effect on south-eastern MPs from my region. I invite my right hon. Friend the Leader of the House to stamp on that piece of nonsense when he responds to the debate.

Concern has been expressed about conditions for staff. I learned my politics representing staff in the workplace The proposal has been out to consultation since December last year. Any trade union official who did not represent his members' views in that time is not worth his salt and should look for another job.

It is easy for us to tell other public service workers such as firefighters, health service workers and teachers that they must modernise, but surely we should be setting an example. Why is it right for other people to modernise and change the way in which they do business while we hang on to some notion of tradition, as if the way that we have done things for 100 years is somehow right?

This debate is turning into a battle royal between the radicals and the reactionaries. It will determine the fate of our programme to modernise and make more relevant and effective our creaking democratic institutions. If this Parliament, with its huge new intake in 1997 and 2001, cannot reform this place, an opportunity will be lost for a generation.

9.5 pm

Mr. Stephen McCabe (Birmingham, Hall Green): It is an enormous pleasure to follow my hon. Friend the Member for Reading, West (Mr. Salter). I agree with him on one point—this is no Great Reform Act 1832. When we find ourselves comparing the abolition of the property qualification, the extension of the franchise and the abolition of rotten boroughs with Members of Parliament who are concerned with looking after their narrow self-interest and getting home a bit earlier at night, we are in some difficulty.

There is some merit in the package of proposals before us. A lot of the measures are welcome—the revised line of route, conducted tours, pre-legislative

scrutiny, the attempt to avoid the clash between Westminster Hall and Committees, provisions for the Speaker on a Friday, and support for the production of a calendar are all excellent proposals, and I will happily support them. However, we are told that the proposed change in hours is a reform that will make Parliament more accessible and raise our esteem in the eyes of the public. I do not think that it will make Parliament more accessible. My hon. Friend the Member for Wrexham (Ian Lucas) said in an intervention on the Leader of the House that that is fine for tourists who want to come here at 9.30 in the morning for the line of route tour or for people who live within 30 miles of London. However, for people who live in Birmingham, Wales or any other region, it means that the day out they could have had coming to Parliament, seeing Prime Minister's Questions and meeting their MP will disappear. The alternative is to get up at about 6.30 in the morning, pay the expensive train fare to come, and then have less of a day here. MPs will have a compressed day, with more business and less time to spend with their constituents. I am extremely dubious about how this proposal will make the place more accessible.

If the proposals are to raise our esteem, why is the question about hours framed in terms of setting the agenda for the news? In the past few years, all we have talked about is the culture of spin doctors and how we are against it, yet we are saying here that we want to change the hours so that we can set the news agenda. We know that people will be on brief and on the breakfast news to get in first. It is nonsense and will do nothing to raise our esteem.

Since I have been in this place, no constituent has yet come to me and said, "I am really worried about the hours you work." No one has ever raised that with me, but they will say how crazy it is that we have spent a whole day debating how we can narrow our hours so that a proportion of us will get home early. That defies any logic and judgment.

I have doubts about the carry-over. I believe that my right hon. Friend the Leader of the House is sincere when he says that it is not the intention to have more legislation. However, it is the tendency of all Governments to legislate as much as possible, and if we create conditions in which there is more opportunity, I bet my bottom dollar that we will have more legislation. It will stack up at the other end, so although the proposal looks attractive on the surface, I have doubts about whether it will make sense.

In an intervention on my hon. Friend the Member for Reading, West, I pointed out that the proposal to finish at 6 o'clock on Thursday night is popular—there is little dissent about that. However, what is the logic of coupling that proposal with the one about hours? There is to be a free vote. The process will be open. No one is trying to manage or railroad us, so why have we unnecessarily coupled together those two things?

Caroline Flint: If we end Thursday sittings at 6 o'clock, without making other changes, we shall be reducing the hours for debate in this place.

Mr. McCabe: In order to allay my hon. Friend's anxiety, I am happy to find another hour somewhere else in the week to stick back on.

We are coupling together two things that do not need to go together, because we know fine well that the proposal about the hours is contentious. We are creating a false linkage. I hope that hon. Members will support the amendment proposed by my hon. Friend the Member for Sunderland, South (Mr. Mullin). We should deal with the issues that people want to tackle; if we do not want to deal with something, we should not be railroaded into it.

Many Members have talked about the 10-minute limit on speeches. I have no problem with the proposal that we should make short speeches, but recently we have noticed that such limits have tended to reduce Members' willingness to take interventions. The worst example was during the recall debate on Iraq. All over the place, people were demanding the recall of Parliament, but instead of a debate full of interventions we heard a succession of 10-minute statements that had been written on the previous night before the document was released in the morning. They added very little to the debate.

If we add some injury time, but for only two interventions, we are saying that debates must be limited to formatted 10-minute speeches with two interventions. That will not enrich the parliamentary process; it will do nothing for us when we are dealing with real matters where there is a difference of opinion and we need to try to influence each other and persuade each other of our views. It will turn us into a succession of robots, with two little gaps in our speeches.

Mr. Love: The other thing that characterised the Iraq debate was the fact that a large number of Members never got to say anything at all. There is tension, but the proposals would offer a reasonable compromise to ensure that we have the type of debate that my hon. Friend wants, with contributions from as many Members as possible.

Mr. McCabe: I am not disputing the proposal that we should make shorter speeches. In general, I support it. My point is that to entrench two interventions per speech will not necessarily assist reasoned debate.

My hon. Friend the Member for Burnley (Mr. Pike) and several other Members said that we must do everything in our power to avoid time wasting in Parliament. However, if I was in opposition, one of the few weapons at my disposal would be the opportunity to frustrate the Government, and that might involve a certain element of time wasting. Although I hope that my hon. Friend is right and that it will be 20 or 30 years before we are in opposition, I am not sure that I want to put myself in the position where almost no powers would be available for an Opposition to frustrate a Government that is hell-bent on doing things that I disapprove of.

Such ideas are attractive when we have a huge majority, but the time will come when that will not be the case for members of my party. If I disagree with a Government, I want to be able to frustrate them.

9.14 pm

Peter Bradley (The Wrekin): It is extraordinary that this modest package of reforms should be the subject of debate rather than consensus. That it should provoke such passion and that we should take such pains over it is not to our credit.

[Peter Bradley]

It will bewilder the public. It shows how detached we are from the daily realities that they experience. After all—I have heard very little reference to this—this is their place. This is their Parliament, not ours. We are here under licence to represent their interests, to give them a voice and to ensure that the laws that we pass on their behalf are good laws. We are not here, although many Members—some on the Labour Benches but many on the Opposition Benches—believe that we are, for our own convenience, our own comfort, our own aggrandisement or, in some cases, our own profit.

The key question in my mind is: do our current arrangements here help us to discharge our duties to our constituents as efficiently and effectively as possible? In my view, the answer is no. I have heard hon. Friends cavil at the idea that we should make this place an efficient place in which to do business. I find that extraordinary. We demand of our constituents, as my hon. Friend the Member for Reading, West (Mr. Salter) said a few minutes ago, that they should modernise their working practices, whether it be in the public services or in the private sector, and yet we resist that imprecation ourselves.

I believe that the Modernisation Committee's recommendations are sensible and constructive. They do not go far enough, and they should be seen to be the beginning of a process, not the end of it, and they should address the causes as well as the symptoms of Parliament's problems. The measures proposed are eminently reasonable. Who would not support the carry-over motions, which increase the scope for scrutiny and the improvement of legislation, except those who wish to wreck the programme on which a Government have been elected?

I am all for scrutiny, I am all for criticism, I am all for amendment, I am all for improvement of legislation. That is the proper task of Parliament; it is not to frustrate the Government who are elected to promote their programme, not to wreck that legislation. The right hon. Member for Bromley and Chislehurst (Mr. Forth) has been naked in his advice to his quiet man, the Leader of the Opposition, to the effect that the role of the Opposition is to wreck rather than oppose or improve. I think that we shall have to differ on what the role of the Opposition should be.

Who would oppose time limits, other than those who are always guaranteed to speak, not because of the quality of the contributions that they make to debate but because of a combination of good health, a fat majority and long service in this place? My hon. Friend the Member for Dundee, East (Mr. Luke) was quite right about the hierarchy that operates in this place. There is a two-tier membership of the House of Commons, as is too often revealed in the major set-piece debates. Many hon. Members have mentioned the debates on Iraq on 24 September. That was a classic example of the two-tier membership of the House of Commons, in which MPs from more recent intakes—1997 and 2001 in particular—are rendered second-class Members in the House of Commons, and by the same token their constituents are deprived of an equal right to representation in the House of Commons. That should end. It is not a subject of the proposals tonight, but I hope that those who do take these decisions—

Ian Lucas: Why not?

Peter Bradley: I believe that it is a matter for the Speaker and I am sure that he has heard the strong views of many Members on both sides of the Chamber on this issue.

Much has been said about the length of speeches. The hon. Member for Lichfield (Michael Fabricant) railed that 10 or 12 minutes was not enough to allow him to make the points that he wanted to make. I believe that I could have condensed what he said into about 37 seconds—*[Interruption.]* I will be generous; perhaps 38.

However, I take issue with my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman). He says that he is sent here to represent his constituents and that he has a right and a duty to them to speak for as long as he needs to speak in this place. I have to tell him that I was sent here by my constituents; every Member of the House was sent here by his or her constituents and every one of them should have an equal right to express their views and represent those of their constituents. The longer my right hon. Friend or I speak, the fewer of our colleagues can contribute to the debate, and it seems to me that the greater the number of voices that are heard in a debate, whether they agree with one another or not, the better the quality of that debate is likely to be and the better the representation that we give to the people who send us here.

Who could oppose better facilities for the public, whose Parliament this is? It is a shame and an embarrassment, if not a scandal, that when people visit Parliament—whether they are tourists or people with an interest in how our democracy works—we make them stand outside in the rain. This is their Parliament, but we stand them outside in all weathers. If they are fortunate enough to enter the building, we deny them the right to have a cup of tea, which is probably just as well because we also deny them the right to relieve themselves when nature calls. That is a contemptuous way in which to express our democracy and to deal with our constituents.

As for hours, I can see no problem with rearranging the hours in which we do business in the House. I have heard no hon. Member suggest that he or she wants to go home at 7 o'clock. No one has said, "I want to bunk off at 7", although I have to say that, like other human beings, I would like occasionally to walk over the bridge to the Royal Festival hall or to go to the theatre. That is the real life that Opposition Members talk about when they seek to defend the fat cheques that they get from their consultancies. I would like to do what my constituents do just once in a while, and it would be just once in a while because I have plenty to keep me busy and happy in my office and around the precincts of Westminster.

I agree with my hon. Friend the Member for Sheffield, Hillsborough (Helen Jackson), who said that, after 7 pm, a thousand blossoms can bloom in the House. Why should we not have debates—those that we rarely have—about Select Committee reports? Why not invite other people into the Chamber to debate with us after

7 o'clock? They do not have to be elected Members of the House of Commons. For that matter, why should we not be able to leave the precincts of Westminster and discover that we can have debates and political discourse, and enlighten ourselves, and perhaps other people, outside the village of Westminster? Would not that be a valuable contribution to a revitalised democracy in Westminster?

The argument today has been between those who recognise that they are paid as professional politicians—I make no apology for the fact that I am a professional politician, and I am very well paid for it in my view—and want to do a professional job, as they should, and those who are paid for full-time jobs, but want to work part time. The argument is between those who believe in public service and those who, frankly, believe in self-service.

Kevin Brennan: I have listened with interest to what my hon. Friend says and support much of it, but his last remark is very unfair to those of us who have genuine concerns about the hours. For example, because of the timetable of the Select Committee on which I serve—I did not support the decision, but it was what the majority of its members wanted—I can never get to questions in the House on Thursdays, and I regret that very much. I am not going out to do a second job.

Peter Bradley: There are many competing calls on our time, and we simply cannot do everything that we would like to do; we have to make choices. We will still have to make choices about whether we start at 9.30 or 11.30, or whether we continue to start at 2.30.

I suggest that some hon. Members overlook the changes that have already taken place in society and, indeed, in the make-up of Parliament. We have not heard much—apart from what was said by my hon. Friend the Member for Reading, West—about those who may not have the interests of Parliament uppermost in their minds. The hours and seasons of our sittings in the House derive from a time when the gentlemen who inherited the right to sit in Parliament and frame the nation's laws—they were men, they were usually gentlemen and they usually inherited the right—spent their mornings in the City, in the courts, in bed, not always their own beds; indeed, sometimes in the beds of fellow Members. In the summer, they spent long months on the grand tour or, indeed, on their estates.

The majority of Members no longer have those kinds of preoccupations, so it is time to change our arrangements, but a substantial majority still have; 24 per cent. of Members have remunerated outside interests. Some of them sit on the Labour Benches; a large majority on the Opposition Benches. I simply say that they should make a choice about whether their priority is serving their constituents in Parliament or collecting their pay cheques in the City. Whatever they decide, they should not have the right to dictate terms to the rest of us who are trying to do a proper job in the House.

I said earlier that these measures should be the beginning and not the end of a process. I have read all J. K. Rowling's novels, and every time I read about Hogwarts, I think of this place—it has the same mysteries, the same magic, and some of the malevolence. In fact, as I was looking at the shadow Leader of the House earlier today, I thought that there was no one whom he resembled more than the master of potions, Mr. Snape. If he has not read the book, I suggest that he do so. This is a place of arcane and archaic rituals, which do not enhance but suppress the quality of the debate: they suppress the originality of thought that we should treasure and cherish; they curtail the freedom of debate; and they exclude both the members of the public whom we serve and, as we discussed earlier, too many hon. Members as well.

Those debates are perhaps for another day. I support the programme of the Leader of the House and the Modernisation Committee, which they have discussed long and hard. I hope, however, that we will be assured in the wind-up speeches that that is the beginning of a process—perhaps a long process—and not an end in itself.

9.26 pm

Mr. Wayne David (Caerphilly): I have been a Member of the House for just over a year, and, by and large, I have been very impressed by it. It is undoubtedly a great privilege to be here. There is much to be said about the democratic tradition of which we are all part. There is a great sense of history in the House, the quality of debate is, by and large, of a high standard, and the Executive are held to account to a greater extent than in many other legislatures across Europe and the world.

Our scrutiny of legislation is thorough and comprehensive, and our business is conducted with a high degree of openness and transparency. I therefore conclude that there is not a case for fundamental change to our procedures. The essentials of our parliamentary democracy are sound. That is not to say, however, that there is no room for improvement. The House can be made more effective and more efficient, and the proposals of the Modernisation Committee show us the way forward. I want to focus briefly on some of the proposals.

In this evening's debate, the proposal to change the sitting hours of the House has been the most contentious. It is proposed that sittings on Tuesday and Wednesday should start at 11.30 in the morning and finish at seven in the evening. That is not a new suggestion—suggestions akin to it have been made many times in the past. I was reading in the Library that, in 1930, a Select Committee on the hours of meeting and rising of the House was specially convened, which examined the issue in some detail and concluded firmly:

"The great bulk of the evidence went definitely against such a proposal".

The reason was given that

"professional men would thereby be practically debarred from becoming Members of Parliament".

Members' priorities have changed somewhat since 1930, and many professional men and women are full-time Members of Parliament. The situation is very different.

There have been other attempts at change since 1930, and all have come to nothing. We now have a golden opportunity. Many arguments have been made today for change. I believe that some of the most convincing arguments have been those in favour of creating a more family friendly atmosphere in the House. I know that all Members have received a circular from the Equal

[Mr. Wayne David]

Opportunities Commission, which produced firm evidence to show that candidates from all parties—both men and women—have found that the hours of the House are an obstacle to allowing their names to go forward. If we want to create a modern democracy and an institution that represents the people of our country in this new century, we must have systems of work to facilitate the maximum number of people putting their names forward for election. I believe that we live in a representative democracy. The House is the pinnacle of that democracy. It should not be an old man's or gentleman's club. We want a modern institution.

I have heard Members say that it is all well and good having family friendly hours, but only if one lives in London or the south-east. I come from Wales and it would be impossible for me to go home on a Tuesday or Wednesday evening. However, the issue is not about personal self-interest; it is about creating a modern institution that is best for everyone and about opening it up to make it truly representative.

As many Members know, for a decade, I was a Member of the European Parliament. I am sure that they will agree that many things in that Parliament are wrong and need to be profoundly changed. However, one of the good things is the sensible working hours for Members that allow a businesslike, non-clubbish atmosphere to be created. That is positive for democracy. Another positive element of the European Parliament is that, in a revolutionary sense, it produces an annual calendar, so that Members know exactly when they have to be in their places of work. We should definitely agree to such a modest advance.

I am also glad that Members seem to have given majority approval to the idea of having a 10-minute limit on speaking time. That also happens in the European Parliament. Perhaps there will not be so many great flights of oratory or so many Members intoxicated with the exuberance of their own verbosity, but we will have far more Members of the House thinking that they can make a genuine contribution to a debate. Rather than sitting for hours on end hoping and praying to be called, many more Back Benchers will definitely be able to make a contribution. They will be able to tell their constituents that they are here to represent their interests and will be able to show them *Hansard* to show how they are doing that. That would be a huge and positive step forward.

I wish to make two further points. The development of Westminster Hall as a lively debating chamber should be welcomed. It has been a success. Its atmosphere is special, and is very different from the confrontational atmosphere in this House. It adds to the sense of democracy in this place.

Finally, I wish to refer to the need for parliamentarians to connect with our public. It is incredible that we have not yet got a visitor centre in the House. I am pleased that a study will consider that point, and I have no doubt what the conclusion will be. I am also surprised that groups of constituents do not receive financial support from the House when they have to travel long distances to visit Members. That point should be considered too.

I am also surprised that we have not learned as much as we could have done from the devolved institutions. For example, the Welsh Assembly, which was only established in 1999, already has a visitor centre, which has proved to be extremely popular. This place should be open on Saturdays, so that members of the public can, at least, look around to see what the mother of Parliaments looks like. We could do one thing that would, in many ways, be symbolic of the change. My right hon. Friend the Leader of the House has mentioned on many occasions the fact that visitors to this place are referred to as strangers. Let us drop that once and for all and call them visitors and our guests.

The recommendations before us are well thought out and well crafted. I sincerely hope that they will be adopted. They are not about making life easier for Members of Parliament, about reducing our work load or cutting back on our hours. They are about promoting democracy, enhancing accountability and ensuring that the House is seen as relevant by the people of this country. In short, they are about making the House a modern parliamentary institution.

9.34 pm

Mr. Forth: The debate has been informative and, by and large, good natured, given the strength of feeling on both sides of the House. I want to pick up a few of the key contributions that encapsulated some of the more crucial arguments. Before I do that, however, I want to add my praise for the work of the Procedure Committee under the chairmanship of my hon. Friend the Member for Macclesfield (Sir Nicholas Winterton). It has offered us, on an all-party basis, a sensible and practical way to advance the ability of Members to question the Government in the House. Remarkably, however, one Committee member told us that although he had tabled the amendment in the name of the Committee, he did not feel able to vote for it. That is another approach, which perhaps we should consider.

The right hon. Member for Manchester, Gorton (Mr. Kaufman) made an excellent speech. He said—I paraphrase him, and hope I do so accurately—that voters care about what we do here, not when we do it. That is a brief sense of his contribution, and I agree with him. If we could focus on that as a proposition it would be much more productive than getting bogged down, as we all too often have, in the arguments about the hours we work. We will come to our collective conclusion about the hours that we work and get on with it, whatever that may be. I hope, however, that Members will give far more consideration to how effective we are when we are here rather than worrying excessively about the hours that we work.

My right hon. Friend the Member for North-West Hampshire (Sir George Young) also reflected that sentiment and put it rather similarly. He said—again, I paraphrase—that it is what we do that matters. Although he favoured many of the proposals, he emphasised that thought and I hope we cling to it when we vote.

In a similar vein, the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), in a typically robust speech, said something that rang true with me. She explained that rarely in her experience have constituents questioned her or taxed her on our working hours or our

procedures in the House. She was right in saying that her constituents want to know how effective we have been in our different ways in the House, and in the different roles that we fulfil, in discharging our duties on their behalf and, ideally, for their benefit.

I am always intrigued when Members say, as many have today, that some constituents talk of little else than the hours we work. Apparently, some constituents are going to be watching closely what we do tonight and will judge us, individually and collectively, on the momentous decision that we reach on the hours we work. All that that illustrates is how very different our constituents and constituencies are, and I must admit that I am more at one with the hon. Member for Crewe and Nantwich than I am with those who claim to have that remarkable dialogue with their constituents.

My hon. Friend the Member for Tiverton and Honiton (Mrs. Browning) highlighted one of the more important considerations, which is to be voted on tonight. We have gone badly wrong with the systematic timetabling or programming of Bills. Many Members have argued that one of our prime duties is the scrutiny of legislation. The Conservatives contend—I think I speak for most, if not all, of my colleagues in this—that the Government's ruthless approach to restricting the time available for the scrutiny of Bills both in Standing Committee and on Report has diminished our effectiveness as a House of Commons and the opportunities that we as Members of Parliament have properly to scrutinise legislation. That is why I will ask my hon. Friends to vote against the motion to validate systematic timetabling of Bills. It has ill served the House as a legislature and we should reconsider it.

I appreciated the contribution of the hon. Member for Chorley (Mr. Hoyle), who always has at the front of his mind the welfare of those who work with us in the House. I also appreciated his use of the term "with us" because that is the appropriate way to put it. He put his finger on a flaw in the procedure. We have got to this stage and are a few minutes away from making decisions on how we work and the hours that we work without having properly consulted the staff who work in the building with us. It would have been more appropriate for a Government who claim to care so much about working people to take more trouble to learn what the people who work with us in this building truly think about our way of working and our hours, and allow that to inform the debate. Apart from the hon. Gentleman's contribution, the matter has not been mentioned at all, which I very much regret.

I turn now to the contribution of the hon. Member for The Wrekin (Peter Bradley). If I may give him a little avuncular advice, I think that he should take a refresher course at his charm school because what he said did not reach out to us to gain our support. More importantly, almost his entire speech was preoccupied with the idea that there is now insufficient time in the Chamber for junior Members of the House to speak. All I say to him is that he is about, I assume, to support a further diminution in Friday sittings in the House, which are opportunities for Members to speak. I assume that he supported the reduction in sitting hours for the House, from the good old days, when we sometimes sat beyond 10 o'clock, to the time until 10 that is now available. I bet that he will vote against our proposal to start at 9.30 am, which would give Members more time to speak.

All in all, the hon. Gentleman complains about the lack of opportunities for Members to speak; yet at every turn he supports the measures that reduce the opportunities for Members to do so. He ought to make up his mind about his priorities. Our amendments offer more opportunities for the House to deliberate, but it seems that some Labour Members are reluctant to take those opportunities. I add in passing that the hon. Gentleman chose to use his full allocation of 12 minutes. May I suggest that he has a word with the hon. Member for East Lothian (Anne Picking), who, earlier in the debate, managed pithily to make her points in four minutes flat? There are many ways to deal with the problems facing the House, and it did not strike me that the hon. Member for The Wrekin offered us any solutions at all to the problem that he posed for himself and the House as a whole.

I shall conclude my comments well within the time allocated because I want the leader of the opposition to have ample opportunity to reply to the debate. The Leader of the House, as the Chairman of the Committee, is in by far the best position to explain to those who have taken part in the debate how he will react to some of the very pointed questions that have correctly been aimed in his direction.

All I say to my hon. Friends is that I hope that they will consider what I have said, both in my opening speech and in my few remarks now. I hope that not only my hon. Friends but Labour Members will seriously consider our amendments, in the spirit in which we have tabled them, in an attempt genuinely to improve the way in which the House works. I hope that, in the end, whatever solution the House comes to by the end of voting tonight, we will unite in a determination to make our proceedings as effective as possible in holding the Government to account.

9.43 pm

Mr. Robin Cook: We have had an honest and thoughtful debate. I am not one of those who subscribes to the theory that the House is at its best when it is at its least partisan. I have to confess to the House that I am an unreconstructed tribalist, and I think that the House is at its best when it embodies the clash of passion in the nation outside this place. Undoubtedly, however, one of the strengths of tonight's debate is that a number of cross-party points were made on both sides of the Chamber.

One of the most remarkable speeches, and certainly one of the most candid, was that by the hon. Member for Gainsborough (Mr. Leigh), who urged us to confront the fact that Parliament is not working, and the fact that we need to face up to the scale of change that is necessary if we are to have proceedings that are more topical and more to the point.

To answer one of the themes that ran through many of the contributions, one of the things we need to do to have debates that are more topical and to the point is to ensure that as many MPs as possible can speak in them, which means that we have to have limits on speeches. The hon. Member for Louth and Horncastle (Sir Peter. Tapsell)—if I can catch his attention for a second—argued that shorter speeches in debates would strengthen the Executive, but that argument is wholly misconceived. What time limits on speeches do is

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strengthen the chances of other Back Benchers being able to speak in the debate. A Back Bencher who makes a 30-minute speech, deprives another two hon. Members of their opportunity to make a 10-minute speech.

My right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) made an exemplary speech about time limits, and concluded well within the time limit for the day. He was especially concerned, as he said repeatedly, that such time limits might become mandatory. May I remove that anxiety from his mind and that of the House? The motion before us does nothing to change the discretion that is available to the Speaker as to when to apply time limits: that decision will remain with the Speaker.

As a matter of fact, the change in Standing Orders before us tonight will provide for slightly longer speeches when time limits apply: motion No. 13 will provide additional injury time for hon. Members to apply to up to two interventions. Having sat through the debate, I can say that one of its strengths has been the way in which hon. Members have taken interventions and replied to them. I believe that that opportunity will be greater as a result of the change to Standing Orders.

Sir Peter Tapsell: If the Leader of the House was present when his hon. Friend the Member for Sunderland, South (Mr. Mullin) made his excellent speech, he will know that he was repeatedly interrupted by his hon. Friends. The hon. Gentleman, in his usual skilful debating way, would have given way and replied to interventions and there would have been a proper debate, but, as he rightly said, under a 12-minute time limit he could not do so, so the interventions were never made and he was unable to reply to them.

Mr. Cook: It is a matter of regret to me that I was able to intervene only once during the speech of my hon. Friend the Member for Sunderland, South (Mr. Mullin), rather than the 15 times that I would have liked to intervene. I shall deal with his speech later in my reply.

Mr. Mullin: Will my right hon. Friend give way?

Mr. Cook: Perhaps my hon. Friend will wait until I get round to his speech.

I cannot commend to my hon. Friends the amendment in the name of the right hon. Member for Bromley and Chislehurst (Mr. Forth), although I was strongly tempted by the colleague who suggested that we should all vote for that amendment, if only to enjoy the looks of consternation on the faces of Conservative Members when they won.

I very much welcome the generous spirit in which the hon. Member for Macclesfield (Sir Nicholas Winterton) spoke and his recognition that the Government's response to his Committee's very interesting report was overwhelmingly positive. There is only one major difference between us—that the Government do not accept the recommendation for topical questions—but I believe that the recommendations we do accept and the changes that we will make tonight will result in a dramatic reduction in the notice for Question Time and will make all Question Times more topical. In those circumstances, we are not persuaded of the case for introducing a new category of topical questions. However, as the hon. Gentleman fairly said, the overall thrust of his Committee's report has been accepted.

The right hon. Member for North-West Hampshire (Sir George Young) asked me in my winding-up speech to address carry-over and its impact on Bills that are before the House of Lords. He is right in the inference behind his question. This House, through the Standing Orders that we are adopting tonight, can provide carry-over only for Bills that are solely before this House. Once Bills go to the Lords, we have no power, and we will have no power, under Standing Orders to decide for ourselves to carry them over to another Session. In other words, once a Bill has reached the Lords, or if we are involved in ping-pong with the Lords at the end of a Session, we cannot use carry-over to pull open the trapdoor and make the Bill disappear into the following Session. Those who want to retain that power in the Lords need have no anxiety about the Standing Order removing it.

Most of the debate has been about the sitting hours of the House. Many of those who spoke on hours were keen to express that they did not regard that as the most important issue. I agree with them. Indeed, I fully agree with what the right hon. Member for Bromley and Chislehurst has just said. What we do is much more important than when we do it. Most of the debate has been about the question of sitting hours because that is the most divisive issue before the House. I hope that the debate and subsequent votes will enable us to put the issue behind us, one way or another, for the rest of this Parliament. At least in that event the debate will have been cathartic.

The debate has certainly been entertaining, and I found most entertaining of all the speech of the hon. Member for Louth and Horncastle, who is a hardcore traditionalist. He gave a magnificent soaring parody of the case against change. I can assume only that he was put up to it by those who want us to sit earlier hours to discredit the case against it. I say to the hon. Gentleman that I have no argument with those who want to work elsewhere in the mornings rather than come to the House. That is their choice and I would not dream of interfering with it. However, those who choose to do so surely cannot argue if those of us who are full time in our commitment to the House want to adopt hours that are appropriate to a modern and effective Parliament.

The hon. Member for Louth and Horncastle referred to my hon. Friend the Member for Sunderland, South (Mr. Mullin). I thought that my hon. Friend made the best speech for earlier sittings. He stressed the value in terms of public attention of meeting in the morning rather than the afternoon. He stressed the gains to the Home Affairs Select Committee from meeting in the morning rather than the afternoon. I think that he rather lost the Chamber when he suggested that those gains should be confined to that Select Committee and not shared with the Chamber. If morning sittings are such an encouraging success for his Select Committee, surely he should not stop the Chamber sharing the same benefit.

Mr. Mullin: My only point, which I repeat, is that there is more to life than what goes on in the Chamber

in terms of calling the Executive to account. Although we are not whipped on the Government side of the Chamber—at least I do not think that we are—my hon. Friend the Parliamentary Secretary, Privy Council Office is handing out a bit of paper telling everybody how to vote. I see that it describes my amendment as wrecking amendment. In fact it is an honest attempt to allow a vote to take place on sitting hours on Wednesdays, about which there is honourable disagreement on both sides of the Chamber. Will my right hon. Friend explain how my amendment comes to be a wrecking amendment and why he is describing it as such.

Mr. Cook: This is a matter for a free vote on both sides of the Chamber, as I understand it. I would not think that my hon. Friend would resile from the simple fact that his amendment is devised to stop the House sitting earlier on Wednesdays. To that extent, those who want to see the House change its hours and sit earlier in the morning would be entitled to describe it as a wrecking amendment that is intended to prevent that from happening. I do not think that my hon. Friend is in any position to deny that that would be precisely the effect of his amendment.

Mr. Graham Allen (Nottingham, North): Does my right hon. Friend accept that many of us, while voting for the package, would not share the view of my hon. Friend the Member for Sunderland, South (Mr. Mullin)? Indeed, many of us feel that the package does not go far enough. The various compromises that have had to be made may well be acceptable to those who feel like me. This may be the end of the issue after the votes have taken place tonight, but I hope that my right hon. Friend is not closing the book on further reforms emanating from his office and from the Modernisation and Procedure Committees, so that Members can once again discuss, debate and vote upon further reforms that are needed in this place.

Mr. Cook: We have only five minutes before the House divides on the proposed reforms. It might be unwise of me to embark on a programme of further reform that comes after tonight. Obviously what my hon. Friend says has some merit to it. Modernisation is necessarily a continuous process. It is not an episode and it will not stop tonight, but how much further we can go after tonight will entirely depend on the extent of support for the measures now before the House.

Michael Fabricant: On a point of order, Madam Deputy Speaker. Will it be an instance of contempt of the House if, while the Leader of the House says that this is to be a free vote for the Government, it turns out that Government Whips are issuing a note referring to a wrecking amendment and saying—

Madam Deputy Speaker (Sylvia Heal): Order. The point that the hon. Gentleman is making has nothing to do with the Chair.

Mr. Cook: I think that I can help the hon. Gentleman, because, perfectly understandably, I have wanted to keep in close contact and make sure that I know what the Government Whips are doing. With the authority of that close interest, I can assure him that any paper from which my hon. Friend the Member for Sunderland, South was quoting did not come from the Government Whips.

It might be helpful for the House to remember when we talk about the 7 o'clock closures proposed in the Standing Orders for earlier sittings that that will not necessarily be the hour at which all business ends. Technically, what we are voting for in relation to the 7 o'clock closure is the moment of interruption that currently takes place at 10 o'clock. I cannot guarantee to the House that I will always be able in the forthcoming Session to avoid business after that moment of interruption. We have been able to avoid that for most of the past year because we have had a very long Session. The next Session will be shorter. I hope that when hon. Members come to vote, they will also bear in mind that, if they stick with 10 pm as the moment of interruption, it is possible that they will find on occasion in the next Session that they are present not until 10 o'clock, but until midnight.

I wholly agree with the interesting point made by my hon. Friend the Member for Chorley (Mr. Hoyle), who said that most of us on the Labour Benches are at our desks and in our offices before 9 o'clock in the morning. All the Ministers on the Front Bench are in their offices by 8 o'clock in the morning. In those circumstances, I do not think that it is unreasonable for hon. Members to expect to be allowed to be free to go home and prepare for the next morning from 7.30 at night.

Mr. Kaufman: Will my right hon. Friend clarify his response to my hon. Friend the Member for Sunderland, South (Mr. Mullin)? As far as I understand it, motion 6 means that if we want to finish at 6 o'clock on Thursday, we must also vote for the hours that my right hon. Friend wants on Wednesday. The amendment proposed by my hon. Friend the Member for Sunderland, South would allow the House to vote separately in respect of Wednesdays and Thursdays. That would give the House a greater opportunity to make decisions about each of those days. How can that be described as a wrecking amendment?

Mr. Cook: I would not dispute the interpretation that my right hon. Friend puts on that amendment. It would have the effect of removing earlier sittings on Wednesdays. That is precisely why I would encourage my hon. Friends to resist it, so that we can achieve the gains for this Chamber that my hon. Friend the Member for Sunderland, South described in relation to the morning sittings of his Select Committee.

As hon. Member after hon. Member has said, we are fond of expressing our views on how the rest of Britain must accept change as a condition of remaining efficient and competitive. From the public services to the financial services, we call upon the rest of the work force to accept that continuous change is the natural order of the modern world.

Geraldine Smith: Will my right hon. Friend give way?

Mr. Cook: No, I cannot give way now. If my hon. Friend will allow me to continue, we are almost finished.

The rest of Britain would find it rather strange if we now refused to change ourselves. The reforms on which we are about to vote will give MPs more time for more

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effective scrutiny, make Question Time more topical, make hon. Members' time in their constituencies more effective by enabling them to plan a year ahead, and yes, they will allow MPs to work hours that approximate more to what the rest of the nation would regard as normal. I believe that these changes will be good for the House. More important, I believe that they will be good for the nation, which will have a more effective, modern and normal Parliament. I urge the House to vote for reform.

It being 10 o'clock, MR. SPEAKER *proceeded to put forthwith the Questions necessary for the disposal of business to be concluded at that hour.*

Amendment proposed: (e) in line 8, leave out from 'Chamber' to 'and' in line 9.—[*Mr. Forth.*]

Question put, That the amendment be made:—

The House divided: Ayes 150, Noes 394.

Division No. 332] **[10:00 pm**

AYES

Amess, David
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Barker, Gregory
Barnes, Harry
Baron, John *(Billericay)*
Beggs, Roy *(E Antrim)*
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Burnside, David
Burt, Alistair
Butterfill, John
Cameron, David
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Collins, Tim
Cormack, Sir Patrick
Cran, James *(Beverley)*
Curry, rh David
Dalyell, Tam
Davies, rh Denzil *(Llanelli)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Donaldson, Jeffrey M.
Dowd, Jim *(Lewisham W)*
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Dunwoody, Mrs Gwyneth
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flight, Howard
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, hon. Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Hague, rh William
Hammond, Philip
Hawkins, Nick
Heald, Oliver
Hermon, Lady
Hoban, Mark *(Fareham)*
Hoey, Kate *(Vauxhall)*
Hogg, rh Douglas
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, rh Michael
Johnson, Boris *(Henley)*
Jones, Helen *(Warrington N)*
Kaufman, rh Gerald
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Lawrence, Mrs Jackie
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
MacKay, rh Andrew
Mackinlay, Andrew
Maclean, rh David
McLoughlin, Patrick
McNulty, Tony
Malins, Humfrey
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Mates, Michael
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Moss, Malcolm
Mullin, Chris
Murphy, Jim *(Eastwood)*
Murrison, Dr. Andrew
O'Brien, Stephen *(Eddisbury)*
Olner, Bill
Page, Richard
Paice, James
Paterson, Owen
Pearson, Ian
Pickles, Eric
Portillo, rh Michael
Prisk, Mark *(Hertford)*
Randall, John
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Selous, Andrew
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Steinberg, Gerry
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Trend, Michael
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Twigg, Derek *(Halton)*
Viggers, Peter
Walter, Robert
Wareing, Robert N.
Waterson, Nigel
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Wilshire, David
Winterton, Ann *(Congleton)*
Yeo, Tim *(S Suffolk)*

Tellers for the Ayes:
Mr. Ivor Caplin and Joan Ryan

NOES

Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Bacon, Richard
Baird, Vera
Baker, Norman
Barrett, John
Battle, John
Beard, Nigel
Begg, Miss Anne
Beith, rh A. J.
Bell, Stuart
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Blunt, Crispin
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Brennan, Kevin
Brooke, Mrs Annette L.
Brown, rh Gordon *(Dunfermline E)*
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burnham, Andy
Burstow, Paul
Byers, rh Stephen
Cable, Dr. Vincent
Caborn, rh Richard
Calton, Mrs Patsy
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, rh Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Carmichael, Alistair
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, hon. Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Conway, Derek

Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corston, Jean
Cousins, Jim
Cox, Tom *(Tooting)*
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Dodds, Nigel
Donohoe, Brian H.
Doran, Frank
Doughty, Sue
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Ewing, Annabelle
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Field, Mark *(Cities of London & Westminster)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Goggins, Paul
Green, Matthew *(Ludlow)*
Grieve, Dominic
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Heath, David
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Heppell, John
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Holmes, Paul
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Horam, John *(Orpington)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kennedy, rh Charles *(Ross Skye & Inverness)*
Khabra, Piara S.
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Kirkwood, Archy
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lamb, Norman
Lammy, David
Laws, David *(Yeovil)*
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Leigh, Edward
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mactaggart, Fiona
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Maples, John
Marris, Rob *(Wolverh'ton SW)*
Marsden, Paul *(Shrewsbury & Atcham)*
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moore, Michael
Moran, Margaret
Morley, Elliot
Mountford, Kali
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Naysmith, Dr. Doug
Norman, Archie
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
Oaten, Mark *(Winchester)*
O'Neill, Martin
Öpik, Lembit
Organ, Diana
Osborne, George *(Tatton)*
Osborne, Sandra *(Ayr)*
Ottaway, Richard
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Price, Adam *(E Carmarthen & Dinefwr)*
Primarolo, rh Dawn
Prosser, Gwyn
Pugh, Dr. John
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, Alan *(Argyll & Bute)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Rendel, David
Robertson, Angus *(Moray)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Robinson, Mrs Iris *(Strangford)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(City of Chester)*
Salmond, Alex
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stunell, Andrew
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Touhig, Don *(Islwyn)*
Tredinnick, David
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tyler, Paul *(N Cornwall)*

Tynan, Bill *(Hamilton S)*
Tyrie, Andrew
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Watson, Tom *(W Bromwich E)*
Watts, David
Webb, Steve *(Northavon)*
Weir, Michael
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Winnick, David
Winterton, Sir Nicholas *(Macclesfield)*
Winterton, Ms Rosie *(Doncaster C)*
Wishart, Pete
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. Gerry Sutcliffe and Mr. Nick Ainger

Question accordingly negatived.

Michael Fabricant (Lichfield): On a point of order, Mr. Speaker. We have been told by the Leader of the House that this is a free vote because it is a House matter. If it is a free vote, why did a Government Whip announce the result of the vote just now?

Mr. Speaker: That is not a point of order.

Amendment proposed: (d) in line 10, at end add

'but is of the opinion that the House should meet at half-past Two o'clock on Mondays, and half-past Nine o'clock on Tuesdays, Wednesdays and Thursdays, with a suspension of the sitting between 1.00 p.m. and 2.00 p.m. on Tuesdays, Wednesdays and Thursdays and the moment of interruption of business falling at Seven o'clock on Tuesdays and Wednesdays and Six o'clock on Thursdays.'.—[*Mr Greg Knight.*]

Question put, That the amendment be made:—

The House divided: Ayes 94, Noes 441.

Division No. 333] **[10:14 pm**

AYES

Amess, David
Ancram, rh Michael
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Baron, John *(Billericay)*
Bellingham, Henry
Bercow, John
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brazier, Julian
Cash, William
Clappison, James
Collins, Tim
Colman, Tony
Conway, Derek
Cran, James *(Beverley)*
Davidson, Ian
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Dawson, Hilton
Dorrell, rh Stephen
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Evans, Nigel
Fabricant, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Flynn, Paul *(Newport W)*
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Gillan, Mrs Cheryl
Grayling, Chris
Grieve, Dominic
Griffiths, Jane *(Reading E)*
Hammond, Philip
Harvey, Nick
Hawkins, Nick
Heald, Oliver
Hoban, Mark *(Fareham)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Leigh, Edward
Letwin, rh Oliver
Lidington, David
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
MacKay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Marshall-Andrews, Robert
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Moss, Malcolm
Murrison, Dr. Andrew
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Ottaway, Richard
Paice, James
Pearson, Ian
Pickles, Eric
Portillo, rh Michael
Prisk, Mark *(Hertford)*
Randall, John
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Simpson, Keith *(M-Norfolk)*
Spelman, Mrs Caroline
Spink, Bob *(Castle Point)*
Swayne, Desmond
Swire, Hugo *(E Devon)*
Taylor, John *(Solihull)*
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Wilshire, David
Yeo, Tim *(S Suffolk)*

Tellers for the Ayes:
Mr. Ivor Caplin and Joan Ryan

NOES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Arbuthnot, rh James
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Baird, Vera
Barker, Gregory
Barnes, Harry
Barrett, John
Battle, John
Beard, Nigel
Begg, Miss Anne
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bell, Stuart
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Beresford, Sir Paul
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Breed, Colin
Brennan, Kevin
Brooke, Mrs Annette L.
Brown, rh Gordon *(Dunfermline E)*
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Browning, Mrs Angela
Bruce, Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burnham, Andy
Burnside, David
Burstow, Paul
Burt, Alistair
Butterfill, John
Byers, rh Stephen
Cable, Dr. Vincent
Caborn, rh Richard
Calton, Mrs Patsy
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, rh Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Carmichael, Alistair
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chope, Christopher
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, hon. Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Kenneth *(Rushcliffe)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Connarty, Michael
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Cormack, Sir Patrick
Corston, Jean
Cotter, Brian
Cousins, Jim
Cox, Tom *(Tooting)*
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*

Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curry, rh David
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, rh Alistair
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Djanogly, Jonathan
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Dodds, Nigel
Donaldson, Jeffrey M.
Donohoe, Brian H.
Doran, Frank
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Ewing, Annabelle
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Follett, Barbara
Foster, rh Derek
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, Andrew *(St. Ives)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibb, Nick *(Bognor Regis)*
Gibson, Dr. Ian
Gilroy, Linda
Goggins, Paul
Goodman, Paul
Green, Matthew *(Ludlow)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hague, rh William
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, rh Ms Harriet
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Heath, David
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Heppell, John
Hermon, Lady
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Holmes, Paul
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Horam, John *(Orpington)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jack, rh Michael
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, rh Charles *(Ross Skye & Inverness)*
Khabra, Piara S.
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Kirkwood, Archy
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lamb, Norman
Lammy, David
Lawrence, Mrs Jackie
Laws, David *(Yeovil)*
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Liddell-Grainger, Ian
Lilley, rh Peter
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Maples, John
Marris, Rob *(Wolverh'ton SW)*
Marsden, Paul *(Shrewsbury & Atcham)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moore, Michael
Moran, Margaret
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norman, Archie
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
Oaten, Mark *(Winchester)*
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Diana
Osborne, Sandra *(Ayr)*
Page, Richard
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Price, Adam *(E Carmarthen & Dinefwr)*
Primarolo, rh Dawn
Prosser, Gwyn
Pugh, Dr. John
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, Alan *(Argyll & Bute)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Rendel, David
Robertson, Angus *(Moray)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Robinson, Mrs Iris *(Strangford)*
Roche, Mrs Barbara
Rooney, Terry
Rosindell, Andrew
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(City of Chester)*
Salmond, Alex
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Selous, Andrew
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simmonds, Mark
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soames, Nicholas
Soley, Clive
Southworth, Helen
Spellar, rh John
Spring, Richard
Squire, Rachel
Steen, Anthony
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stunell, Andrew
Syms, Robert
Tami, Mark *(Alyn)*
Tapsell, Sir Peter
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*

Taylor, Ian *(Esher)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Touhig, Don *(Islwyn)*
Tredinnick, David
Trend, Michael
Trickett, Jon
Trimble, rh David
Truswell, Paul
Turner, Andrew *(Isle of Wight)*
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*
Tyrie, Andrew
Vaz, Keith *(Leicester E)*
Viggers, Peter
Vis, Dr. Rudi
Walley, Ms Joan
Walter, Robert
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
Webb, Steve *(Northavon)*
Weir, Michael
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilson, Brian
Winnick, David
Winterton, Sir Nicholas *(Macclesfield)*
Winterton, Ms Rosie *(Doncaster C)*
Wishart, Pete
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. Gerry Sutcliffe and Mr. Nick Ainger

Question accordingly negatived.

Main Question put:—

That this House approves the Second Report from the Select Committee on Modernisation of the House of Commons, and endorses its proposals, in particular for more effective law making by more routine publication of bills in draft for pre-legislative scrutiny, for consultation with Opposition parties on the broad shape of the legislative year and more flexibility in programming, for an annual House of Commons calendar which would allow honourable Members to plan work in their constituencies more effectively and provide sittings in September balanced by an earlier recess in July, for more effective use of the Chamber including more regular use of time limits on speeches, and a Parliament that is more accessible to the public that it serves.—*[Mr. Robin Cook.]*

The House divided: Ayes 411, Noes 47.

Division No. 334] **[10:28 pm**

AYES

Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Arbuthnot, rh James
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Bacon, Richard
Baird, Vera
Baker, Norman
Baron, John *(Billericay)*
Barrett, John
Battle, John
Beard, Nigel
Begg, Miss Anne
Beith, rh A. J.
Bell, Stuart
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Bercow, John
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Blunt, Crispin
Boateng, rh Paul
Borrow, David
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Breed, Colin
Brennan, Kevin
Brown, rh Gordon *(Dunfermline E)*
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burnham, Andy
Burnside, David
Burstow, Paul
Burt, Alistair
Byers, rh Stephen
Cable, Dr. Vincent
Caborn, rh Richard
Calton, Mrs Patsy
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, rh Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Carmichael, Alistair
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, hon. Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Kenneth *(Rushcliffe)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Conway, Derek
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corston, Jean
Cotter, Brian
Cousins, Jim
Cox, Tom *(Tooting)*
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curry, rh David
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Dodds, Nigel
Donaldson, Jeffrey M.
Donohoe, Brian H.
Doran, Frank
Dorrell, rh Stephen
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Ewing, Annabelle
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Field, Mark *(Cities of London & Westminster)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flook, Adrian
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibb, Nick *(Bognor Regis)*
Gibson, Dr. Ian
Gilroy, Linda
Goggins, Paul
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Heath, David
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Heppell, John
Hermon, Lady

Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hogg, rh Douglas
Holmes, Paul
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Horam, John *(Orpington)*
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jack, rh Michael
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, rh Charles *(Ross Skye & Inverness)*
Khabra, Piara S.
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Kirkbride, Miss Julie
Kirkwood, Archy
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lamb, Norman
Lammy, David
Laws, David *(Yeovil)*
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Leigh, Edward
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Liddell-Grainger, Ian
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McCabe, Stephen
McCafferty, Chris
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
MacKay, rh Andrew
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McLoughlin, Patrick
Mactaggart, Fiona
McWalter, Tony
Mahmood, Khalid
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Maples, John
Marris, Rob *(Wolverh'ton SW)*
Marsden, Paul *(Shrewsbury & Atcham)*
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moore, Michael
Moran, Margaret
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murrison, Dr. Andrew
Naysmith, Dr. Doug
Norman, Archie
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
Oaten, Mark *(Winchester)*
O'Neill, Martin
Öpik, Lembit
Organ, Diana
Osborne, George *(Tatton)*
Osborne, Sandra *(Ayr)*
Ottaway, Richard
Page, Richard
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Portillo, rh Michael
Prentice, Gordon *(Pendle)*
Prescott, rh John
Price, Adam *(E Carmarthen & Dinefwr)*
Primarolo, rh Dawn
Prosser, Gwyn
Pugh, Dr. John
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, Alan *(Argyll & Bute)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Rendel, David
Robertson, Angus *(Moray)*
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Robinson, Mrs Iris *(Strangford)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(City of Chester)*
Salmond, Alex
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Selous, Andrew
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soames, Nicholas
Soley, Clive
Southworth, Helen
Spink, Bob *(Castle Point)*
Squire, Rachel
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Stringer, Graham
Stunell, Andrew
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Ian *(Esher)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Thomas, Simon *(Ceredigion)*

Amess, David
Atkinson, David *(Bour'mth E)*
Barker, Gregory
Beggs, Roy *(E Antrim)*
Boswell, Tim
Butterfill, John
Chope, Christopher
Clelland, David
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Dalyell, Tam
Dismore, Andrew
Djanogly, Jonathan
Duncan, Alan *(Rutland)*
Fabricant, Michael
Fallon, Michael
Garnier, hon. Edward
Gray, James *(N Wilts)*
Hague, rh William
Hawkins, Nick
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Touhig, Don *(Islwyn)*
Tredinnick, David
Trickett, Jon
Trimble, rh David
Truswell, Paul
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*
Tyrie, Andrew
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Walter, Robert
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
Webb, Steve *(Northavon)*
Weir, Michael
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilson, Brian
Winnick, David
Winterton, Sir Nicholas *(Macclesfield)*
Winterton, Ms Rosie *(Doncaster C)*
Wishart, Pete
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Ivor Caplin and Joan Ryan

NOES

Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Johnson, Boris *(Henley)*
Lewis, Dr. Julian *(New Forest E)*
Lilley, rh Peter
Malins, Humfrey
Marshall, David *(Glasgow Shettleston)*
Mawhinney, rh Sir Brian
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Simmonds, Mark
Spellar, rh John
Spicer, Sir Michael
Steen, Anthony
Steinberg, Gerry
Strang, rh Dr. Gavin
Swire, Hugo *(E Devon)*
Syms, Robert
Taylor, Sir Teddy

Turner, Dennis *(Wolverh'ton SE)*
Viggers, Peter
Waterson, Nigel
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Winterton, Ann *(Congleton)*

Tellers for the Noes:
Mr. Gerry Sutcliffe and
Mr. Nick Ainger

Question accordingly agreed to.

PARLIAMENTARY QUESTIONS

Motion made, and Question proposed,

That this House takes note of the Third Report from the Procedure Committee, *Parliamentary Questions*, House of Commons Paper No. 622, and the Government Response thereto, Cm 5628, and approves the proposals in both for a quota on named day questions, a reduction in the daily quota of questions per department, the introduction of electronic tabling subject to safeguards to ensure the authenticity of questions and the power of the Speaker to modify or halt the system if it appears it is being abused, and the timing and printing of answers to written questions and written ministerial statements.—*[Mr. Woolas.]*

Amendment proposed: (a), in line 8, leave out 'and written Ministerial statements'.—*[Mr. Greg Knight.]*

Question put, That the amendment be made:—

The House divided: Ayes 144, Noes 386.

Division No. 335] **[10:42 pm**

AYES

Amess, David
Ancram, rh Michael
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barker, Gregory
Baron, John *(Billericay)*
Beggs, Roy *(E Antrim)*
Bellingham, Henry
Bercow, John
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brazier, Julian
Burnside, David
Burt, Alistair
Cameron, David
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Mrs Helen *(Peterborough)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cran, James *(Beverley)*
Davies, rh Denzil *(Llanelli)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Dorrell, rh Stephen
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Dunwoody, Mrs Gwyneth
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, rh Frank *(Birkenhead)*
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Gibb, Nick *(Bognor Regis)*
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Hague, rh William
Hawkins, Nick
Heald, Oliver
Hermon, Lady
Hoban, Mark *(Fareham)*
Hoey, Kate *(Vauxhall)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Johnson, Boris *(Henley)*
Jones, Helen *(Warrington N)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
MacKay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Mates, Michael
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Moss, Malcolm
Murrison, Dr. Andrew
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Randall, John
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Salmond, Alex
Selous, Andrew
Simmonds, Mark
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Viggers, Peter
Wareing, Robert N.
Weir, Michael
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Williams, Hywel *(Caernarfon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Wishart, Pete
Yeo, Tim *(S Suffolk)*

Tellers for the Ayes:
Mr. Ivor Caplin and
Joan Ryan

NOES

Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Baird, Vera
Baker, Norman
Barnes, Harry
Barrett, John
Battle, John
Beard, Nigel
Begg, Miss Anne
Beith, rh A. J.
Bell, Stuart
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blunt, Crispin
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Breed, Colin
Brennan, Kevin
Brooke, Mrs Annette L.
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Browning, Mrs Angela
Bruce, Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burnham, Andy
Burstow, Paul
Butterfill, John
Byers, rh Stephen
Cable, Dr. Vincent
Calton, Mrs Patsy
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, rh Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Carmichael, Alistair
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, hon. Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Kenneth *(Rushcliffe)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann

Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corston, Jean
Cotter, Brian
Cousins, Jim
Cox, Tom *(Tooting)*
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curry, rh David
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Garnier, hon. Edward
George, Andrew *(St. Ives)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Goggins, Paul
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, rh Ms Harriet
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Heath, David
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Heppell, John
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Holmes, Paul
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jack, rh Michael
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Nigel *(Cheltenham)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, rh Charles *(Ross Skye & Inverness)*
Khabra, Piara S.
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Kirkwood, Archy
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Lamb, Norman
Lammy, David
Lawrence, Mrs Jackie
Laws, David *(Yeovil)*
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Lilley, rh Peter
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Maples, John
Marris, Rob *(Wolverh'ton SW)*
Marsden, Paul *(Shrewsbury & Atcham)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moore, Michael
Moran, Margaret
Morley, Elliot
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norman, Archie
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
Oaten, Mark *(Winchester)*
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Pugh, Dr. John
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Read, Andy *(Loughborough)*
Reid, Alan *(Argyll & Bute)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Rendel, David
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(City of Chester)*
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stunell, Andrew
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Tipping, Paddy
Tonge, Dr. Jenny
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*

Tyrie, Andrew
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Walter, Robert
Ward, Claire
Watson, Tom *(W Bromwich E)*
Webb, Steve *(Northavon)*
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilson, Brian
Winnick, David
Winterton, Sir Nicholas *(Macclesfield)*
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. Gerry Sutcliffe and
Mr. Nick Ainger

Question accordingly negatived.

Amendment proposed: (b) in line 8, at end add

'; and approves the proposals in the Procedure Committee's report for the introduction of a 30-minute session of questions on a single topical subject on Tuesdays and Thursdays.'.—*[Sir Nicholas Winterton.]*

Question put, That the amendment be made:—

The House divided: Ayes 256, Noes 283.

Division No. 336] **[10.55 pm**

AYES

Allan, Richard
Allen, Graham
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Barnes, Harry
Baron, John *(Billericay)*
Barrett, John
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bennett, Andrew
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Bruce, Malcolm
Buck, Ms Karen
Burnett, John
Burnside, David
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Sir Sydney *(Chipping Barnet)*
Chaytor, David
Chidgey, David
Chope, Christopher
Clapham, Michael
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Clwyd, Ann *(Cynon V)*
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Dismore, Andrew
Djanogly, Jonathan
Dobbin, Jim *(Heywood)*
Dodds, Nigel
Donaldson, Jeffrey M.
Dorrell, rh Stephen
Doughty, Sue
Drown, Ms Julia
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Dunwoody, Mrs Gwyneth
Ellman, Mrs Louise
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Field, rh Frank *(Birkenhead)*
Field, Mark *(Cities of London & Westminster)*
Fisher, Mark
Flight, Howard
Flook, Adrian
Flynn, Paul *(Newport W)*
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Gapes, Mike *(Ilford S)*
Garnier, hon. Edward
George, Andrew *(St. Ives)*
Gerrard, Neil
Gibb, Nick *(Bognor Regis)*
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Hague, rh William
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Heald, Oliver
Heath, David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hoey, Kate *(Vauxhall)*
Hogg, rh Douglas
Holmes, Paul
Hopkins, Kelvin
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Illsley, Eric
Jack, rh Michael
Johnson, Boris *(Henley)*
Jones, Helen *(Warrington N)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
Luke, Iain *(Dundee E)*
McDonnell, John
McIntosh, Miss Anne
MacKay, rh Andrew
Mackinlay, Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury & Atcham)*
Mates, Michael
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Michael, rh Alun
Mitchell, Austin *(Gt Grimsby)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Oaten, Mark *(Winchester)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Plaskitt, James
Portillo, rh Michael
Prentice, Gordon *(Pendle)*
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Purnell, James
Randall, John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, John *(Glasgow Anniesland)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Selous, Andrew
Simmonds, Mark
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Strang, rh Dr. Gavin
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Tredinnick, David
Trend, Michael
Trimble, rh David

Turner, Andrew *(Isle of Wight)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve *(Northavon)*
Weir, Michael
White, Brian
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winnick, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Wright, David *(Telford)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Ivor Caplin and Joan Ryan

NOES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Baird, Vera
Battle, John
Beard, Nigel
Begg, Miss Anne
Bell, Stuart
Benn, Hilary
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Clark, Mrs Helen *(Peterborough)*
Clark, hon. Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corston, Jean
Cousins, Jim
Cox, Tom *(Tooting)*
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Fitzpatrick, Jim
Flint, Caroline
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gibson, Dr. Ian
Gilroy, Linda
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Heppell, John
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, rh John
Iddon, Dr. Brian
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Kelly, Ruth *(Bolton W)*
Khabra, Piara S.
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
MacDonald, Calum
MacDougall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marshall, David *(Glasgow Shettleston)*
Merron, Gillian
Milburn, rh Alan
Miliband, David
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morley, Elliot
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Page, Richard
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Steinberg, Gerry

Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Stringer, Graham
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Mr. Gerry Sutcliffe and
Mr. Nick Ainger

Question accordingly negatived.

Main Question put and agreed to.

QUESTIONS (AMENDMENTS TO STANDING ORDERS)

Ordered,

That,

(1) the following Standing Order (Written statements by ministers) be made:

A Minister of the Crown, being a Member of the House, may give notice of his intention to make a ministerial statement in written form on a specified day not later than five sitting days after the day on which notice was given: and such statements shall be printed in the *Official Report*.

(2) with effect from 1st January 2003, the following amendments to Standing orders be made:

(a) Standing Order No. 21 (Time for taking questions) be amended as follows:

Line 13, by leaving out the words 'on the order paper' and inserting the words 'in the Questions Book'.

(b) Standing Order No. 22 (Notices of questions, motions and amendments) be amended as follows:

Line 2, at end insert 'in a form determined by the Speaker'

Line 17, leave out from 'that' to end of line 34 and insert—

(5) Notice of a question for oral answer may be given only for answer on the next day on which the Member to whom it is addressed is due to give oral answers; and in respect of each such day the Speaker shall specify the latest date and time at which notice may be given and how many questions are to be printed for each Member answering; and only that number of notices of questions (selected at random from those received in a manner to be prescribed by the Speaker) shall be treated as valid notices received on the day concerned;

Provided that the latest date and time specified by the Speaker shall be such as to enable the notices selected to be printed and circulated

(a) in the case of questions to the Secretaries of State for Northern Ireland, Scotland and Wales at least four days (excluding Friday, Saturday and Sunday) before the question is to be answered or

(b) in the case of questions to other Ministers, at least two days (excluding Friday, Saturday and Sunday) before the question is to be answered'.

Line 38, leave out from 'paragraphs' to end of paragraph and add '(4) and (5) of this order and specifying the arrangements for tabling questions during the adjournment'.—*[Mr. Woolas.]*

NEW PROVISION FOR EARLIER SITTINGS ON WEDNESDAYS, AND FOR THURSDAYS AND FRIDAYS

Motion made, and Question proposed,

That, with effect from 1st January 2003 until the end of the Parliament, the Standing Orders and practice of the House shall have effect subject to the following modifications:

(1) Subject to paragraph (3) of this Order and to paragraph (14)(a) of Standing Order No. 1B (Election of Speaker by secret ballot), the House shall meet on Wednesdays at half-past Eleven o'clock and—

(a) the moment of interruption shall be at Seven o'clock;

(b) in their application to such sittings, reference to a specified time in the Standing Orders shall be interpreted as reference to a time three hours earlier, except that reference to Twelve o'clock in Standing Order No. 24 (Adjournment on specific and important matter that should have urgent consideration) shall be read as reference to half-past Ten o'clock, and that references to One o'clock, a quarter past One o'clock and half-past Three o'clock in Standing Order No. 88 (Meetings of standing committees) shall be read as references to twenty-five minutes past Eleven o'clock, twenty minutes to Twelve o'clock and Two o'clock respectively; and

(c) divisions deferred under the provisions of the Order (Deferred Divisions) shall be held at half-past Twelve o'clock.

(2) On Wednesdays the sitting in Westminster Hall shall begin at half-past Nine o'clock, shall be suspended from half-past Eleven o'clock until Two o'clock and may then continue for up to a further two and a half hours (and in calculating that period no account shall be taken of any period during which the sitting may be suspended owing to a division being called in the House or a Committee of the whole House).

(3) Paragraphs (1) and (2) of this Order shall not apply to a Wednesday sitting which immediately follows a periodic adjournment of more than two days or is the first day of a session, and in the former case the sitting in Westminster Hall shall begin at half-past Nine o'clock and conclude at Two o'clock.

(4) On Thursdays the provisions of paragraph (1) of this Order shall apply (and the provisions of paragraphs (2) and (3) shall not apply), except that the moment of interruption shall be at Six o'clock and—

(a) opposed private business under Standing Order No. 20 (Time for taking private business), urgent debates set down for the same day by direction of the Speaker under Standing Order No. 24 (Adjournment on specific and important matter that should have urgent consideration), opposition half-day debates under paragraph (2)(c)(ii) of Standing Order No. 14 (Arrangement of public business) and half-day Estimates debates under paragraph (3)(b) of Standing Order No. 54 (Consideration of estimates) shall begin at Three o'clock;

(b) opposition half-day debates under paragraph (2)(c)(i) of Standing Order No. 14 and half-day Estimates debates under paragraph (3)(a) of Standing Order No. 54 shall lapse, or be interrupted, as the case may be, at Four o'clock; and

(c) references to Eleven o'clock and half-past Eleven o'clock in Standing Orders No. 15 (Exempted business) and No. 17 (Delegated Legislation (negative procedure)) shall be read as references to Seven o'clock and half-past Seven o'clock respectively.

(5) Unless the House otherwise orders, the House shall not sit on any Friday other than those on which private Members' bills have precedence and—

(a) when the House is not sitting on a Friday it shall, at its rising on the previous Thursday, stand adjourned till the following Monday without any question being put, unless it shall have resolved otherwise; and

(b) paragraph (4) of Standing Order No. 12 (House not to sit on certain Fridays) shall apply to any Friday on which the House does not sit by virtue of this Order, with the addition of notices of motions relating to proceedings on bills committed to a standing committee to the notices which may be received by the Public Bill Office under subparagraph (b) of that paragraph.—*[Mr. Woolas.]*

Amendment proposed: (a), in line 4, leave out paragraphs (1) to (3).—*[Mr. Mullin.]*

Question put, That the amendment be made:—

The House divided: Ayes 265, Noes 288.

Division No. 337] **[11.07 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Amess, David
Ancram, rh Michael
Anderson, Janet *(Rossendale & Darwen)*
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Barker, Gregory
Barnes, Harry
Beggs, Roy *(E Antrim)*
Beilingham, Henry
Bennett, Andrew
Beresford, Sir Paul
Betts, Clive
Blizzard, Bob
Borrow, David
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brazier, Julian
Brennan, Kevin
Browning, Mrs Angela
Burgon, Colin
Burnett, John
Burnside, David
Burt, Alistair
Butterfill, John
Caplin, Ivor
Cash, William
Chapman, Ben *(Wirral S)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clapham, James
Clark, Mrs Helen *(Peterborough)*
Clarke, rh Kenneth *(Rushcliffe)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clifton-Brown, Geoffrey
Clwyd, Ann *(Cynon V)*
Coleman, Iain
Collins, Tim
Connarty, Michael
Cormack, Sir Patrick
Cran, James *(Beverley)*
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curry, rh David
Dalyell, Tam
Davies, rh Denzil *(Llanelli)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Dismore, Andrew
Djanogly, Jonathan
Dobbin, Jim *(Heywood)*
Dodds, Nigel
Donaldson, Jeffrey M.
Donohoe, Brian H.
Dorrell, rh Stephen
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Dunwoody, Mrs Gwyneth
Efford, Clive
Ellman, Mrs Louise
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, rh Eric
Foulkes, rh George
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, hon. Edward
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Hague, rh William
Hammond, Philip
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Hawkins, Nick
Heald, Oliver
Henderson, Ivan *(Harwich)*
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hoey, Kate *(Vauxhall)*
Hogg, rh Douglas
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howard, rh Michael
Howarth, George *(Knowsley N & Sefton E)*
Howarth, Gerald *(Aldershot)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Hunter, Andrew
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Jack, rh Michael
Jenkins, Brian
Johnson, Boris *(Henley)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(Selly Oak)*
Kaufman, rh Gerald
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Key, Robert *(Salisbury)*
Khabra, Piara S.
King, Andy *(Rugby)*
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Lawrence, Mrs Jackie
Leslie, Christopher
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Lewis, Terry *(Worsley)*
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Lucas, Ian *(Wrexham)*
Luff, Peter *(M-Worcs)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McFall, John
McGuire, Mrs Anne
McIntosh, Miss Anne
Mackinlay, Andrew
Maclean, rh David
McLoughlin, Patrick
McNulty, Tony
McWilliam, John
Mahon, Mrs Alice
Malins, Humfrey
Mann, John *(Bassetlaw)*
Maples, John
Marris, Rob *(Wolverh'ton SW)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Mates, Michael
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Miller, Andrew
Moonie, Dr. Lewis
Moss, Malcolm
Mountford, Kali
Mullin, Chris
Murphy, Jim *(Eastwood)*
O'Brien, Bill *(Normanton)*
O'Brien, Stephen *(Eddisbury)*
Olner, Bill
Öpik, Lembit
Paice, James
Paterson, Owen
Pearson, Ian
Pickles, Eric
Pickthall, Colin
Plaskitt, James
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prescott, rh John
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Quinn, Lawrie
Randall, John
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Roe, Mrs Marion
Rooney, Terry
Rosindell, Andrew
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruffley, David
Russell, Bob *(Colchester)*
Salmond, Alex
Selous, Andrew
Sheridan, Jim
Simmonds, Mark
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soames, Nicholas
Spellar, rh John
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Squire, Rachel
Stanley, rh Sir John
Steen, Anthony
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Strang, rh Dr. Gavin
Sutcliffe, Gerry
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, David *(NW Leics)*
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Thomas, Gareth *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Tipping, Paddy
Touhig, Don *(Islwyn)*
Trend, Michael
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Tynan, Bill *(Hamilton S)*
Tyrie, Andrew
Viggers, Peter
Ward, Claire
Waterson, Nigel
Watson, Tom *(W Bromwich E)*
Watts, David
Weir, Michael
White, Brian
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John

Williams, rh Alan *(Swansea W)*
Williams, Hywel *(Caernarfon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Winterton, Ms Rosie *(Doncaster C)*
Wishart, Pete
Wright, Anthony D. *(Gt Yarmouth)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Charlotte Atkins and Mr. John Heppell

NOES

Abbott, Ms Diane
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Bacon, Richard
Baird, Vera
Baker, Norman
Baron, John *(Billericay)*
Barrett, John
Battle, John
Beard, Nigel
Begg, Miss Anne
Beith, rh A. J.
Bell, Stuart
Benn, Hilary
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blunt, Crispin
Boateng, rh Paul
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Breed, Colin
Brooke, Mrs Annette L.
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, Andy
Burstow, Paul
Byers, rh Stephen
Cable, Dr. Vincent
Caborn, rh Richard
Calton, Mrs Patsy
Cameron, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, rh Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Carmichael, Alistair
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, hon. Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Coaker, Vernon
Coffey, Ms Ann
Colman, Tony
Connarty, Michael
Conway, Derek
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corston, Jean
Cotter, Brian
Cousins, Jim
Cox, Tom *(Tooting)*
Cruddas, Jon
Cunningham, rh Dr. Jack *(Copeland)*
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dobson, rh Frank
Doran, Frank
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Field, Mark *(Cities of London & Westminster)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flook, Adrian
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gilroy, Linda
Goggins, Paul
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, rh Ms Harriet
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Healey, John
Heath, David
Henderson, Doug *(Newcastle N)*
Hendrick, Mark
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Holmes, Paul
Horam, John *(Orpington)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hutton, rh John
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Kevan *(N Durham)*
Jones, Nigel *(Cheltenham)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Kelly, Ruth *(Bolton W)*
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kidney, David
King, Ms Oona *(Bethnal Green & Bow)*
Kirkbride, Miss Julie
Kirkwood, Archy
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lamb, Norman
Lammy, David
Laws, David *(Yeovil)*
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Leigh, Edward
Lepper, David
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Liddell-Grainger, Ian
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Luke, Iain *(Dundee E)*
McCafferty, Chris
MacDonald, Calum
McDonnell, John
MacDougall, John
McIsaac, Shona
MacKay, rh Andrew
McKechin, Ann
McKenna, Rosemary
Mactaggart, Fiona
McWalter, Tony
Mahmood, Khalid
Mallaber, Judy
Mandelson, rh Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury & Atcham)*
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moore, Michael
Moran, Margaret
Morley, Elliot
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murrison, Dr. Andrew
Naysmith, Dr. Doug
Norman, Archie
Oaten, Mark *(Winchester)*
O'Neill, Martin
Organ, Diana
Osborne, George *(Tatton)*
Osborne, Sandra *(Ayr)*
Ottaway, Richard
Page, Richard
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pike, Peter *(Burnley)*
Pollard, Kerry
Pond, Chris *(Gravesham)*
Portillo, rh Michael
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Pugh, Dr. John
Purchase, Ken
Purnell, James
Quin, rh Joyce
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, Alan *(Argyll & Bute)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Rendel, David
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Simon, Siôn *(B'ham Erdington)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Soley, Clive
Southworth, Helen
Steinberg, Gerry
Stoate, Dr. Howard
Stringer, Graham
Stunell, Andrew

Swire, Hugo *(E Devon)*
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, Matthew *(Truro)*
Thomas, Gareth *(Clwyd W)*
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Tredinnick, David
Trickett, Jon
Truswell, Paul
Twigg, Stephen *(Enfield)*
Tyler, Paul *(N Cornwall)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Walter, Robert
Wareing, Robert N.
Webb, Steve *(Northavon)*
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, Mrs Betty *(Conwy)*
Williams, Roger *(Brecon)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Dan Norris and
Derek Twigg

Question accordingly negatived.

Main Question put:—

The House divided: Ayes 311, Noes 234.

Division No. 338] **[11:20 pm**

AYES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Bacon, Richard
Baird, Vera
Baker, Norman
Baron, John *(Billericay)*
Barrett, John
Battle, John
Beard, Nigel
Begg, Miss Anne
Beith, rh A. J.
Bell, Stuart
Benn, Hilary
Benton, Joe *(Bootle)*
Bercow, John
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blunkett, rh David
Blunt, Crispin
Boateng, rh Paul
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Breed, Colin
Brooke, Mrs Annette L.
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, Andy
Burstow, Paul
Byers, rh Stephen
Cable, Dr. Vincent
Caborn, rh Richard
Calton, Mrs Patsy
Cameron, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, rh Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Carmichael, Alistair
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, hon. Dr. Lynda *(Edinburgh Pentlands)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Coaker, Vernon
Coffey, Ms Ann
Colman, Tony
Connarty, Michael
Conway, Derek
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corston, Jean
Cotter, Brian
Cousins, Jim
Cox, Tom *(Tooting)*
Cruddas, Jon
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Doran, Frank
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Field, Mark *(Cities of London & Westminster)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flook, Adrian
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gibb, Nick *(Bognor Regis)*
Gibson, Dr. Ian
Gilroy, Linda
Goggins, Paul
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, rh Ms Harriet
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Healey, John
Heath, David
Henderson, Doug *(Newcastle N)*
Hendrick, Mark
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Holmes, Paul
Hood, Jimmy *(Clydesdale)*
Horam, John *(Orpington)*
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hutton, rh John
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Nigel *(Cheltenham)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, rh Charles *(Ross Skye & Inverness)*
Khabra, Piara S.
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Kirkbride, Miss Julie
Kirkwood, Archy
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lamb, Norman
Lammy, David
Laws, David *(Yeovil)*
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Leigh, Edward
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Liddell-Grainger, Ian
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McCafferty, Chris
MacDonald, Calum
McDonnell, John
MacDougall, John
McGuire, Mrs Anne
McIsaac, Shona
MacKay, rh Andrew
McKechin, Ann
McKenna, Rosemary
Mactaggart, Fiona
McWalter, Tony
Mahmood, Khalid
Mallaber, Judy
Mandelson, rh Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury & Atcham)*
Mercer, Patrick
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moore, Michael
Moran, Margaret
Morley, Elliot
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Naysmith, Dr. Doug
Norman, Archie
O'Brien, Bill *(Normanton)*
Oaten, Mark *(Winchester)*
O'Neill, Martin
Organ, Diana
Osborne, George *(Tatton)*
Osborne, Sandra *(Ayr)*
Ottaway, Richard
Page, Richard
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pike, Peter *(Burnley)*
Pollard, Kerry
Pond, Chris *(Gravesham)*
Portillo, rh Michael
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn

Pugh, Dr. John
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Ross, Ernie *(Dundee W)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Selous, Andrew
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Soley, Clive
Southworth, Helen
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stoate, Dr. Howard
Stringer, Graham
Stunell, Andrew
Swire, Hugo *(E Devon)*
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, Matthew *(Truro)*
Thomas, Gareth *(Clwyd W)*
Thomas, Simon *(Ceredigion)*
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Tredinnick, David
Trickett, Jon
Truswell, Paul
Twigg, Stephen *(Enfield)*
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Walter, Robert
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Webb, Steve *(Northavon)*
Whitehead, Dr. Alan
Wicks, Malcolm
Wiggin, Bill
Williams, rh Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Charlotte Atkins and Mr. John Heppell

NOES

Amess, David
Ancram, rh Michael
Anderson, Janet *(Rossendale & Darwen)*
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Barker, Gregory
Barnes, Harry
Beggs, Roy *(E Antrim)*
Bellingham, Henry
Bennett, Andrew
Beresford, Sir Paul
Betts, Clive
Blizzard, Bob
Borrow, David
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brazier, Julian
Brennan, Kevin
Browning, Mrs Angela
Burgon, Colin
Burnett, John
Burnside, David
Burt, Alistair
Butterfill, John
Cash, William
Chapman, Ben *(Wirral S)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, rh Kenneth *(Rushcliffe)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clifton-Brown, Geoffrey
Clwyd, Ann *(Cynon V)*
Coleman, Iain
Collins, Tim
Cormack, Sir Patrick
Cran, James *(Beverley)*
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Curry, rh David
Dalyell, Tam
Davies, rh Denzil *(Llanelli)*
Davis, rh David *(Haltemprice & Howden)*
Dismore, Andrew
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Donohoe, Brian H.
Dorrell, rh Stephen
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Dunwoody, Mrs Gwyneth
Efford, Clive
Ellman, Mrs Louise
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, rh Eric
Foulkes, rh George
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, hon. Edward
Gerrard, Neil
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Hague, rh William
Hammond, Philip
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Hawkins, Nick
Heald, Oliver
Henderson, Ivan *(Harwich)*
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hoey, Kate *(Vauxhall)*
Hogg, rh Douglas
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howard, rh Michael
Howarth, George *(Knowsley N & Sefton E)*
Howarth, Gerald *(Aldershot)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hunter, Andrew
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Jack, rh Michael
Jenkins, Brian
Johnson, Boris *(Henley)*
Jones, Helen *(Warrington N)*
Jones, Lynne *(Selly Oak)*
Kaufman, rh Gerald
Key, Robert *(Salisbury)*
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Lawrence, Mrs Jackie
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Lewis, Terry *(Worsley)*
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Lucas, Ian *(Wrexham)*
Luff, Peter *(M-Worcs)*
McAvoy, Thomas
McCabe, Stephen
McFall, John
McIntosh, Miss Anne
Mackinlay, Andrew
Maclean, rh David
McLoughlin, Patrick
McNulty, Tony
McWilliam, John
Mahon, Mrs Alice
Malins, Humfrey
Mallon, Seamus
Mann, John *(Bassetlaw)*
Maples, John
Marris, Rob *(Wolverh'ton SW)*
Martlew, Eric
Mates, Michael
Mawhinney, rh Sir Brian
Miller, Andrew
Moonie, Dr. Lewis
Moss, Malcolm
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Jim *(Eastwood)*
Murrison, Dr. Andrew
O'Brien, Stephen *(Eddisbury)*
Olner, Bill
Öpik, Lembit
Paice, James
Paterson, Owen
Pearson, Ian
Pickles, Eric
Pickthall, Colin
Plaskitt, James
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prescott, rh John
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Randall, John
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Roe, Mrs Marion
Rooney, Terry
Rosindell, Andrew
Roy, Frank *(Motherwell)*
Ruffley, David
Russell, Bob *(Colchester)*
Salmond, Alex
Simmonds, Mark
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soames, Nicholas
Spellar, rh John
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Squire, Rachel
Stanley, rh Sir John
Steen, Anthony
Stewart, Ian *(Eccles)*
Strang, rh Dr. Gavin
Sutcliffe, Gerry
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, David *(NW Leics)*
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Touhig, Don *(Islwyn)*
Trend, Michael
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Turner, Dennis *(Wolverh'ton SE)*

Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Tyrie, Andrew
Viggers, Peter
Ward, Claire
Waterson, Nigel
Watts, David
Weir, Michael
White, Brian
Whittingdale, John
Widdecombe, rh Miss Ann
Wilkinson, John
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Winterton, Ms Rosie *(Doncaster C)*
Wishart, Pete
Wright, Anthony D. *(Gt Yarmouth)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Dan Norris and
Derek Twigg

Question accordingly agreed to.

NEW PROVISION FOR EARLIER SITTINGS ON TUESDAYS

Motion made, and Question put,

That, with effect from 1st January 2003 until the end of the Parliament, the Standing Orders and practice of the House shall have effect subject to the following modifications:

(1) Subject to paragraph (3) of this Order and to paragraph (14)(a) of Standing Order No. 1B (Election of Speaker by secret ballot), the House shall meet on Tuesdays at half-past Eleven o'clock and—

(a) the moment of interruption shall be at Seven o'clock; and

(b) in their application to such sittings, reference to a specified time in the Standing Orders shall be interpreted as reference to a time three hours earlier, except that reference to Twelve o'clock in Standing Order No. 24 (Adjournment on a specific and important matter that should have urgent consideration) shall be read as reference to half-past Ten o'clock, and that references to One o'clock, a quarter past One o'clock and half-past Three o'clock in Standing Order No. 88 (Meetings of standing committees)shall be read as references to twenty-five minutes past Eleven o'clock, twenty minutes to Twelve o'clock and Two o'clock respectively.

(2) On Tuesdays the sitting in Westminster Hall shall begin at half-past Nine o'clock, shall be suspended from half-past Eleven o'clock until Two o'clock and may then continue for up to a further two and a half hours (and in calculating that period no account shall be taken of any period during which the sitting may be suspended owing to a division being called in the House or a Committee of the whole House).

(3) Paragraphs (1) and (2) of this Order shall not apply to a Tuesday sitting which immediately follows a periodic adjournment of more than two days or is the first day of a session, and in the former case the sitting in Westminster Hall shall begin at half-past Nine o'clock and conclude at Two o'clock.—*[Mr. Woolas.]*

The House divided: Ayes 274, Noes 267.

Division No. 339] **[11:33 pm**

AYES

Abbott, Ms Diane
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Arbuthnot, rh James
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Bacon, Richard
Baird, Vera
Baker, Norman
Baron, John *(Billericay)*
Barrett, John
Battle, John
Beard, Nigel
Begg, Miss Anne
Beith, rh A. J.
Bell, Stuart
Benn, Hilary
Benton, Joe *(Bootle)*
Berry, Roger
Blackman, Liz
Blears, Ms Hazel
Blunt, Crispin
Boateng, rh Paul
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Breed, Colin
Brooke, Mrs Annette L.
Brown, rh Nicholas *(Newcastle E Wallsend)*
Browne, Desmond
Bruce, Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, Andy
Burstow, Paul
Byers, rh Stephen
Cable, Dr. Vincent
Caborn, rh Richard
Calton, Mrs Patsy
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, rh Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Carmichael, Alistair
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, hon. Dr. Lynda *(Edinburgh Pentlands)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Coaker, Vernon
Coffey, Ms Ann
Colman, Tony
Connarty, Michael
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corston, Jean
Cousins, Jim
Cox, Tom *(Tooting)*
Cruddas, Jon
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Doran, Frank
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Field, Mark *(Cities of London & Westminster)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flook, Adrian
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Gibson, Dr. Ian
Gilroy, Linda
Goggins, Paul
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, rh Ms Harriet
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Henderson, Doug *(Newcastle N)*
Hendrick, Mark
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Holmes, Paul
Horam, John *(Orpington)*
Humble, Mrs Joan
Hutton, rh John
Iranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Kevan *(N Durham)*
Jones, Nigel *(Cheltenham)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kidney, David
King, Ms Oona *(Bethnal Green & Bow)*
Kirkbride, Miss Julie
Kirkwood, Archy
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Lamb, Norman
Lammy, David
Laws, David *(Yeovil)*
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Leigh, Edward
Lepper, David
Levitt, Tom *(High Peak)*
Liddell, rh Mrs Helen
Liddell-Grainger, Ian
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McCafferty, Chris
MacDonald, Calum
MacDougall, John

McIsaac, Shona
MacKay, rh Andrew
McKechin, Ann
McKenna, Rosemary
Mactaggart, Fiona
McWalter, Tony
Mahmood, Khalid
Mallaber, Judy
Mandelson, rh Peter
Marsden, Paul *(Shrewsbury & Atcham)*
Merron, Gillian
Milburn, rh Alan
Miliband, David
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moore, Michael
Moran, Margaret
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murrison, Dr. Andrew
Naysmith, Dr. Doug
Norman, Archie
Oaten, Mark *(Winchester)*
O'Neill, Martin
Organ, Diana
Osborne, George *(Tatton)*
Osborne, Sandra *(Ayr)*
Ottaway, Richard
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pike, Peter *(Burnley)*
Pollard, Kerry
Pond, Chris *(Gravesham)*
Portillo, rh Michael
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Pugh, Dr. John
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Rendel, David
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Ross, Ernie *(Dundee W)*
Ruane, Chris
Ruddock, Joan
Ruffley, David
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Selous, Andrew
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Soley, Clive
Southworth, Helen
Stewart, David *(Inverness E & Lochaber)*
Stunell, Andrew
Swire, Hugo *(E Devon)*
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, Matthew *(Truro)*
Thomas, Gareth *(Clwyd W)*
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Tredinnick, David
Trickett, Jon
Truswell, Paul
Twigg, Stephen *(Enfield)*
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Walter, Robert
Wareing, Robert N.
Webb, Steve *(Northavon)*
Whitehead, Dr. Alan
Wicks, Malcolm
Wiggin, Bill
Williams, rh Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Charlotte Atkins and Mr. John Heppell

NOES

Adams, Irene *(Paisley N)*
Ainger, Nick
Amess, David
Ancram, rh Michael
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Atkinson, Peter *(Hexham)*
Barker, Gregory
Barnes, Harry
Beggs, Roy *(E Antrim)*
Bellingham, Henry
Bennett, Andrew
Beresford, Sir Paul
Best, Harold
Betts, Clive
Blizzard, Bob
Borrow, David
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Bradley, rh Keith *(Withington)*
Brady, Graham
Brazier, Julian
Brennan, Kevin
Brown, Russell *(Dumfries)*
Browning, Mrs Angela
Burgon, Colin
Burnett, John
Burnside, David
Burt, Alistair
Butterfill, John
Cameron, David
Caplin, Ivor
Cash, William
Chapman, Ben *(Wirral S)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, rh Kenneth *(Rushcliffe)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clifton-Brown, Geoffrey
Clwyd, Ann *(Cynon V)*
Coleman, Iain
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Crausby, David
Cryer, John *(Hornchurch)*
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curry, rh David
Dalyell, Tam
Davies, rh Denzil *(Llanelli)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Dismore, Andrew
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Donohoe, Brian H.
Dorrell, rh Stephen
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Efford, Clive
Ellman, Mrs Louise
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, rh Eric
Foulkes, rh George
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, hon. Edward
George, Andrew *(St. Ives)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Hague, rh William
Hammond, Philip
Hanson, David
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Hawkins, Nick
Heald, Oliver
Healey, John
Heath, David
Henderson, Ivan *(Harwich)*
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hoey, Kate *(Vauxhall)*
Hogg, rh Douglas
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howard, rh Michael
Howarth, George *(Knowsley N & Sefton E)*
Howarth, Gerald *(Aldershot)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Jack, rh Michael
Jenkins, Brian
Johnson, Boris *(Henley)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(Selly Oak)*
Kaufman, rh Gerald
Key, Robert *(Salisbury)*
Khabra, Piara S.
King, Andy *(Rugby)*
Knight, rh Greg *(E Yorkshire)*
Kumar, Dr. Ashok
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leslie, Christopher
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Lewis, Terry *(Worsley)*
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Lucas, Ian *(Wrexham)*
Luff, Peter *(M-Worcs)*
McAvoy, Thomas
McCabe, Stephen
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIntosh, Miss Anne
Mackinlay, Andrew
Maclean, rh David
McLoughlin, Patrick
McNulty, Tony
Mahon, Mrs Alice
Malins, Humfrey
Mann, John *(Bassetlaw)*
Maples, John
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Martlew, Eric
Mates, Michael
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Michael, rh Alun
Miller, Andrew
Moonie, Dr. Lewis
Morley, Elliot
Moss, Malcolm
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Jim *(Eastwood)*

O'Brien, Bill *(Normanton)*
O'Brien, Stephen *(Eddisbury)*
Olner, Bill
Öpik, Lembit
Paice, James
Paterson, Owen
Pearson, Ian
Pickthall, Colin
Plaskitt, James
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prescott, rh John
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Randall, John
Reid, Alan *(Argyll & Bute)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Roe, Mrs Marion
Rooney, Terry
Rosindell, Andrew
Roy, Frank *(Motherwell)*
Russell, Bob *(Colchester)*
Salmond, Alex
Simmonds, Mark
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soames, Nicholas
Spellar, rh John
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Squire, Rachel
Stanley, rh Sir John
Steen, Anthony
Steinberg, Gerry
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Sutcliffe, Gerry
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, David *(NW Leics)*
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Thomas, Gareth *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Tipping, Paddy
Touhig, Don *(Islwyn)*
Trend, Michael
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Tyrie, Andrew
Viggers, Peter
Ward, Claire
Waterson, Nigel
Watson, Tom *(W Bromwich E)*
Watts, David
Weir, Michael
White, Brian
Whittingdale, John
Widdecombe, rh Miss Ann
Wilkinson, John
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Wright, Anthony D. *(Gt Yarmouth)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Dan Norris and
Derek Twigg

Question accordingly agreed to.

CARRY-OVER OF BILLS

Motion made, and Question put,

That in the current Parliament the following Order shall have effect:

(1) Subject to the following provisions of this order, a Minister of the Crown may give notice of a motion (a "carry-over motion") that proceedings on a public bill not completed before the end of the session shall be resumed in the next session of Parliament; and the Speaker shall put any question necessary to dispose of proceedings on such a motion—

(a) forthwith if the motion is made on the day the bill is read a second time; or

(b) not more than one and a half hours after the commencement of proceedings on the motion if the motion is made at any other time.

(2) A carry-over motion may be proceeded with, though opposed, after the moment of interruption.

(3) A carry-over motion shall not be made in respect of more than one bill.

(4) A carry-over motion shall not be made in respect of a bill carried over from a previous session of Parliament.

(5) Paragraphs (6) to (9) of this order shall apply to any bill ordered to be carried over to the next session of Parliament in pursuance of a carry-over motion.

(6) If proceedings in Committee on the bill are begun but not completed before the end of the first session, the Chairman shall report the bill to the House as so far amended and the bill shall be ordered to lie upon the Table.

(7) In any other case, proceedings on the bill shall be suspended at the conclusion of the session in which the bill was first introduced.

(8) If a bill is presented in the next session in the same terms as the bill reported to the House under paragraph (6) or as it stood when proceedings were suspended under paragraph (7), the bill shall be read the first and second time without question put, shall be ordered to be printed, and—

(a) in the case of a bill reported from a standing committee under paragraph (6), shall stand committed in respect of those clauses and schedules not ordered to stand part of the bill in the first session, to a standing committee of the same Members as the Members of the standing committee on the bill in the first session;

(b) in the case of a bill reported from a Committee of the whole House under paragraph (6), shall stand committed to a Committee of the whole House in respect of those clauses and schedules not ordered to stand part of the bill in the first session;

(c) in the case of a bill committed to a Standing Committee but on which proceedings on the bill were not begun, shall again stand committed to a Standing Committee

(d) otherwise shall be set down as an order of the day for (as the case may be) committee, consideration, further consideration or third reading.

(9) Notices of amendments, new clauses and new schedules given in respect of parts of a bill not disposed of in the first session shall be reprinted as notices in respect of the bill as presented and proceeded with under paragraph (8).

(10) Proceedings on a bill ordered to be carried over to the next session of Parliament shall lapse on the expiry of the period of twelve months from the date of its first reading in this House and the bill shall be laid aside unless the House shall order, in pursuance of a motion under paragraph (11), that proceedings on the bill be extended for a specified period.

(11) A motion may be made by a Minister of the Crown to extend for a specified period proceedings on a bill which would otherwise lapse under paragraph (10), and any such motion

(a) may contain provisions amending or supplementing a programme order in respect of the bill;

(b) may be proceeded with, though opposed, after the moment of interruption;

and the Speaker shall put any question necessary to dispose of proceedings on any such motion not later than one and a half hours after the commencement of those proceedings.—*[Mr. Woolas.]*

The House divided: Ayes 365, Noes 147.

Division No. 340] **[11:46 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Baird, Vera
Baker, Norman
Barrett, John
Battle, John
Beard, Nigel
Begg, Miss Anne
Bell, Stuart
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, rh Paul

Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Breed, Colin
Brennan, Kevin
Brooke, Mrs Annette L.
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burstow, Paul
Byers, rh Stephen
Cable, Dr. Vincent
Caborn, rh Richard
Calton, Mrs Patsy
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, rh Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Carmichael, Alistair
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, hon. Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corston, Jean
Cotter, Brian
Cousins, Jim
Cox, Tom *(Tooting)*
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curry, rh David
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, rh Alistair
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, Andrew *(St. Ives)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Goggins, Paul
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, rh Ms Harriet
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Heath, David
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hermon, Lady
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Holmes, Paul
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hutton, rh John
Iddon, Dr. Brian
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, rh Charles *(Ross Skye & Inverness)*
Khabra, Piara S.
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Kirkwood, Archy
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lamb, Norman
Lammy, David
Lawrence, Mrs Jackie
Laws, David *(Yeovil)*
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCafferty, Chris
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Paul *(Shrewsbury & Atcham)*
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moore, Michael
Moran, Margaret
Morley, Elliot
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norman, Archie
Oaten, Mark *(Winchester)*
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Pugh, Dr. John
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, Alan *(Argyll & Bute)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Rendel, David
Robertson, John *(Glasgow Anniesland)*
Roche, Mrs Barbara
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soley, Clive
Southworth, Helen

Spellar, rh John
Squire, Rachel
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Strang, rh Dr. Gavin
Stringer, Graham
Stunell, Andrew
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Touhig, Don *(Islwyn)*
Tredinnick, David
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*
Tyrie, Andrew
Vaz, Keith *(Leicester E)*
Iis, Dr. Rudi
Walley, Ms Joan
Walter, Robert
Ward, Claire
Watson, Tom *(W Bromwich E)*
Watts, David
Webb, Steve *(Northavon)*
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Charlotte Atkins and
Mr. John Heppell

NOES

Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barker, Gregory
Barnes, Harry
Baron, John *(Billericay)*
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brazier, Julian
Burnett, John
Burnside, David
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cran, James *(Beverley)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Dorrell, rh Stephen
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, hon. Edward
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Hague, rh William
Hammond, Philip
Hawkins, Nick
Heald, Oliver
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Jack, rh Michael
Johnson, Boris *(Henley)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McCabe, Stephen
McIntosh, Miss Anne
MacKay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Mates, Michael
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Moss, Malcolm
Murrison, Dr. Andrew
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Portillo, rh Michael
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Randall, John
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Salmond, Alex
Selous, Andrew
Simmonds, Mark
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Viggers, Peter
Waterson, Nigel
Weir, Michael
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Yeo, Tim *(S Suffolk)*

Tellers for the Noes:
Dan Norris and
Derek Twigg

Question accordingly agreed to.

PERMANENT ARRANGEMENTS FOR WESTMINSTER HALL, THURSDAY SITTINGS AND STANDING COMMITTEES

Ordered,

That, with effect from the beginning of the next Session of Parliament,—

(1) Standing Order No. 10 (Wednesday sittings) be repealed;

(2) the following Standing Order (Sittings in Westminster Hall) be made;

(1) On days on which the House shall sit after an address has been agreed to in answer to Her Majesty's Speech there shall be a sitting in Westminster Hall—

(*a*) on Tuesdays and Wednesdays between half-past Nine o'clock and Two o'clock; and

(*b*) on Thursdays beginning at half-past Two o'clock and continuing for up to three hours (and in calculating that period no account shall be taken of any period during which the sitting may be suspended owing to a division being called in the House or a Committee of the whole House).

(2) Any Member of the House may take part in a sitting in Westminster Hall.

(3) Subject to paragraph (13) below, the business taken at any sitting in Westminster Hall shall be such as the Chairman of Ways and Means shall appoint and may include oral answers to questions under arrangements to be made by him.

(4) The Chairman of Ways and Means or a Deputy Chairman shall take the chair in Westminster Hall as Deputy Speaker; and the House may appoint not more than four other members of the Chairmen's Panel to sit in Westminster Hall as Deputy Speaker.

(5) Any member of the Chairmen's Panel may also take the chair at a sitting in Westminster Hall when so requested by the Chairman of Ways and Means, with the duties and powers conferred on additional Deputy Speakers; and Members so appointed shall be addressed by name.

(6) Any order made or resolution come to at a sitting in Westminster Hall (other than a resolution to adjourn) shall be reported to the House by the Deputy Speaker and shall be deemed to be an order or resolution of the House.

(7) If a motion be made by a Minister of the Crown that an order of the day be proceeded with at a sitting in Westminster Hall, the question thereon shall be put forthwith, but such motion may be made only with the leave of the House and may not be made on a Friday.

(8) The quorum at a sitting in Westminster Hall shall be three.

(9) If at a sitting in Westminster Hall the opinion of the Deputy Speaker as to the decision of a question (other than a question for adjournment) is challenged, that question shall not be decided, and the Deputy Speaker shall report to the House accordingly; and any such question shall be put forthwith upon a motion being made in the House.

(10) If any business other than a motion for adjournment is under consideration at a sitting in Westminster Hall, and not fewer than six Members rise in their places and signify their objection to further proceedings, that business shall not be further proceeded with in Westminster Hall, and the Deputy Speaker shall report to the House accordingly, and any order under paragraph (7) above relating thereto shall be discharged.

(11) At the end of each sitting in Westminster Hall, unless a question for adjournment has previously been agreed to, the Deputy Speaker shall adjourn the sitting without putting any question; and proceedings on any business which has been entered upon but not disposed of shall lapse.

(12) The provisions of Standing Orders No. 29 (Powers of chair to propose question), No. 36 (Closure of debate), No. 37 (Majority for closure or proposal of question), No. 38 (Procedure on divisions), No. 39 (Voting), No. 40 (Division unnecessarily claimed), No. 41 (Quorum), No. 43 (Disorderly conduct), No. 44 (Order in debate), No. 45 (Members suspended, &c., to withdraw from precincts), No. 45A (Suspension of salary of Members suspended) and No. 163 (Motions to sit in private) shall not apply to sittings in Westminster Hall.

(13) In each Session, the Speaker shall appoint not more than six Thursdays on which the business to be taken in Westminster Hall should be debates on select committee reports chosen by the Liaison Committee.

and

(3) the following Amendments to Standing Orders be made:

Standing Order No. 1B (Election of Speaker by secret ballot)

Line 90, leave out '10 (Wednesday sittings)' and insert '9 (Sittings of the House)'

Standing Order No. 9 (Sittings of the House)

Line 2, leave out 'and Thursdays at half-past two' and insert 'and Wednesdays at half-past two o'clock and Thursdays at half-past eleven'

Line 6, after 'Tuesday' insert 'Wednesday'

Line 15, after 'Tuesdays' insert 'and'

Line 16, after 'and' insert 'at seven o'clock on'

Line 16, after 'Thursdays', insert '(the "moment of interruption")'

Line 43, leave out 'ten o'clock' and insert 'the moment of interruption'

Line 52, leave out 'ten o'clock in the evening' and insert 'the moment of interruption'

Standing Order No. 11 (Friday sittings)

leave out lines 9 to 11 and insert –

'(b) the insertion of references to half-past two o'clock as the moment of interruption; and'

Standing Order No. 14 (Arrangement of Public Business)

Lines 20 and 23, after 'o'clock' insert 'on Monday, Tuesday or Wednesday or four o'clock on Thursday'

Line 29, after 'o'clock' insert 'or four o'clock'

Standing Order No. 15 (Exempted business)

Lines 4, 42, 93 and 96, leave out 'ten o'clock' and insert 'the moment of interruption'

Line 24, after 'o'clock' insert 'on Monday, Tuesday or Wednesday or eight o'clock on Thursday'

Standing Order No. 17 (Delegated legislation (negative procedure))

Lines 3 and 5, after 'o'clock' insert 'on Monday, Tuesday or Wednesday or half-past eight o'clock on Thursday'

Line 18, after 'o'clock' insert 'on Monday, Tuesday or Wednesday or eight o'clock on Thursday'

Standing Order No. 20 (Time for taking private business)

Line 3, leave out 'to three o'clock' and insert 'of an hour after the House sits'

Line 28, leave out 'Wednesday or Thursday' and insert 'or Wednesday or Four o'clock on any specified Thursday'

Line 38, after 'o'clock' insert 'or four o'clock'

Standing Order No. 21 (Time for taking questions)

Line 5, leave out 'after half-past three o'clock' and insert 'more than one hour after the House sits'

Standing Order No. 22 (Notices of questions, motions and amendments)

Line 6, leave out 'after half past ten o'clock in the evening' and insert 'later than half an hour after the moment of interruption'.

Standing Order No. 24 (Adjournment on specific and important matter that should have urgent consideration)

Line 24, at end insert 'if it is a Monday, Tuesday or Wednesday or four o'clock if it is a Thursday'.

Line 27, after 'o'clock' insert 'on a Monday, Tuesday or Wednesday or half-past Ten o'clock on a Thursday'

Line 52, after 'o'clock' insert 'or four o'clock'

Line 59, leave out 'seven o'clock' and insert 'the time when they were postponed'

Standing Order No. 54 (Consideration of estimates)

Lines 11 and 40, leave out 'ten o'clock' and insert 'the moment of interruption'

Lines 18 and 22, after 'o'clock' insert 'on Monday, Tuesday or Wednesday or four o'clock on Thursday'

Line 25, after 'o'clock' insert 'or four o'clock'

Standing Order No. 55 (Questions on voting of estimates, &c.)

Line 3, leave out 'ten o'clock' and insert 'the moment of interruption'

Standing Order No. 88 (Meetings of standing committees)

Line 8, leave out '(being days on which the House sits)' and insert 'and at such times'

Line 9, leave out from 'committee' to end of line 10

Line 11, after 'sit' insert 'at Westminster, on a day on which the House sits,'

Line 13, after 'afternoon' insert 'on Mondays, Tuesdays or Wednesdays or between the hours of twenty-five minutes past eleven o'clock in the morning and two o'clock in the afternoon on Thursdays'

Line 14, after 'committee' insert 'to which the proviso to paragraph (1) of this order applies'

Line 16, after 'o'clock' insert 'or twenty-five minutes past eleven o'clock as the case may be'

Line 25, leave out 'until a quarter past one o'clock' and insert 'for a quarter of an hour'

Line 34, at end add—

'(3) Any standing committee may sit notwithstanding any adjournment of the House.'

Standing Order No. 99 (Scottish Grand Committee (substantive motions for the adjournment))

Line 34, leave out 'at or after half-past three o'clock' and insert 'five hours or more after the commencement of the sitting'

Standing Order No. 100 (Scottish Grand Committee (sittings))

Leave out line 9 and insert 'such hours as may be specified'

Line 45, after 'o'clock' insert 'on Mondays, Tuesdays and Wednesdays and at twenty-five minutes past eleven o'clock on Thursdays'

Standing Order No. 108 (Welsh Grand Committee (sittings))

Leave out lines 9 and 10 and insert 'such hours as may be specified'

Line 45, after 'o'clock' insert 'on Mondays, Tuesdays and Wednesdays and at twenty-five minutes past eleven o'clock on Thursdays'

Standing Order No. 116 (Northern Ireland Grand Committee (sittings))

Line 57, after 'o'clock' insert 'on Mondays, Tuesdays and Wednesdays and at twenty-five minutes past eleven o'clock on Thursdays'

Standing Order No. 117 (Standing Committee on Regional Affairs)

Line 37, leave out 'at ten o'clock'

Standing Order No. 145 (Liaison Committee)

Line 10, leave out "Wednesdays" and insert "days"

Line 11, leave out '(4) of Standing Order No. 10 (Wednesday sittings)' and insert '(13) of Standing Order (Sittings in Westminster Hall)'

Standing Order No. 154 (Time and manner of presenting petitions)

Line 22, leave out 'ten o'clock or at half-past two o'clock respectively' and insert 'the moment of interruption'

Standing Order No. 155 (Petition as to present personal grievance)

Line 7, leave out 'shall not be interrupted at ten o'clock and'—[*Mr. Woolas.*]

DEFERRED DIVISIONS

Motion made, and Question put,

That the Order relating to Deferred Divisions, made by the House on 28th June 2001, shall continue to have effect in the next session of Parliament.—[*Mr. Woolas.*]

The House divided: Ayes 313, Noes 153.

Division No. 341] **[12:00 am**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Baird, Vera
Baker, Norman
Barrett, John
Battle, John
Beard, Nigel
Begg, Miss Anne
Beith, rh A. J.
Bell, Stuart
Benn, Hilary
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Boateng, rh Paul
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Breed, Colin
Brennan, Kevin
Brooke, Mrs Annette L.
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm
Bryant, Chris
Burden, Richard
Burstow, Paul
Byers, rh Stephen
Cable, Dr. Vincent
Caborn, rh Richard
Calton, Mrs Patsy
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, rh Menzies *(NE Fife)*
Caplin, Ivor
Carmichael, Alistair
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, hon. Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Colman, Tony
Connarty, Michael
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corston, Jean
Cotter, Brian
Cousins, Jim
Cox, Tom *(Tooting)*
Crausby, David
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Doran, Frank
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, Andrew *(St. Ives)*
George, rh Bruce *(Walsall S)*
Gibson, Dr. Ian
Gilroy, Linda
Goggins, Paul
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Heath, David
Henderson, Doug *(Newcastle N)*
Hendrick, Mark
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Holmes, Paul
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hutton, rh John
Iddon, Dr. Brian
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Johnson, Alan *(Hull W)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, rh Charles *(Ross Skye & Inverness)*
Khabra, Piara S.
Kidney, David
King, Ms Oona *(Bethnal Green & Bow)*
Kirkwood, Archy
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lamb, Norman
Lammy, David
Lawrence, Mrs Jackie
Laws, David *(Yeovil)*
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mactaggart, Fiona
McWalter, Tony
Mahmood, Khalid
Mallaber, Judy

Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Paul *(Shrewsbury & Atcham)*
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moore, Michael
Moran, Margaret
Morley, Elliot
Mullin, Chris
Munn, Ms Meg
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norman, Archie
Oaten, Mark *(Winchester)*
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Pugh, Dr. John
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, John *(Glasgow Anniesland)*
Roche, Mrs Barbara
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Strang, rh Dr. Gavin
Stunell, Andrew
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Touhig, Don *(Islwyn)*
Tredinnick, David
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Twigg, Stephen *(Enfield)*
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Watson, Tom *(W Bromwich E)*
Watts, David
Webb, Steve *(Northavon)*
White, Brian
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Williams, Roger *(Brecon)*
Willis, Phil
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Younger-Ross, Richard

Tellers for the Ayes:
Dan Norris and
Derek Twigg

NOES

Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barker, Gregory
Barnes, Harry
Baron, John *(Billericay)*
Beggs, Roy *(E Antrim)*
Bellingham, Henry
Bercow, John
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Burnett, John
Burnside, David
Burt, Alistair
Butterfill, John
Cameron, David
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clarke, Tony *(Northampton S)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cran, James *(Beverley)*
Dalyell, Tam
Davies, rh Denzil *(Llanelli)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Donohoe, Brian H.
Dorrell, rh Stephen
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, hon. Edward
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Greenway, John
Grieve, Dominic
Hague, rh William
Hammond, Philip
Hawkins, Nick
Heald, Oliver
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Jack, rh Michael
Jenkins, Brian
Johnson, Boris *(Henley)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
MacKay, rh Andrew
Mackinlay, Andrew
Maclean, rh David
McLoughlin, Patrick
Mates, Michael
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Moss, Malcolm
Murrison, Dr. Andrew
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paterson, Owen
Portillo, rh Michael
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Randall, John
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Roe, Mrs Marion
Rosindell, Andrew
Salmond, Alex
Selous, Andrew
Simmonds, Mark
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Weir, Michael
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Williams, Hywel *(Caernarfon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Wright, Anthony D. *(Gt Yarmouth)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Noes:
Charlotte Atkins and
Mr. John Heppell

Question accordingly agreed to.

PROGRAMMING

Motion made, and Question put,

That Orders A to I relating to the Programming of Bills, made by the House on 28th June 2001, shall continue to have effect in the next session of Parliament.—*[Mr. Woolas.]*

The House divided: Ayes 309, Noes 153.

Division No. 342] **[12.11 am**

AYES

Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Baird, Vera
Barnes, Harry
Battle, John
Beard, Nigel
Bell, Stuart
Benn, Hilary
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Brennan, Kevin
Brooke, Mrs Annette L.
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Byers, rh Stephen
Cable, Dr. Vincent
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chaytor, David
Clapham, Michael
Clark, hon. Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corston, Jean
Cousins, Jim
Cox, Tom *(Tooting)*
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Ewing, Annabelle
Farrelly, Paul
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gibson, Dr. Ian
Gilroy, Linda
Goggins, Paul
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Hendrick, Mark
Heppell, John
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Holmes, Paul
Hope, Phil *(Corby)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, rh John
Iddon, Dr. Brian
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Nigel *(Cheltenham)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, rh Charles *(Ross Skye & Inverness)*
Khabra, Piara S.
Kidney, David
King, Ms Oona *(Bethnal Green & Bow)*
Kirkwood, Archy
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lamb, Norman
Lammy, David
Lawrence, Mrs Jackie
Laws, David *(Yeovil)*
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
MacDonald, Calum
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mactaggart, Fiona
McWalter, Tony
Mahmood, Khalid
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Paul *(Shrewsbury & Atcham)*
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moore, Michael
Moran, Margaret
Morley, Elliot
Mullin, Chris
Munn, Ms Meg
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
Oaten, Mark *(Winchester)*
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Pugh, Dr. John
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Angus *(Moray)*
Robertson, John *(Glasgow Anniesland)*
Roche, Mrs Barbara
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salmond, Alex
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Skinner, Dennis
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*

Stewart, Ian *(Eccles)*
Strang, rh Dr. Gavin
Stunell, Andrew
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, Dan *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Watson, Tom *(W Bromwich E)*
Watts, David
Webb, Steve *(Northavon)*
Weir, Michael
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Williams, Roger *(Brecon)*
Willis, Phil
Winterton, Ms Rosie *(Doncaster C)*
Wishart, Pete
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Ivor Caplin and
Mr. Jim Murphy

NOES

Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brazier, Julian
Breed, Colin
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burnside, David
Burstow, Paul
Butterfill, John
Caiton, Mrs Patsy
Cameron, David
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cotter, Brian
Davies, rh Denzil *(Llanelli)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, hon. Edward
George, Andrew *(St. Ives)*
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Grieve, Dominic
Hague, rh William
Hammond, Philip
Heald, Oliver
Heath, David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, rh Michael
Johnson, Boris *(Henley)*
Jones, Lynne *(Selly Oak)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McDonnell, John
McIntosh, Miss Anne
MacKay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Mates, Michael
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Opik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Paterson, Owen
Portillo, rh Michael
Price, Adam *(E Carmarthen & Dinefwr)*
Randall, John
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Roe, Mrs Marion
Rosindell, Andrew
Russell, Bob *(Colchester)*
Selous, Andrew
Simmonds, Mark
Simpson, Alan *(Nottingham S)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Williams, Hywel *(Caernarfon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*

Tellers for the Noes:
Mr. Nick Ainger and
Jim Fitzpatrick

Question accordingly agreed to.

LEAVE OF ABSENCE FOR THE SPEAKER

Ordered,

That Standing Order No. 3 (Deputy Speaker) be amended as follows—

Line 7, after 'Speaker' insert 'or where paragraph (2A) of this order applies'

Line 19, at end add

'(2A) For the purpose of paragraph (2) of this order, the Speaker shall have leave of absence, if he thinks fit, on any Friday on which the House sits.'—*[Mr. Woolas.]*

SHORT SPEECHES

Ordered,

That, with effect from the beginning of the next session of Parliament, Standing Order No. 47 (Short speeches) be amended as follows:

Line 8, leave out 'may' and insert 'shall, subject to paragraph (2)'.

Leave out lines 14 and 15 and insert –

'(2) In relation to any speech, the Speaker shall add to any period specified in paragraph (1) of this order—

(a) one minute if one intervention is accepted, plus the time taken by that intervention;

(b) two minutes if two or more interventions are accepted, plus the time taken by the first two such interventions.'.—*[Mr. Woolas.]*

JUSTICE AND CONSTITUTIONAL AFFAIRS COMMITTEE

Motion made,

That Standing Order No. 152 (Select Committees related to Government departments) be amended as follows:

In the Table

Item 7, column 2, leave out from 'Office;' to end of entry;

After Item 8 insert—

'Justice and Constitutional Affairs	Lord Chancellor's Department (including the work of staff provided for the administrative work of courts and tribunals, but excluding consideration of individual cases and appointments); and administration and expenditure of the Attorney General's Office, the Treasury Solicitor's Department, the Crown Prosecution Service and the Serious Fraud Office (but excluding individual cases and appointments and advice given within government by Law Officers)—*[Mr. Woolas.]*	11'.

Hon. Members: Object.

SITTINGS OF THE HOUSE OF COMMONS

Ordered,

That—

(i) at the sittings on Wednesday 30th October, Thursday 31st October, Monday 4th November, Tuesday 5th November, Wednesday 6th November and Thursday 7th November, the Speaker shall not adjourn the House until any Messages from the Lords shall have been received;

(ii) at the sittings on Monday 4th November, Tuesday 5th November, Wednesday 6th November and Thursday 7th November, the Speaker shall not adjourn the House until any Committee to draw up Reasons which has been appointed at that sitting has reported; and

(iii) at the sitting on Thursday 7th November, the Speaker shall not adjourn the House until a Message is received from the Lords Commissioners.—*[Mr. Woolas.]*

Long-stay Patients

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Woolas.]*

12.23 am

Mr. Bob Laxton (Derby, North) *rose—*

Mr. Deputy Speaker (Sir Michael Lord): Order. Will hon. Members please leave quickly and quietly so that we can proceed with the Adjournment debate?

Mr. Laxton: I am grateful for the opportunity to raise this important matter. Long-stay in-patient benefits affect a cross-section of society, from the youngest invalid to the oldest pensioner. Last year, 10,000 pensioners, 13,000 incapacity benefit and severe disablement allowance recipients and 3,000 income support recipients had their benefit reduced after being in hospital for more than 52 weeks. I shall focus on the effect of that reduction in benefit on just one group: those who suffer from mental illness. I do that partly in the interest of time; it is not to say that any other group suffers less. Indeed, many of the groups overlap. I need only to explain that some of the long-stay hospital patients with mental health problems are pensioners or on disability allowance benefit.

At Kingsway hospital, a mental health hospital in my constituency, 70 patients have been in hospital for more than 52 weeks. The trust is the appointee for the benefits of 46 of them, with 39 receiving in-patient benefit of £15.10 only. The remaining seven patients also receive disability living allowance low-rate mobility allowance of £14.10 a week.

I wish to pay tribute to the excellent and ongoing campaigning work by the Derbyshire patients council, which represents mental health patients in my constituency and across a wider area of Derbyshire. I should also like to thank it for its help with the preparation for this debate. I owe a debt of gratitude to Derbyshire mental health services staff, in particular its chief executive. They were obliging enough to dig into their records and gave me some very useful information.

The plight of mental health patients was brought to my attention by Derbyshire patients council. In May this year, the patients council and a huge busload of Derby mental health services users came down to the House of Commons and presented me with their petition bearing more than 3,700 signatures. They had the opportunity to meet a few MPs. I am grateful to the Minister for taking the time to meet them and to listen to the very valid case that they put to him. I should also like to thank my hon. Friend the Member for Birmingham, Selly Oak (Lynne Jones) who, in her role as chair of the all-party mental health group, tabled an early-day motion on the matter that received cross-party support and the signatures of just under 100 MPs.

It is clear from the draft mental health Bill that the Government are trying to change their thinking on mental health. Mental health organisations have already expressed many criticisms and I shall not dwell on them, but if the £15.10 of in-patient benefit reflects Government policy on mental health I question our commitment to help those with mental illness. At present, after six weeks in hospital a long-stay mental health patient with no dependants loses all of his or her

[Mr. Laxton]

premium paid with their benefits. The main benefit is reduced to a pocket-money rate of £18.90. After a year, that pocket money is further reduced to £15.10, formally known as the personal allowance benefit or personal requirements allowance. A similar situation applies to those who receive the basic state pension because after 52 weeks they, too, are on £15.10 a week. That works out to 20 per cent. of the standard rate of basic retirement pension or, to put it more plainly, £2.16 a day.

So what is the principle behind the downrating of in-patient benefit? A 1949 report on the rules by the national insurance advisory committee said:

"The broad purpose of insurance benefits is to provide a basic contribution towards the ordinary needs, including maintenance, at times when earnings are interrupted or, as in the case of retirement pensions, cease. Where another public social service, the national health service, is at such times providing maintenance, in addition to treatment, we consider it right that the insurance benefits should be reduced on account of the maintenance of the beneficiary provided under the other service."

In response to a written parliamentary question that I put to the Department for Work and Pensions, my right hon. Friend the Minister for Pensions reiterated that point. He wrote that the principle behind the hospital downrating rules is to prevent double provision from public funds, as well as from the publicly funded national health service, and that it is a "key cornerstone" of the system of national insurance introduced 50 years ago.

I doubt that we should be talking about double provision when single provision itself is called into question. In addition, it is worth bearing in mind the fact that the principle of downrating was introduced nearly half a century ago. Fifty years ago, or perhaps even 25 years ago, hospital patients could rely on their immediate and extended families for financial support. Sadly, that is not the case any more.

Patients nowadays, especially those with mental health problems, have less contact with their families, making them more reliant on the NHS to look after them and making this weekly allowance more important than before. Even for those mental health patients lucky enough to have contact with their family, there are still financial problems. For example, one patient, who has two grandchildren, would, like any other grandparent, like to treat them during their weekend visits together, but, unlike most grandparents, she cannot afford to do so.

At this point, I want to raise one particular point. I am puzzled as to how the weekly figure of £15.10 was reached. It is not enough to say that it is 20 per cent. of the basic pension. Why 20 per cent.? Why not 40 per cent. or more? On what basis is the sum calculated? My own estimate, which takes account of the barest of necessities and in their cheapest forms, is that a sum between £21 and £30 would be much more realistic.

Yes, patients' accommodation and food are covered by the hospital, but the list of day-to-day items that are expected to come out of that money is still staggering. From that meagre sum, patients have to buy toothpaste, toothbrush and other toiletries, newspapers and magazines, stamps and stationery, the occasional haircut and paperback novel, and often cigarettes. I have to admit that as a notorious smoking fascist, I would on almost any other occasion urge someone to use this opportunity to give up the noxious and foul weed. However, the fact remains that even those who do not smoke have a problem meeting all other costs with £15.10 a week. It is grossly inadequate and demeaning for people whose home is a hospital.

Apart from the items that I have mentioned, patients are also expected to buy clothes and shoes out of their weekly allowance. In his response to a letter that I wrote on behalf of Michael Walsh, chairman of Derbyshire patients council, the Minister said:

"The Personal Requirements Allowance is regarded as a reasonable sum to cover small personal items not already provided by the hospital. However it is not expected to cover the more expensive items, such as clothing, which the Health Authority is expected to provide where necessary.'

The reality is that such provision proves to be lacking. The patients council brought up that point with the Minister back in May, and he expressed sympathy. The fact remains that many mental health patients in Derby have resorted to scouring charity shops for second-hand clothing.

The mental health services trust in Derby did not allocate any finance specifically for clothing in the financial year 2001-02 and made a one-off payment of £250 to help patients with the purchase of clothing. The trust said that younger patients sometimes apply for a community care grant from the Department for Work and Pensions to provide additional funds for items such as clothing. If they receive a grant, they have an amount deducted from their weekly in-patient benefit to repay the loan over a period set by the social fund. The period is typically 18 months, and the average deduction from the weekly benefit is £3.16 per week, leaving the patient with just £11.94 to spend. To avoid losing a proportion of their benefit, a number of patients in Derby have recently applied for funds from various charities, which are held locally as they do not have to repay that amount and so can retain their weekly benefit.

There are, I suspect, differences across the country. In an early-day motion on the subject, my hon. Friend the Member for Birmingham, Selly Oak noted that the chief executive of South Birmingham mental health NHS trust commented that the trust regularly supplements the in-patient benefit allowance from care budgets to ensure that basic needs such as clothing, haircuts and other personal items are met, and furthermore that it is a drain on NHS resources.

The Derbyshire mental health services trust said that it allocated £11,000 to patients' therapeutic programmes during the financial year 2001–02. That money, which is intended to finance certain therapeutic activities such as yoga, becomes instead an essential top-up to patients' weekly benefit. Similarly, the trust provides money so that patients can treat themselves and go on occasional trips, but the money is limited and patients are unable to participate in social functions as much as they would like and as much as would benefit them.

Many mental health in-patients are not a danger to other people. At the meeting I had with them in May, many said that they would relish the opportunity to reintegrate into the ordinary community, to find some useful role to play in their local area. They said that there is always an unwarranted stigma surrounding mental illness.

However, what makes things more difficult and increases that stigma even more is when patients have to go about, slovenly dressed in tattered clothes—clothes that are often recycled from those who have died in the hospital. One of the people whom I spoke to said, "I don't want to talk about reintegrating into the community when my clothes immediately make me stand out for the wrong reasons, and when I can't even afford a cup of coffee in the local café."

If the amount of in-patient benefit increased, it would mean that patients had more and better opportunities to interact with the world outside the confines of a hospital, and money given to them by the mental health services trust that was intended for their therapeutic needs would actually be used towards that end. Perhaps, in the long run, it would mean getting a group of people who are currently reliant on benefits back into work—we would break the cycle of social and economic exclusion. The Government are rightly proud of their record in that respect, but there is still so much more to be done.

I have already asked the Minister about how the weekly sum of £15.10 is reached, but is it not simply the amount of money that a patient receives after 52 weeks that I question. I also question whether it is actually worth lowering it. Someone receiving income support gets £18.90 in week 52, then £15.10 in week 53 of their stay in hospital. Getting £3.80 a week less than before might not make much difference to many people, but to a person who is on £18.90 every last penny counts. I note that the Benefits Agency estimates that administering the 52-week rule costs £500,000 million, and that £58 million is saved from the 52-week downrating rule. Can that saving can be balanced against the impossibility and misery of trying to get by on £2.16 a day?

I hope that my hon. Friend the Minister will heed these concerns, which are very real but often overlooked, and that he will act accordingly.

12.36 am

The Parliamentary Under-Secretary of State for Work and Pensions (Malcolm Wicks): The House of Commons has just voted for substantial parliamentary reform and modernisation to make the House fit for its purpose in the 21st century, so although I stand, and others sit, here at just past half-past midnight, we do so knowing that our nocturnal manoeuvrings will shortly be placed in the dustbin of our nation's parliamentary history, the lid shut tight.

I congratulate my hon. Friend the Member for Derby, North (Mr. Laxton) on bringing this important issue to the House's attention, and on the way in which he introduced a subject that is especially significant to those of our citizens who suffer mental illness, often over a long period. The contention that the level of benefit is insufficient to meet the needs of long-term hospital in-patients is not new—indeed, my hon. Friend and others have been pursuing a substantial increase in the rate of the allowance for some time, and I commend them for doing so. As he said, last May he brought representatives of Derbyshire patients council to meet me. I promised at that meeting that my officials would discuss these matters with officials from the Department of Health. Such discussions have now been undertaken, and I hope that they have resolved some of the issues of concern to him.

We are dealing with two distinct issues: first, the rules on benefits paid by my Department and, secondly, the maintenance support that long-term patients require. The personal allowance for long-term in-patients must be seen in the context of the overall benefit rules for people going into hospital. The principle behind the reduction in benefit is, as my hon. Friend acknowledges, not a new one—indeed, it has been a basic feature of the benefits system since the introduction of the national insurance scheme in 1949. The principle is a simple one: while the national health service provides free maintenance as well as free treatment, maintenance benefits, which are also paid out of state funds, should not be paid in full indefinitely. To do otherwise would be to provide twice for the same items. The rules have been applied, albeit with minor modifications, for more than 50 years.

Adjustments for periods spent in hospital are applied to most social security benefits. Currently, there is no reduction during the first six weeks in hospital, then an initial reduction is made—for example, a benefit such as the basic state pension would be reduced to £46.80 for a person without a dependant. After 52 weeks in hospital, benefit is further reduced to 20 per cent. of the prevailing rate of the basic state pension. As my hon. Friend says, that is currently £15.10 a week. In addition, the rules also protect a person's housing costs. It is important to acknowledge that.

Provided that the absence from home is expected to be less than a year, people in hospital who have low incomes and who retain a liability to pay rent for their homes can get housing benefit as long as they intend to return home and their home has not been let or sub-let.

We believe that these rules strike a fair balance between what the state should provide financially and the provision that individuals should make for themselves. However, we recognise that the rules are not immutable, and we have already committed ourselves to modernising them. To coincide with the introduction of the state pension credit next October, we plan to extend the period before the initial reduction in benefit from six weeks to 13 weeks. This change is a recognition of the fact that in today's society—my hon. Friend was urging us not to look back 50 years but to consider today's circumstances—people have more ongoing fixed commitments, such as housing costs and utility bills while they are in hospital. So people will be able to keep their full benefit for a full quarter before any downrating takes place. This will give them more time to plan their budget for when downrating does take place.

I shall put the matter in context numerically. More than 97 per cent of people are discharged from hospital within 13 weeks. The vast majority will not have their benefits, which are designed with the cost of everyday living in mind, touched during their stay in hospital. Those whose stay is longer than 13 weeks will also gain, I believe, from having a longer period where their benefits remain unchanged, as they too will have time to plan for their future circumstances. I hope that that shows our commitment to improve benefits for people who go into hospital, and perhaps puts the numbers in context. I hope that it shows also that we have been listening to my hon. Friend, his colleagues and his constituents.

[Malcolm Wicks]

Nevertheless, I recognise that my hon. Friend is predominantly concerned with a specific group of patients—those long-stay patients who are in hospital for longer than a year, and sometimes years, such as those suffering from long-term psychiatric conditions. As I have already explained, such people receive the lowest rate of benefit entitlement, which is £15.10 a week. That is because the national health service has assumed the responsibility for maintaining those patients who have spent more than 52 weeks in hospital.

This rate is, in effect, a personal allowance—it is just that. It is designed to meet a patient's personal day-to-day requirements such as newspapers, magazines and toiletry items, and other things of their choosing. The allowance has historically increased year on year in line with prices and so has maintained its relative value.

The Social Security Advisory Committee considered the level of the hospital personal allowance rate in 1987. To quote from the committee's conclusions,

"some patients, particularly those who are more active, may find"

the allowance

"is not sufficient for their needs, but we have no research to convince us the level . . . should be raised".

Nevertheless, in the past two years we have increased the allowance by more than prices in line with the above-inflation increases in the basic state pension.

It is important to recognise that the allowance does not, and was never designed to, cover the purchase of more expensive items, such as clothing. These are the statutory responsibility of the local NHS trust to provide where necessary. Where there are abnormal needs because of a patient's condition or illness, and the patient or relatives are unable to afford the extra cost, the hospital also has discretion to top up the allowance to meet such needs.

I know that each individual's financial circumstances vary, particularly in cases where in-patients are more physically active. However, it has been broadly accepted that it is impracticable to require the benefit system to have regard to the detailed circumstances of each individual before the appropriate reduction of benefit can be assessed. That is why general rules have been adopted and common rates of benefit are payable.

I know that my hon. Friend, and other hon. Members and organisations such as MIND and his local organisations, have campaigned for the dignity of long-term patients in hospital, particularly those suffering from mental health problems. His points about clothing and the dignity of having new clothes rather than second-hand ones would have a resonance in any century, as they certainly do in the 21st century. I listened very carefully to what he said in that regard.

We consider that the current rates of benefit for people in hospital are fair and that the allowance is adequate to meet the day-to-day requirements of a person in hospital. Obviously, where there are local issues, they should be dealt with at a local level through contact with the chairman or chief executive of the national health service trust concerned. Nevertheless, we recognise that, for the system to work properly, we need to ensure that the highest standards of care, including the provision of items such as clothing, is maintained for patients requiring long-term care in hospital. That is why the Department of Health intends to ensure that best practice is shared throughout our national health service. Its officials will be happy to discuss the best way forward with relevant stakeholders at both national and local levels, including in my hon. Friend's constituency.

To sum up, the current arrangements for hospital downrating have been in place for many years and are designed to give the appropriate level of help, depending on the length of time spent in hospital. We are committed to improving those rules by allowing in-patients to keep their full benefit for 13 weeks rather than six weeks, as at present. For long-term patients, social security meets a limited range of needs in a personal allowance and the national health service has a statutory duty to meet other maintenance costs. As I said, the Department of Health will ensure that best practice in the care of long-term patients is shared throughout the national health service.

I trust that that deals at least in part with the proper concerns of my hon. Friend. We are considering the issue seriously and work is in progress to improve the arrangements for long-term patients, and not least those with often debilitating psychiatric conditions. I am grateful to him for bringing this vital matter to the attention of the House. It is an important matter to discuss at any hour of the day, although we will perhaps discuss it one day at a more civilised hour.

Question put and agreed to.

Adjourned accordingly at thirteen minutes to One o'clock.

House of Commons

Wednesday 30 October 2002

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

COMMITTEE OF SELECTION

Order read for resuming adjourned debate on Question [16 October],

That Mr. John Hayes be discharged from the Committee of Selection and Mr. Peter Luff be added to the Committee.—*[Mr. Ainger.]*

Hon. Members: Object.

Debate to be resumed tomorrow.

Oral Answers to Questions

WALES

The Secretary of State was asked—

Job Losses

1. **Mr. Simon Thomas** (Ceredigion): What recent discussions he has had with (a) the Ministry of Defence and (b) National Assembly Secretaries regarding job losses in West Wales. [76057]

The Secretary of State for Wales (Peter Hain): It is a great privilege for any Welsh MP to be Secretary of State for Wales, and I am especially delighted at having that honour. I pay tribute to my predecessor, now the Secretary of State for Northern Ireland, my right hon. Friend the Member for Torfaen (Mr. Murphy), who did an excellent job. He had regular discussions with ministerial colleagues at the Ministry of Defence and Members of the National Assembly for Wales.

Mr. Thomas: I welcome the new Secretary of State to his place on behalf of Plaid Cymru and wish his predecessor well in taking on his new responsibilities, which are also of great importance. We look forward to the right hon. Gentleman making some jinking runs down the left wing in the next few Question Time sessions.

I draw the Secretary of State's attention to the imminent loss of jobs at Dewhirst in Cardigan and to the rundown in Ministry of Defence facilities at Aberporth. The loss of more than 400 jobs in one small market town over the next year could, at least temporarily, double the unemployment rate in the Cardigan travel-to-work area. Will he now redouble his efforts and those of his Department—his hon. Friend the Under-Secretary already knows about Aberporth—to ensure that there are more constructive debates, especially with the Ministry of Defence and the Defence Diversification Agency, about new commercial opportunities using the excellent site and resources that we have at Aberporth?

Peter Hain: Those are the first best wishes I have ever had from Plaid Cymru. I am not sure whether I should thank the hon. Gentleman for them, but I shall do so in the spirit of chivalry.

I acknowledge the hard work that the hon. Gentleman has done on behalf of his constituents in respect of the matter that he raises. I know that he is very concerned about it and so are we. However, plans are afoot to create new opportunities in his area, including, for example, plans for a technology park at Aberporth. Those plans are still proceeding and are capable of creating more than 200 well-paid high-quality jobs. In Ceredigion, unemployment is at an all-time low; the 2.5 per cent. claimant count is one of the lowest in Wales, thanks to this Labour Government.

Mrs. Betty Williams (Conwy): I, too, congratulate my right hon. Friend on his promotion and I look forward to working with him very closely in the months and years to come. Is he aware that the unemployed claimants figure for Conwy in west Wales has fallen from 2,240 in September 1997 to 1,178 in September 2002? Does he agree that that is a considerable tribute to the Government and local business?

Peter Hain: I am grateful to my hon. Friend. I agree that that reduction is a tribute to the sustained work that the Government have put into Wales in the past five years. We are now working in close partnership with the National Assembly for Wales to deliver Wales as a world class economy and as the top area for investment. Some 18,000 more jobs have been created in the past year and we intend to continue along that path.

Lembit Öpik (Montgomeryshire): It is great to see the right hon. Gentleman back in Wales. We have missed him and I wish him every success in his role in the run-up to when I take on the job myself in 2006. In the meantime, does he agree that one way of creating jobs, especially in north and west Wales, is the development of a strategic plan for airport development, perhaps along the lines of the consultation that was recently published for Wales? If so, is he willing to meet me and a delegation of interested groups that want a hub and spokes approach to Welsh airport development to see what we can do in working with the Assembly to achieve such a result?

Peter Hain: I suspect that such generosity from all parts of the House is a one Question Time only experience. I remember well the hon. Gentleman's interest in regional airways and especially the route from Welshpool airport to Cardiff, which I was keen to promote when I was previously in the Welsh Office. Indeed, I took a flight with him from Welshpool, although I declined his invitation to pilot the plane. Given what happened to him a few weeks later, I am pleased that I did so. The matter is an important priority

for Wales and I intend to speak to the First Minister about it, especially after the hon. Gentleman's intervention.

Mrs. Jackie Lawrence (Preseli Pembrokeshire): In my area of west Wales, there are potentially 360 temporary jobs at Powergen, which has stepped in to replace the ITV Digital losses. Will my right hon. Friend work with Assembly Ministers to try to make those jobs permanent? Does he acknowledge that the 1,000 jobs that were lost when ITV Digital went to the wall had as great an impact on west Wales as the collapse of Corus on east Wales? Will he do everything possible to ensure the same amount of investment in west Wales as in east Wales?

Peter Hain: Indeed, as a south-west Wales Member of Parliament, I understand my hon. Friend's arguments. We shall continue to work hard with the National Assembly and as a Government to create the conditions for generating more jobs in west Wales. I am sure that I do not need to point out to my hon. Friend that unemployment in her constituency has fallen by almost half since we came to power in 1997.

Antisocial Behaviour Orders

2. **Mr. Mark Francois** (Rayleigh): What recent discussions he has had with ministerial colleagues on the use of antisocial behaviour orders. [76058]

8. **Mr. Chris Bryant** (Rhondda): What discussions he has had with the Home Secretary regarding the use of antisocial behaviour orders in Wales. [76065]

The Parliamentary Under-Secretary of State for Wales (Mr. Don Touhig): My right hon. Friend and I hold regular discussions with colleagues about matters that affect Wales. The antisocial behaviour order is a useful tool in dealing with antisocial and loutish behaviour, which causes considerable distress and upset in communities throughout Wales.

Mr. Francois: I thank the Minister for that reply, but is not it the case that many people throughout Wales feel threatened by rising crime? Given the low take-up of antisocial behaviour orders in Wales, and the fact that many people feel too threatened to testify against criminals in court, what are the Government doing to tackle such problems directly?

Mr. Touhig: Antisocial behaviour orders have proved an effective tool because they have deterred those whose behaviour causes nuisance and upset in our communities.

Mr. John Bercow (Buckingham): Twelve.

Mr. Touhig: The hon. Gentleman is having trouble with the maths. The figure is not 12, but considerably higher.

Several other options are available, including acceptable behaviour contracts, curfews, parenting orders, and on-the-spot fines, which are being piloted in north Wales. It is a bit rich of Conservative Members to talk about rising crime. It has fallen by 22 per cent. since the Government came to power, whereas the Conservative Government doubled it in 18 years.

Mr. Bryant: My hon. Friend knows that, especially in mining communities in south Wales, the antisocial behaviour of one person or a single family can ruin the quality of life of a whole terraced street. It is surely distressing that South Wales police have been able to enforce only four antisocial behaviour orders so far. Is my hon. Friend worried that local authorities in Wales are not yet prepared to make sufficient use of antisocial behaviour orders? Will he congratulate South Wales police on appointing a full-time antisocial behaviour order officer, based in Pontypridd?

Mr. Touhig: I certainly welcome the actions of South Wales police on the matter. I chaired a public meeting in my constituency a week ago, during which the issue was discussed. My advice to local authorities and the police service everywhere is to use antisocial behaviour orders when appropriate. Parliament has given the police and local authorities the power to take such action. The crimes that worry most of our constituents—vandalism, antisocial behaviour and petty intimidation—distort and damage the quality of life throughout Wales. Parliament and the Government have introduced measures whereby the police and local authorities can tackle such crimes; they must now use those resources.

Mr. Nigel Evans (Ribble Valley): The Minister says that he has given the police and local authorities power. However, the low number of antisocial behaviour orders that are used must worry him. Such an order is three times more likely to be issued in England than in Wales, yet the Minister has conceded that a few thugs and yobs cause misery throughout Wales. Is it not time to make life miserable for the thugs and yobs rather than the people of Wales? Will the Minister work with the police and local authorities to try to ensure clarity and ease of use for antisocial behaviour orders so that we can clamp down on the thugs and yobs?

Mr. Touhig: I agree that we must make the procedure as easy as we can. I am sure that the hon. Gentleman knows that there have been difficulties, and that legal advice has been taken about some antisocial behaviour orders. Once that first hurdle has been crossed, however, it will be much easier for the police and the local authorities to put the orders to the best use.

I told the hon. Gentleman when he raised this matter in July that the Government have laid the foundations for the most co-ordinated attack on crime in a generation. Billions are being invested in fighting crime, there are 4,500 more policemen on the beat than there were two years ago, and there are 600 more police officers in Wales than when we came to power five years ago. Only investment and reform will reduce the problem. The hon. Gentleman's party, both here and in Wales, opposes that investment and reform.

Huw Irranca-Davies (Ogmore): Does my hon. Friend welcome the new guidance that is shortly to be issued by

the Home Office on antisocial behaviour orders? Will he ensure that he liaises closely with colleagues to roll out the orders and certificates throughout the whole of Wales?

Mr. Touhig: Yes, I certainly welcome that initiative. My colleagues who represent Welsh constituencies may remember that I facilitated a meeting between all Welsh Members of Parliament and David A'Herne, the crime reduction director for Wales. I meet him on a regular basis, and I think that it would be productive to have further meetings with him so that we can understand the initiatives that are being taken by the crime reduction and disorder partnerships in Wales, and give them every support that we can. We had a debate on this in Westminster Hall only the other week. I urge colleagues everywhere to press their local authorities and the police service to use antisocial behaviour orders where appropriate.

Devolved Powers

3. **Sir Nicholas Winterton** (Macclesfield): What assessment he has made of public perception of the operation of devolved powers in Wales. [76059]

The Secretary of State for Wales (Peter Hain): After three years, the devolution settlement for Wales is working well, with the Government and the National Assembly acting in close partnership for the benefit of Wales. Against that background, it is tremendous news that Cardiff is on the short list for the European capital of culture in 2008. Cardiff is Europe's youngest capital, and it is on the move towards becoming a world-class British city.

Sir Nicholas Winterton: I warmly welcome and encourage the diversity of culture, language and meaningful local government throughout the United Kingdom, but has the newly appointed Secretary of State for Wales studied the findings of a recent study by the University of Wales, Aberystwyth, which states that the overwhelming majority of Welsh voters think that the Assembly has made no difference—or, at best, little difference—to public services in the Principality?

Peter Hain: I do not know whether the hon. Gentleman is making new Tory policy on behalf of his Front Bench. Is he proposing to abolish the National Assembly for Wales? The fact is that the Assembly has been making a real difference, as we, the architects of devolution, always knew that it would. It has introduced free prescriptions for two successive years, and prescription charges in Wales are now lower than those in England. It has also provided free local bus travel for pensioners and disabled people throughout Wales, which is not provided elsewhere. It has introduced Assembly learning grants for people of limited means, funded six weeks' free home care, and seen record spending on health and education and a cut in unemployment as a result of the policies that Labour is pursuing in Wales. It is a Labour Assembly working together with a Labour Government.

Denzil Davies (Llanelli): When my right hon. Friend next goes to Brussels to attend the European convention, will he explain to Mr. Giscard d'Estaing what the principles of devolution are—bearing in mind, of course, that he should do so without being very rude? When he does so, will he point out that the draft European constitution shows that Giscard clearly has no idea about those principles?

Peter Hain: I thank my right hon. Friend for that question. In fact, Britain's agenda in the convention on the future of Europe is to ensure that regions of nation states—such as Wales—get their voice heard right at the centre of decision making in Brussels, and that nation states form the bedrock of a union that is a partnership of nation states, not a Brussels superstate.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): At the risk of damaging the right hon. Gentleman's political career, I congratulate him on his appointment and wish him well in post—although not too well, of course.

I have recently received the leaked Government response to the report on the foot and mouth outbreak. Paragraph 1.29 states:

"The terms of the Welsh devolution settlement did not fully devolve animal health powers to the Assembly . . . The Government is in discussion with the Welsh Assembly Government on the case for devolving further powers to it to deal with outbreaks of animal disease in Wales."

Why, then, did the Government reject our amendments to the Animal Health Bill that were designed to do exactly that?

Peter Hain: It was because Plaid Cymru's amendments usually have to be rejected as they do not achieve the objectives that the Government are trying to achieve for Wales. We are working closely with the National Assembly to benefit farmers and everyone in Wales. As the hon. Gentleman well knows, Plaid Cymru has never created any jobs in Wales, and has never done anything to generate better health services, better schools and a stronger economy in Wales.

Ian Lucas (Wrexham): Although working relations between Front-Bench Members in Cardiff and in Westminster were excellent throughout the occupation of the post of Secretary of State for Wales by my right hon. Friend the Member for Torfaen (Mr. Murphy), could not Back Bench relations between Cardiff and Westminster be greatly improved? Following the vote last night, there will be more consideration of draft legislation. Would it not be a useful innovation to have Joint Committees of Back-Bench Assembly Members and Back-Bench Members of Parliament to discuss legislation for Wales?

Peter Hain: I am grateful for my hon. Friend's question. Obviously, we want to promote an increasing partnership between Members of Parliament and Assembly Members in Wales, and we shall continue to work on that. I shall consider my hon. Friend's ideas, but as he knows, pre-legislation scrutiny has been developing. We are working on that, and I would welcome ideas from him or any of my right hon. and hon. Friends.

Free Eye Tests

4. **Mr. Roger Williams** (Brecon and Radnorshire): If he will take steps to arrange for the devolution of powers to the National Assembly for Wales to enable free eye tests to be available in Wales. [76060]

The Parliamentary Under-Secretary of State for Wales (Mr. Don Touhig): Certain groups of people, including those under 16, those over 60 and those in receipt of income support and other benefits, are already entitled to free NHS eye tests in the United Kingdom. The power to make regulations relating to fee exemptions for eye tests has been devolved to the Assembly.

Mr. Williams: I thank the Minister for that answer. I congratulate the Secretary of State on spelling out so clearly the achievements of the Liberal Democratic-led coalition Government in Cardiff. They are a wonderful Government. In 1989, the Conservative Government introduced charges for eye services as part of their continuing dismemberment of the national health service. Will the Minister ensure that, in any health Bill that appears in the Queen's Speech, an enabling clause is included to enable the National Assembly to deliver free health care? Will the Secretary of State put his mouth where his Nye Bevan statue is?

Mr. Touhig: The danger of being led by the Liberal Democrats is that they may lead us up a blind alley, as we have experienced in the past. Under the National Health Service Act 1977 and other regulations, certain groups are already exempt from charges for eye tests. Primary legislation would be required to abolition all fees for eye tests in England and Wales. As far as I am aware, the Government have no plans to do that.

Mr. Nigel Evans (Ribble Valley): I also take this opportunity to welcome the Secretary of State to his new position in the Cabinet. I pay tribute to his predecessor, who won respect from both sides of the House. I wish him well in his new job in Northern Ireland.

Does the Minister agree with me that the Welsh Assembly might be perceived as more relevant if it concentrated on issues over which it has some responsibility, such as agricultural collapse, the NHS waiting lists crisis, and the meltdown of manufacturing jobs, rather than debating issues for which it has no responsibility, such as Iraq and the middle east, which it debated yesterday?

Mr. Touhig: I am not clear what that has to do with eye tests, although I note that yesterday's debate on Iraq was led by Plaid Cymru. Perhaps that party has a visual problem, as one would expect. I understand the point that the hon. Gentleman makes, but the subjects to be discussed by the National Assembly are matters for the Assembly. The First Minister has made it absolutely clear that the Labour-led Administration in the National Assembly are concerned about the economy, jobs, health and education. Those are the issues that we will put across to the people of Wales and which will give the Labour party a majority in the Assembly at the next election.

Mr. Speaker: Order. The House is far too noisy at the moment. It is unfair to hon. Members. I call Mr. Nigel Evans.

Mr. Evans: Thank you, Mr. Speaker.

We are always hearing demands from other political parties that they want extension of powers for the Welsh Assembly. The Minister will know that Lord Richard is conducting his own Assembly-sponsored inquiry into the number of politicians in the Welsh Assembly and the powers that they currently have. We already know that the Secretary of State for Wales and the Foreign Secretary are not so keen on referendums. The Foreign Secretary has told the people of Gibraltar that he thinks their desire for a referendum rather eccentric; indeed, he may not even take heed of what they say. If Lord Richard recommends extending the power of the Welsh Assembly, will the Minister—given the slight and slim majority that voted in favour of devolution—give the people of Wales another say in whether there should be such an extension of powers?

Mr. Touhig: As the hon. Gentleman well knows, the Richard commission is matter for the National Assembly. The Assembly set up the commission, and it has agreed the criteria by which it will operate. The Government will await the commission's conclusions, which will doubtless be debated by the Assembly, and we will respond at the appropriate time.

Regulation

5. **Mr. Henry Bellingham** (North-West Norfolk): When he next expects to meet representatives of industry and business to discuss ways in which his Department and the Welsh Executive can work together to alleviate the burden of regulation. [76062]

The Secretary of State for Wales (Peter Hain): I plan regular meetings with a wide range of representatives of Welsh industry and business, as well as with Assembly colleagues, to discuss the conditions for industrial and business growth in Wales.

Mr. Bellingham: Is the Secretary of State aware that an increasing number of burdensome regulations are coming out of Brussels—including the agency employees directive and the equal treatment in work directive—that bear down disproportionately on small firms? Does he agree that a way must be found to alleviate this burden and to prevent the destruction of wealth creation and employment?

Peter Hain: We are, of course, continuously working with business to effect conditions for the better, in which they can prosper. However, if the conditions in respect of regulation are as bad as the hon. Gentleman says, why is there record prosperity and more jobs being created in Wales and the rest of Britain, and why is the United Kingdom economy stronger than anybody can

remember? The answer is that we have created the conditions in which businesses small and large can prosper.

Family Farms

6. **Ann Winterton** (Congleton): What recent discussions he has had with the First Secretary about the future viability of small family farms in Wales. [76063]

The Parliamentary Under-Secretary of State for Wales (Mr. Don Touhig): The former Secretary of State for Wales, my right hon. Friend the Member for Torfaen (Mr. Murphy), had regular meetings with the First Minister and agricultural matters were always high on the agenda. This will remain the case with my right hon. Friend the new Secretary of State.

Ann Winterton: According to the Welsh Assembly's own figures, last year the average livestock and dairy farm had an income of just over £100—way below the national minimum wage. No prosperity there for Welsh farmers. What proposals will the Secretary of State bring to discussions with the First Minister in order to address the extremely serious plight of Welsh agriculture, bearing in mind that the small family farm is the lynchpin of both tourism and the food industry in Wales?

Mr. Touhig: I do not need any lectures from the hon. Lady about farming in Wales—there are a number of farmers in my own constituency. The key point—*[Interruption.]* Perhaps Opposition Members are dividing up for the next leadership challenge. The key point for the viability of family farms is to keep them alive and growing, and to find ways in which we can help them. The National Assembly has put in place Farming Connect, which is working with farmers to find ways to improve the viability of their businesses, to implement new practices and to discover new initiatives. A range of funds has been put in place to help achieve that.

Also, I was pleased to help with the launching, at the Royal Welsh Agricultural Show, of an event to help regain our export markets in mainland Europe for Welsh lamb and beef. Some £600,000 has been put in place to help promote Welsh meat products in mainland Europe. Those are the kind of serious initiatives that the Government and the Assembly are involved in to restore the prosperity of Welsh farming. We commend them, and it is a pity that the hon. Lady could not.

Gareth Thomas (Clwyd, West): As someone who actually represents a Welsh constituency, and a rural one at that, may I tell my hon. Friend that agriculture in Wales has a prosperous future, thanks to the effective partnership between a Labour-led Assembly and the Labour Government?

Mr. Touhig: That prosperous future is being delivered by a Labour-led Government and a Labour-led Administration in Cardiff. That has made the difference to the people of Wales. We should be confident and assured in our new Wales. Our economy is strong and our future is bright. It is a pity that the Opposition, who do not have any seats in Wales, have not stopped knocking Wales.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [76037] **Mr. Andrew Miller** (Ellesmere Port and Neston): If he will list his official engagements for Wednesday 30 October.

The Prime Minister (Mr. Tony Blair): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Miller: My right hon. Friend will understand how important sure start, and other programmes designed to tackle the needs of some of the most vulnerable children in our society, have been in constituencies such as mine. However, many families in my area still have acute problems. Will my right hon. Friend spell out, especially on a cross-departmental basis, what he intends to do to tackle need in such families?

The Prime Minister: The issue that my hon. Friend raises is an important one for children at risk. It is true that the Government have implemented several measures—such as sure start, the new Connexions and the new help for communities through the new deal—but a Green Paper will be published early next year on the whole issue of children at risk, including how to ensure that they do not take up crime, and their family, mental health and educational problems. It is right that that is dealt with across government by a Cabinet sub-committee, which it will be, and also that we ensure that the proposals we make bear down on one of the main reasons for social exclusion in our society today.

Mr. Iain Duncan Smith (Chingford and Woodford Green): The Labour manifesto said:

"We will not introduce top-up fees".

Does the Prime Minister still stand by that promise—yes or no?

The Prime Minister: Of course we stand by our manifesto.

Mr. Duncan Smith: If the Prime Minister stands by that specific promise in his manifesto, can he say why the Secretary of State for Education and Skills, when asked on Saturday to rule out top-up fees, did not rule them out? Should students believe the Secretary of State or the Prime Minister?

The Prime Minister: We of course stand by our manifesto, but I do not believe that the issue is top-up fees. The issue is how we ensure that our top universities get the freedom and the independence that they want, and how we make sure that as those universities develop they are able to guarantee access for poorer students. I assure the right hon. Gentleman not merely that we will stand by our manifesto commitment, but that when we

publish our proposals for a review of higher education and finance, it will be against the background of increasing access for the poorest students in our society.

Mr. Duncan Smith: The right hon. Gentleman starts by pledging himself to his manifesto, and then he starts to fudge. Let me remind him of what the manifesto said:

"We will not introduce top-up fees and have legislated to prevent them".

However, on Saturday, the Secretary of State for Education and Skills was asked a direct question:

"Do you rule out top-up fees?"

He said, "No". The Prime Minister cannot have it both ways. Either he stands by his manifesto promise, or he stands by his Secretary of State. Which is it?

The Prime Minister: I am sorry to have to tell the right hon. Gentleman that the Government stand together on that point. [HON. MEMBERS: " Answer!"] With respect to the right hon. Gentleman, I have already answered. There is a serious issue about university finance for the future. There is an issue about freedom for universities, which is important, and an issue about how we ensure that British universities, which are among the best in the world, remain in the top 10 universities—and more—of the world.

However, there is also an issue about— *[Interruption.]*

Mr. Speaker: Order. This is out of order. Hon. Members are out of order when they shout so loudly, Miss McIntosh.

The Prime Minister: There is also an issue about whether we increase the amount of investment in our higher education. I do not want to prejudge the proposals, but when we publish them I think that the right hon. Gentleman will see that they will make sure that our top universities are able to compete with the best in the world. I should have thought that he would agree with that. He will see also that the Government will increase the amount of money going into higher education so that, irrespective of their social background, our young people will get the university education that they need.

The Leader of the Opposition asked me a question, so let me ask him one. [HON. MEMBERS: "No!"] It is just to get him into practice. The Government are committed to increasing university education and the finance for it. Is the right hon. Gentleman now prepared to drop the commitment of the Conservative party, which has refused to match the additional spending? We believe that increased university education can be delivered only with the additional spending that we want.

Dr. Nick Palmer (Broxtowe): I very much welcome the package of measures on fireworks announced by the Department of Trade and Industry, which includes spot fines for offenders who throw fireworks and cause alarm on the streets. However, under the current legislation on this matter—which the Government inherited—such fines can be applied only to people over 18. In Broxtowe, we have cracked the problem of pensioners throwing fireworks at each other. We need legislation to prevent teenagers from doing so. Will my right hon. Friend commit to new legislation to curb the scourge of fireworks?

The Prime Minister: Yes, is the short answer to that. We will introduce legislation, and we believe that there is also a role for fixed-penalty notices in such cases. Fixed-penalty notices are being piloted in three different areas of the country. They have been immensely successful. The only worry of the police forces that have worked with the orders is that they think that they do not extend to a wide enough category of offences. We are looking carefully at that in terms of the legislation coming up in the Queen's Speech.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): The Prime Minister said a moment ago that the issue was not top-up fees. Is he saying that he rejects the— *[Interruption.]*

Mr. Speaker: Order. I will not tolerate hon. Members shouting.

Mr. Kennedy: It must be election fever.

When the Prime Minister says that the issue is not top-up fees, is he saying that he rejects the argument that they would lead to a two-tier university system and deter potential students from lower-income backgrounds?

The Prime Minister: I agree entirely that any system that prevents people from going to university because of their family backgrounds and income is wholly wrong. That is why I suggest that, when he sees our proposals, the right hon. Gentleman will find that they are in large part about improving access for students from poorer backgrounds.

Mr. Kennedy: Will the Prime Minister clarify when the much awaited and delayed review of student finance will appear? When it does appear, will he address the concerns of more than 50 Back-Bench Labour Members who have signed a motion along the lines of my opening question? Will he take this opportunity to make it clear to everybody that he will not introduce university top-up fees as long as he is Prime Minister?

The Prime Minister: First, on the timing of the review, the fact that there is a new Secretary of State obviously means that there will be a further delay in publication of the review. However, I hope very much that it will be published in the next few months.

Secondly, I stand by the manifesto commitment, but there are serious and real issues that the review must tackle. We cannot allow to continue a situation in which our top universities are not able to compete in what is effectively a world market today. I agree that any solution to this problem is extremely difficult, but it would be irresponsible of any Government, faced with this situation, not to ensure both that we give the universities the freedom that they need to compete and that there is better access for students from poorer backgrounds.

Obviously, I cannot prejudge the outcome of the review, but I hope that when we come up with those proposals the House will consider them sensibly. People

who disagree with them can make some proposals of their own. However, it would be wrong of the right hon. Gentleman and the Conservative party to pretend that there is not a serious problem that needs to be addressed.

Mr. Khalid Mahmood (Birmingham, Perry Barr): Does my right hon. Friend agree that there is no contest in the bid for the European capital of culture? The winner is the city of Birmingham, with its fusion of culture and diversity, where more than 20 languages are spoken, with its festivals of Eid, Diwali, Baisakhi and the Caribbean carnival, and where, of course, Christmas is celebrated. We have, to name but a few, a symphony orchestra, the Council of Faiths, the School of Jewellery, and we have more canals than Venice—

Mr. Speaker: Order. The hon. Gentleman can praise his native city some other time.

Q2. [76038] **Mr. Mark Oaten** (Winchester): Does the Prime Minister accept that unless this country joins the euro, Germany and France will continue to dominate, he will have more summits cancelled, and this country will lack influence?

The Prime Minister: No, I think that we should join the euro if the economic tests are met, and that is the Government's position. If we joined the single currency irrespective of the economic conditions, it would be a mistake. I had not appreciated that that was the position of the Liberal Democrats.

Mr. Charles Kennedy *indicated dissent.*

The Prime Minister: Well, the leader of the Liberal Democrats says that it is not, in which case he is in exactly the same position as me. As for the disagreement with France, it is important that we argue our corner at these summits. Personally, I think that to have ruled out common agricultural reform would have been a mistake—a mistake for Britain and a mistake for Europe.

Alan Simpson (Nottingham, South): The Prime Minister will know that the United States Secretary of State, Colin Powell, has said that the United Nations must take a decision on Iraq this week. Will the Prime Minister tell the House whether he would support the United States if it chose to conduct a war on Iraq without UN sanction, and whether the House would have the opportunity to vote on that matter and decide whether it would go down the same path?

The Prime Minister: I do not think that Colin Powell said that the resolution had to be passed this week, but of course it is important that we get a new UN resolution—that is what we are working for at the moment. It is best not to speculate on what might happen if we do not, because I believe that we will get one and it is important that we do. As for debates in this House, I refer my hon. Friend to what my right hon. Friend the Foreign Secretary has said on the issue—obviously, I stand by that entirely. I am sure that the House will have the fullest possible chance to debate that issue.

Q3. [76039] **Mr. Simon Thomas** (Ceredigion): Following the question from the hon. Member for Nottingham, South (Alan Simpson), will the Prime Minister tell the House and the country what moral difference he sees between those UN resolutions that bind Israel and Palestine and those that bind Iraq, and how that judgment will affect his decision making in the forthcoming months?

The Prime Minister: I will tell the hon. Gentleman what the difference is. First, it is important to point out that the resolutions in respect of Israel and the middle east peace process apply to all the parties in the middle east, and to recognise Israel's difficulty when it is being met by terrorist acts from within the occupied territories. Secondly, I hope that he will realise, as I do, that United Nations resolutions in respect of Iraq—specifically, on weapons of mass destruction—should be obeyed. If he does agree with me on that, he must obviously face up to the issue, which is what we should do if Saddam Hussein refuses to abide by those resolutions.

To revert to the middle east peace process, having said that about UN resolutions in respect of Israel, I still believe that those resolutions should be obeyed in full; and I very much hope and believe that it is essential, not just for the middle east but for the wider world, that a peace process be restarted there as quickly as possible.

Mr. Eric Joyce (Falkirk, West): The Prime Minister will be aware that today is national breast cancer awareness day. Will he join me in commending the efforts of the organisers of the "walk for a cure" event in Falkirk, which raises funds locally for breast cancer charities, and in congratulating the national breast cancer charities, such as Breakthrough Breast Cancer, for their efforts in this area, which are so important to so many of our constituents?

The Prime Minister: I congratulate all those who have been involved in the breast cancer awareness campaign. As my hon. Friend knows, 97 per cent. of patients with suspected cancer are referred to a consultant within two weeks. There has been a significant increase in the number of people in the national health service working on those issues and, although we obviously still have a long distance to go, there is no doubt at all that the treatment of cancer in this country is improving.

Q4. [76040] **Mr. Michael Jack** (Fylde): I should like to ask the Prime Minister a question about CARATs. He will be aware that the Counselling, Assessment, Referral, Advice and Throughcare scheme is an extremely successful prison-based programme, designed to break the link between the prisoner and drugs prior to release, but that not all prisoners who want to take part in the programme can do so. Will he look at the question, from within the existing prison budget, to

ensure that adequate resources are available to enable all prisoners who want to take up CARATs programme to benefit from its outcomes?

The Prime Minister: That is a very good point. It is important that we extend the programme throughout the prison system. Sometimes that is difficult, as there is obviously a limit on the amount of resources available, but the right hon. Gentleman will know that, over the past few years that the programmes have been extended, there has been far more focus on both drug abuse within prisons and getting offenders off drugs and therefore less liable to reoffend when they leave prison. The new national treatment agency for drug abuse is working with the police, the prison authorities and others in order to ensure that we have the best possible programmes, and not only within the prison system.

What is important is that, at least in the highest crime areas. we look at—as the Home Secretary is doing—how we can ensure that we end the absurd situation when someone can be arrested for an offence, tested positively for drugs and then put back out on the street without even the prospect of proper drug treatment. We need to explore that issue not only within the prison system but outside as well.

Q5. [76041] **Tony Wright** (Cannock Chase): Could I ask the Prime Minister to tell us exactly how rude he was to Mr. Chirac? Did he remind the French President that if he was not in the Elysée he would almost certainly be in jail? Could I urge my right hon. Friend to be as rude as it takes to get Europe to sort out the idiocy of the common agricultural policy, which British consumers are paying for with their wallets and which the poor of the world are paying for with their lives?

The Prime Minister: On the first point, I have to say that, no, I did not say that to the President. If that is a bid for a diplomatic post, it is certainly one of the more unusual ones.

My hon. Friend's point on the CAP is important. That was why it was important to preserve the prospect of real and detailed agricultural reform. I wholly understand why the French position is different, but this is not just a British priority; common agricultural reform is important for Europe. We have managed to reduce the amount that we spend on agriculture from 60 to 45 per cent., but truthfully, if we look at the money that we are spending in the European Union, we could spend it better if so much was not still being spent on the common agricultural policy, often very inefficiently—even for the farming industry.

The other issue, which I think my hon. Friend implies, is that it is extremely important to ensure that at the world trade round we make a good offer from the European Union for the developing world. Those are the poorest countries in the world, they desperately need access to our markets, and we should not let them down.

Mr. Iain Duncan Smith (Chingford and Woodford Green): Have 24-hour waits in accident and emergency departments been eliminated?

The Prime Minister: No, they have not been eliminated but they are significantly down, I think is the answer.

Mr. Duncan Smith: The Prime Minister should check what his Department of Health is saying. It states categorically that the 24-hour waits have now been eliminated, so clearly the Prime Minister does not even believe what his Department is saying. But this week the BMA said that one in five A and E departments actually has patients waiting for more than 24 hours. Whom should we believe—the Government or the doctors?

The Prime Minister: What the Government said was that the very long waits for admissions—more than 12 hours—are down, and it is also correct that, I think, just under 80 per cent. of patients are seen within four hours, but it is right to say that there are still far too many too long waits in accident and emergency. I would accept that entirely, but the BMA proposals for changing the situation are threefold: first, that we should have more consultants in A and E; secondly, that we should have more nurses; and thirdly, that we should have more beds. As a result of the additional funding in the health service, there are now 100 more consultants; there are 600 more nurses just in the last year alone; and there are 700 more acute beds. The solution to the problem, therefore, is to put more money into the health service, not less. That is why, with very great respect, we can take criticism from the BMA over this, but the one person who is not in a position to criticise is the right hon. Gentleman, because he is in favour of scrapping the investment that we need.

Mr. Duncan Smith: The Prime Minister is all over the place. His own Department said on its website today that waits of more than 24 hours have been eliminated, so they either have or they have not. If they have not, his Department should not go putting it up on its website. The reality is that, as the Prime Minister must know, two thirds of A and E consultants say that the health service is not getting better—in fact, it is getting worse. Whom should we believe—the spin doctors or the real doctors?

The Prime Minister: Actually, if the right hon. Gentleman looks at the BMA report, it is indeed true that it says that more than a third of the consultants say that things are getting worse and that just over a quarter say that they are getting better. However, as I told him a moment or two ago, they also point out that there are now some 400,000 more people being treated in accident and emergency departments; they therefore say that the Government's record means that we have to put more investment into the beds, the doctors and the nurses. I repeat: whatever the solution to the problem to which they rightly draw attention, the solution is not to cut the funding that they need.

Q6. [76042] **Mr. Martin Caton** (Gower): Just before the summer recess, the Government agreed to pay compensation to the families of young Kenyan tribes people killed or maimed by British munitions at the

Dol Dol and Archer's Post army training grounds in Kenya. I congratulate the Government on making that settlement, rather than taking those people through the courts, but can the Prime Minister now assure me that clean-up procedures have been put in place so that there will be no more victims of British munitions either in Kenya or elsewhere in the developing world?

The Prime Minister: We have done what we can to make sure that there is proper regulation regarding the control, conduct and supervision of people while using Army ranges. My hon. Friend, who has taken a deep interest in this issue, will also know that we have settled some 200 cases. It is important that we do more, and we are doing more. The Ministry of Defence is now considering the remaining cases, and I hope very much that this situation will be cleared up, not just to his satisfaction, but, more importantly, to the satisfaction of the families of those who are serving in our armed forces.

Q7. [76043] **Mr. Henry Bellingham** (North-West Norfolk): Will the Prime Minister find time today to have a look at the case of my constituent, Mr. Frederick Matthews of Heacham, who is suffering great pain and inconvenience as the result of a haemorrhage in the pupil of his left eye? There is a clinically proven treatment and his doctor wants to treat him, but the local hospital has said that the NHS will only fund it if he goes blind in the other eye. Is that not madness? Is it not very hard on my constituent? Will he look at the policy affecting Mr. Matthews and hundreds of other people? Does he recall that when he came to see us during the election campaign he said that, under Labour, the NHS would get better? Is he surprised that Mr. Matthews does not now believe him?

The Prime Minister: On the particular case of the hon. Gentleman's constituent, of course, I cannot comment, but I am perfectly happy to look into it. However, on the general point about the national health service, of course the Conservatives will say that it is getting worse. *[Interruption.]* Of course they will, because they are against it. They want to use whatever problems there are in the national health service to say that it is a flawed idea whose time has gone.

What I would say to the hon. Gentleman is yes, of course there are still big problems in the health service, but massive investment and improvement are also going on. The vast majority of people get good treatment in our national health service, and it is an insult to doctors, nurses and those dedicated staff of the health service always to pretend that everything is going badly. There are problems—we are working on them—but the national health service is actually improving.

Q8. [76044] **Mr. Gwyn Prosser** (Dover): My right hon. Friend will be aware that the Budget 2000 crackdown on big-time smugglers has reduced cross-channel smuggling by 76 per cent., and has cut associated crime. Will he join me in applauding the hardworking Customs officers at Dover and condemning those parts of the press that seek to undermine their efforts?

The Prime Minister: I certainly welcome the work that Customs officers do in my hon. Friend's constituency and other constituencies up and down the country. They often work under very difficult and trying circumstances. It is important, of course, that we make sure that they operate under sensible rules, which is why the Treasury announced changes the other day. Let me say to my hon. Friend—and through him to his constituents—that we applaud the hard work done by Customs officers, which is necessary because of the problems of smuggling.

Q9. [76045] **Mr. Patrick McLoughlin** (West Derbyshire): What message would the Prime Minister give to farmers in my constituency who have seen their income substantially decline since he has been in office? Is that decline caused by his growing influence in Europe?

The Prime Minister: It is, of course, correct that farm incomes have dropped, but not just in this country. It is also the case that many farmers face severe difficulties. They will not be helped out of those difficulties, however, by the hon. Gentleman pretending that somehow there was an easy and magical solution. They have been hit by two things: by BSE and foot and mouth disease, and by the fact that world commodity prices have dropped. Let us remember that we are putting more money into the farming industry than into the rest of British industry put together, and the only way in which to provide a viable future for farming is to continue putting in that money and support, and to try to make sure that agriculture changes over time. That is why the best way forward is to implement the proposals of the Curry commission, which we set up, on the future of farming. It will not help any part of the farming community, however, to pretend that a magic wand can be waved and all its problems will disappear.

Mr. Stephen Pound (Ealing, North): I am normally reluctant to raise the issue of antisocial behaviour, but it is a subject of which I have some knowledge. In view of the success of the four area trials of on-the-spot fines for hooligans, does the Prime Minister plan to extend the scheme throughout the country, including my constituency?

The Prime Minister: We certainly have plans to roll out the scheme across the country. I am sorry if the Conservative party is opposed to those plans—I think that it is—as it would be making a very big mistake. The plans will be enormously popular with the police and with local communities, because the essence of tackling antisocial behaviour is to provide the police with a simple way of enforcing the law and penalising those who break it. The whole purpose of fixed-penalty notices is to get round some of the bureaucracy associated with the court processes and so on, and to provide a simple and easy remedy for the police to use. Not only do we believe that the scheme should be rolled out across the country, but we are looking at how the powers and penalties can be extended, as the principle applies to dealing with antisocial behaviour in many forms.

Q10. [76046] **Mr. Edward Davey** (Kingston and Surbiton): On the eve of the urban summit, does the Prime Minister agree with the Deputy Prime Minister that Britain's building industry is

"the most inefficient in the world"

and a major cause of Britain's affordable housing crisis? Even if he does share that extreme view, should not his Government take more blame for five years of ineffective housing policy rather than scapegoating others for Britain's affordable housing crisis?

The Prime Minister: We are putting an immense amount of money into housing, as the hon. Gentleman knows. The important thing is that the building industry faces real challenges in relation to skills and the use of land. If he listened to the statement that my right hon. Friend the Deputy Prime Minister made before the summer break, I hope that he would realise that the answers to the housing issue lie in many different facets. One of them is to make sure that our building industry and the private construction industry build the houses that are needed in particular parts of the country, such as the south-east. I hope very much that he will support that policy rather than oppose it.

Lynne Jones (Birmingham, Selly Oak): Does my right hon. Friend the Prime Minister want higher education to get its fair share of the 6 per cent. growth money allocated to the Department for Education and Skills?

The Prime Minister: Of course I do. That is why it is important to realise that, as part of the proposals, we will put additional sums of money into higher education. That is the position of this Government, who want to invest in higher education. The Conservative party is, of course, committed to cutting the education money that we have got. *[Interruption.]* Oh, yes: it is committed to cutting education money, not just for universities but for schools as well.

Points of Order

3.30 pm

Mr. Roy Beggs (East Antrim): On a point of order, Mr. Speaker. In reply to a question from me, the Minister of State, Northern Ireland Office, the hon. Member for Liverpool, Wavertree (Jane Kennedy), said that

"extensive consultation . . . showed almost universal support for the abolition of the 11-plus Transfer Tests"—

in Northern Ireland—

"and a predominant view that academic selection should be ended".—[*Official Report*, 28 October 2002; Vol. 391, c. 513W.]

I regret to say that, by providing that answer, the hon. Lady misled the House. I have already advised her office of my intention to raise the matter today.

If you, Mr. Speaker, were to read the Department of Education report on the responses to the consultation, you would find that only 57 per cent. of 200,551 household responses received by the Department supported the abolition of the transfer test, with 32 per cent. disagreeing and 12 per cent. undecided. Fifty-seven per cent. can hardly be regarded as, to use the Minister's words, "almost universal support".

On the question of whether academic selection should be ended, according to the Department of Education report—

Mr. Speaker: Order. I get the feeling that the hon. Gentleman is making a speech. The Minister will have heard his points, but they are not a matter for the Chair.

Mr. Beggs: Further to that point of order, Mr. Speaker. The evidence that I have indicates that the House has been misled. I request that you, sir, invite the Minister to come to the House to make an apology and clarify her interpretation of very clear results.

Mr. Speaker: I have no such powers, but the Minister will be able to take note of what the hon. Gentleman has said.

Dr. Julian Lewis (New Forest, East): On a point of order, Mr. Speaker. Have you noticed that, because of the rescheduling of the provisional business that was due for this afternoon—the debate on home defence—tomorrow there will be a debate on home defence in the House and a debate on the foreign policy aspects of terrorism in Westminster Hall? There is, as you know, great concern among hon. Members on both sides of the House about those two closely interrelated topics. Is there anything that you can do to advise those who prepare the business of the House that in future such a clash should be avoided?

Mr. Speaker: No, but the hon. Gentleman can certainly approach the Leader of the House.

Patient Choice

3.33 pm

Mr. Peter Lilley (Hitchin and Harpenden): I beg to move,

That leave be given to bring in a Bill to reinstate a patient's right to choose the hospital in which to receive treatment within the National Health Service.

I want to restore choice not just because it is a good thing in itself and not just because patients increasingly want to exercise choice over where, when, how and by whom they are treated, but above all because choice is the dynamic force driving up improvements in quality and efficiency. In every service where the user has a choice between alternative suppliers, the less-good, lower-quality supplier has to emulate the quality of the best or lose users and revenue.

That is why there is a continual dynamic for improvement in those services. Sadly, that dynamic no longer exists, to the extent that it ever did, within the national health service. Even though the Government are putting 30 per cent. more in real terms into the health service, it has not resulted in commensurate improvements in quality or quantity of care. Scarcely any more in-patient operations are carried out now than in 1997 and there are scarcely any shorter waiting lists now than in 1997. In addition, we have more serious problems, which are growing more rapidly, of infections and quality of care in our hospitals than on the continent.

The Bill proposes to reinstate the right to choose the hospital in which people are treated. I say "reinstate" because the right to choose the hospital always existed within the NHS; sadly, it was unintentionally restricted by measures, including those introduced by my Government. Unforgivably, however, the last rights of choice were eliminated by circular 117, which this Government introduced in 1999. Since then, any patient must go to the hospital where their local national health service bureaucracy is committed and contracted to send them. The director of the College of Health said that as a result of that circular there is less choice in the health service now than has ever been the case in its history.

Patients can no longer choose to go to a hospital with shorter waiting lists or waiting times. Constituents of my hon. Friend who represents the Southampton area and my hon. Friend the Member for Bexhill and Battle (Gregory Barker) have to wait 16 weeks and 24 weeks respectively for radiotherapy. They cannot choose to go to Bournemouth, where there are almost no waiting lists. Patients cannot choose to go to a hospital where there are better health outcomes. Patients in my constituency are contracted to be sent to a hospital that had the worst outcomes for hip operations. One in six of those treated for an emergency hip operation died within 30 days of the operation and could not choose to go elsewhere.

It is not possible for a patient to choose to go to a hospital that he believes is cleaner or has fewer cases of methicillin-resistant Staphylococcus aureus—MRSA—infection. Sadly, the sixth-worst hospital for that is near my constituency. Patients cannot choose to go to a hospital near their relatives, even if it treated them when they lived in the area, or to a hospital with single-sex wards.

[Mr. Peter Lilley]

The Bill would repeal that circular and restore the right of patients to choose which NHS hospital they attend. Patients need more than that, however. They need information, especially on waiting lists, so that they can make informed choices. That information is collected by the College of Health on the national waiting list helpline, but the Government refuse to publish it. I agree with the right hon. Member for Birkenhead (Mr. Field) that it should be published and available in every hospital waiting room and on a website, which he categorises as easyop.com.

Information about health outcomes should be available, preferably on the basis of the pre-operative condition of the patient. We should allow for that variable, as they do in the United States, so that people can assess the success rate of different hospitals and different surgeons. Information about infection rates should be more readily available. Although that is now being made available, until recently my health service did not discuss or report it at its management meetings.

We also need a diversity of suppliers. We need genuinely independent trusts that are not micromanaged centrally with the objective of uniformity. We also need other not-for-profit hospitals, such as charitable hospitals, and new enterprises, although they would need to meet the cost levels set by the NHS. Above all, taxpayers' money must follow patient choice. That empowers choice by rewarding and reimbursing hospitals that treat patients and ensures that the successful and popular hospitals do not run through their budgets before the end of the financial year and have to close, as was the case.

I congratulate my right hon. Friend the Leader of the Conservative party on sending the health team to other countries to see their successful health services. I am sure that the common feature that they will have discovered is that patients have choice; they have the knowledge to make an informed choice; there is diversity of supply; and patients' money, the taxpayers' money, follows their choice.

When I published these ideas some while ago in an excellent booklet, available from my website for free or from Demos for £6.95, the Government ridiculed them and said that if patients were given back choice, they would be racing up and down the country looking for better hospitals or shorter waiting lists. Now, of course, the Government are sending patients racing around the Mediterranean looking for the same things.

The Government published a White Paper on involving patients in health care, which spoke of committees and consultation but did not even mention the word "choice" or the idea of giving choice to patients. Now, belatedly, the Government are trying to adopt the rhetoric of choice. I would welcome that if it involved any substantial change, but so far they have simply said that if people are still alive after they have been on the waiting list for a heart operation for six months, they will be allowed to choose another hospital that can do the operation more quickly than the one whose waiting list they are on.

The Government have created a massive new bureaucracy to supervise that. A whole new tier of officials will mediate between a patient's GP and consultant and then talk to the patient to decide whether he or she is suitable to be given choice and, if so, where and how it can be exercised. The individual and his or her GP no longer make that choice.

My Bill will restore choice and give patients the information to make an informed choice. There will be diversity from which they can make their choice, and taxpayers' money will follow patients' choice. Choice is not a panacea; on its own it is not a sufficient remedy, but it is essential if we are to have a reformed health service that takes advantage of the extra resources available to it by improved quality of care. I commend my Bill to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. Peter Lilley, Sir Patrick Cormack, Mr. Frank Field, Alistair Burt, Mr. Christopher Chope, Mr. Michael Portillo, Mr. Andrew Tyrie, Mr. Gregory Barker, Mr. David Cameron, Mr. George Osborne, Mr. Mark Prisk and Mr. Andrew Turner.

PATIENT CHOICE

Mr. Peter Lilley accordingly presented a Bill to reinstate a patient's right to choose the hospital in which to receive treatment within the National Health Service: And the same was read the First time; and ordered to be read a Second time on Thursday 7 November, and to be printed [Bill 199].

Prevention and Suppression of Terrorism

3.43 pm

The Secretary of State for the Home Department (Mr. David Blunkett): I beg to move,

That the draft Terrorism Act 2000 (Proscribed Organisations) (Amendment) Order 2002, which was laid before the House on 28th October, be approved.

The Terrorism Act 2000 came into force on 19 February last year. My right hon. Friend the Member for Blackburn (Mr. Straw), the Foreign Secretary, laid orders for proscription on 21 groups on 28 February last year which were approved by this House. Since then no other groups have been proscribed, but a close watch is being kept on groups, including those looking to reconfigure and rename themselves.

I want first to state that there is no party political difference between us this afternoon, and I am grateful to the right hon. Member for West Dorset (Mr. Letwin), the shadow Home Secretary, for indicating to me issues that may prove appropriate for Privy Council briefings. I need to say now that there is information to do with the time for which particular groups have been monitored and the knowledge about their meetings and base which we would be happy to offer on Privy Council terms. Obviously, there will be questions about whether that is the earliest point at which groups may be proscribed, and I am happy to deal with them. Having moved the motion on proscription, I hope that the whole House will back us.

I do not intend to repeat the long discourse that we had a year ago, or even the statements made since the attack in Bali, as Members are well aware of events, including the escalation that has changed the position radically, as well as the behaviour since 11 September 2001 of al-Qaeda and its offshoots—its network of cells and the loose confederation of those who are not part of its central core but who are prepared to support and help it. We must respond, monitor what groups are doing, how they relate to one another, and how their support systems, including funding, work.

People's heightened awareness since 11 September last year has been reinforced by the tragic deaths in Bali and other events. However, security and intelligence services of countries across the world have been able to intervene and are on record as having done so to save communities from threat. It is in the light of those attempts, not just the events that led to loss of life, that we have moved the motion this afternoon. My right hon. Friend the Secretary of State for Transport today answered a parliamentary question about a review that he and I set in motion—we asked Sir John Wheeler to investigate security levels at our airports and the way in which that related to wider security issues. We obviously take that review seriously and its general conclusions have been published this afternoon. Again, I would be happy for Opposition Members to see more detailed information on Privy Council terms. The House would expect us to act immediately on Sir John's recommendations on security tightening, and we have done so. I and my right hon. Friend are grateful for his work. We owe him a debt of gratitude.

Andrew Mackinlay (Thurrock): I am grateful to the Home Secretary, and listened carefully to what he said about security at our airports. I would wish to share information on Privy Council terms, but unfortunately I am not a Privy Councillor. However, I am concerned about our seaports, which are largely unpoliced, with the exception of my port—Tilbury—Felixstowe, and Tees and Hartlepool. Many of us are deeply concerned that our seaports are porous—I think that that is the word—as people are coming in. The immigration authorities, Customs and Excise and the police force are simply not there to provide the necessary cover. I hope that the Home Secretary will reconsider, along with my right hon. Friend the Transport Secretary, creating a national dedicated police force for our seaports.

Mr. Blunkett: Following the work on airport security and its relationship to air travel from airports across Europe and the world—an important factor in making our population and people travelling to our country secure from the threat of terrorism—the Transport Secretary has already told me that he is taking a close look at strengthening the present arrangements spelt out by my hon. Friend, which consist of various forms of policing, including port health and environmental health programmes. That has been drawn forcibly to my attention.

We are also interested in putting in place technological surveillance equipment to tackle a wider threat—not simply people entering the country, but materials as well. I make that clear in case anyone who is contemplating terrorist acts or trying to get material into the country is under the misapprehension that we are not taking the necessary steps. We also want to stress, as Sir John did, the importance of people working in and around airports and our ports being vigilant—not merely those who are on policing duties but those going about their usual business.

The report that we are putting in the Library this afternoon demonstrates that we need to tighten all forms of security, not just the obvious ones. It also behoves us to ensure that the public exercise the greatest vigilance. We need to keep our routes in and out of the country open and free. That is critical for the free movement of people, goods and commerce. It is critical that we are not damaged economically or socially, and that those who are determined to perpetrate terrorism do not get an opportunity to disrupt the lives of the nation.

Mr. Roy Beggs (East Antrim): Does the Home Secretary agree that those who have hitherto enjoyed freedom and rights of way through our ports nationally must now accept that, in the interests of security, rights of way may be re-routed?

Mr. Blunkett: Wherever there is perceived to be a credible threat, steps will be taken to ensure that people are re-routed or that diversions are put in place to secure the well-being of the public. If there is a specific concern that the hon. Gentleman would like to draw to my attention or to that of my right hon. Friends, I shall be happy to take it forward.

Simon Hughes (Southwark, North and Bermondsey): My right hon. and hon. Friends will support the order. I hope that that is a helpful early indication, and I hope that the Home Secretary will feel able, at the appropriate

[Simon Hughes]

time, to include my right hon. Friends, or me, or an appropriate combination, in the briefings. That would be appreciated, and it would be helpful.

Has the right hon. Gentleman further considered the Select Committee's recommendation of a common border force at our airports and seaports? Given the frequency of concern about security at our ports over the past two years, that seems a strong case well made that merits further attention from the Government.

Mr. Blunkett: None of us would dismiss thoughtful contributions on how best to achieve that. There are wider issues of co-operation between the various law enforcement and security agencies, which the Prime Minister, my right hon. Friends and I are examining. I am yet to be convinced that the establishment of another force with another bureaucracy is the right way of achieving the objective. That has a wider read-over to issues that the hon. Gentleman has raised with me before in relation to a European joint border force. Although I have moved policy on to indicating that we would contribute to that, we are not in favour of some centralised administration that would undoubtedly lead to more people being employed in managing it than in securing our borders. I am happy to continue exploring the best way of achieving the common goal.

I am grateful for the hon. Gentleman's indication of support. We need to ensure that we are open to scrutiny and that we will answer necessary questions. I have indicated to him and his colleagues over the past 15 months a willingness to ensure that we share the maximum number of facts and the greatest amount of information, and I will continue to do that.

Today, I am asking the House to proscribe a further four organisations, in addition to the 21 that I mentioned earlier. Those four have discernible links with al-Qaeda. Following a number of recent attacks, including the one in Bali, international co-operation and the coherence of evidence and information from security and intelligence services across the world have indicated those links more clearly. That is primarily the answer to the question why we have not banned at least one of those groups, Jemaah Islamiyah, before. The evidence base, the links that have been established, the information from security services, and information that has emerged from other events over the past few months have provided a conclusive case that they are involved with and are part of the broader federal network of al-Qaeda. Of course, evidence has emerged since the tragedy in relation to suspected direct links with the bombing.

Since 11 September last year, we have been working closely with all those seeking to fight terrorism. We have learned even more from the bombing in Bali and want to ensure a sustained and coherent approach. That is why we are linking the four proscribed groups together. Last Thursday, on the back of action taken through the United Nations, my right hon. Friend the Chancellor of the Exchequer and I issued further guidance and took further measures in relation to the freezing of assets and the movement of funds. The Proceeds of Crime Act 2002 will clearly help us in that regard and make it easier to monitor and take action, and we will take whatever further steps are necessary.

The proscribed organisations fall within criteria of which it will be useful to remind hon. Members. They are specified in the definition of terrorism provided in the Terrorism Act 2000, which refers to those who commit or participate in acts of terrorism, prepare for terrorism, promote or encourage it or are otherwise concerned with it. The factors spelt out alongside the original decision a year last February were as follows: consideration by the Home Secretary of the nature and scale of the organisations; the specific threat to the UK or British nationals overseas; and the presence and support of the international community. It is the support of the international community and the threat to our citizens overseas that we have weighed very carefully indeed, along with other factors, in proscribing the four groups.

The proscribed groups are Jemaah Islamiyah, or JI, with which we are familiar in relation to allegations made about the bombing in Bali; Abu Sayyaf, a group based in the Philippines; the Islamic Movement of Uzbekistan, which has links with those whom we believe were involved in the hostage taking in Moscow; and Asbat Al-Ansar, which is based in Lebanon. Attached to the order is an explanatory memorandum that has been available to hon. Members, setting out the reasons why those groups meet the specific criteria and match the factors to which I referred.

Proscription sends a signal. It allows us to deal swiftly with those associated with groups that are committing terror across the world, whether they are members of them or provide support to them. It provides a coherent approach involving the UN and other international partners in seeking to attack and undermine terrorism, and it is also part of the mutuality and solidarity that we have expressed in the House on a number of occasions.

David Winnick (Walsall, North): Does my right hon. Friend accept that many of us take the view that such action as has been taken, as well as that being taken today, has been long overdue? He may recall that I asked him and his predecessor in the Select Committee on Home Affairs about allegations made over the years by countries such as Egypt that Britain has been a safe haven for terrorism. I know that successive Home Secretaries have denied that that is the case. Our country should not be a safe haven of any kind for those who aim to engage in terrorism and destroy lives, as has happened so recently in Indonesia.

Mr. Blunkett: I agree with my hon. Friend. Whenever evidence is presented, my colleagues and I will act. That is why we are taking action this afternoon; it is also why, after passing the Terrorism Act 2000 and the Anti-terrorism, Crime and Security Act 2001, we need to be not only vigilant but prepared to act whenever necessary. I respect the points that hon. Members have made.

As I said previously, we need evidence. It would therefore be helpful if, when countries or their agencies make allegations, instead of doing so through newspapers, they presented us with evidence. It would also be helpful if newspapers checked the credibility of the allegations. Their publication creates an atmosphere of fear and undermines the confidence and morale of those who are at the cutting edge of our actions to combat terrorism. I repeat that I have every confidence

in this country's security and intelligence services, which do a first-class job. Long may that continue. Like us, they are learning all the time.

On the speed in making decisions about specific groups, I stress to the shadow Home Secretary that there is no special wisdom in government. We take the evidence that is presented, and respond at speed when people are prepared to provide verifiable evidence. If hon. Members from any party have evidence, I am happy to consider it. Some hon. Members present evidence constantly, and we check the difference between the loud-mouthed extremists who endeavour to provide diversion but, although undoubted irritants, require evidence to show that they are a threat, and those who do not clearly spell out their views or identity precisely because they constitute a greater threat and need to be taken more seriously.

In our democracy, a right of appeal exists. An appeal is made first to the Home Secretary. If he confirms the banning order, a further appeal can be made to the Proscribed Organisations Appeal Commission. I do not imagine that many people outside the House have heard of it, but it exists.

Mr. Douglas Hogg (Sleaford and North Hykeham): Does the Home Secretary accept that the commission approaches the matter on the basis of the principles that apply to judicial review and therefore does not review the merits of the original decision?

Mr. Blunkett: The commission has to review whether the criteria and the definitions that were debated in 2000, and when the first batch of proscriptions were made in February 2001 apply, and whether the Government and the Home Secretary properly exercised their power. That is fair, given the nature of the threat. We take time to ensure that we accumulate evidence. That is why we did not jump to proscribe only one organisation in the immediate aftermath of Bali. We wanted to have some coherence about the network of links with al-Qaeda, the evidence that could be adduced and the international position.

We want to secure the confidence of the community and the backing of the House, and ensure that we use intelligence to tackle such groups and all their aspects, including support, fundraising, links abroad, thus making it more difficult for al-Qaeda to wreak terrorism across the globe. We take action irrespective of the creed or nationality of those involved. As hon. Members will realise, a variety of groups, which are based in different parts of the world, are linked in a loose federation to those who are determined to take away our freedom and well-being. I am glad that we appear to have the House's wholehearted support in tackling those cells and that network.

4.4 pm

Mr. Oliver Letwin (West Dorset): The Opposition welcome and support the measures that the Home Secretary has taken today. I hope that nothing that I ask will be perceived as detracting from that support. I am also aware that the Home Secretary, and any occupant of that office, bears a heavy burden, and that it is difficult to discern reality from phantoms, or to know how best to proceed even when reality appears to have a certain shape. I am conscious that it is difficult—indeed, impossible, in some cases—to disclose the basis for some of the decisions that are made. That is a natural feature of this area of our national life.

Within the limits of those constraints, I have given the Home Secretary notice that I want to probe the question of the timetable that led to the proscription of Jemaah Islamiyah today rather than at an earlier date. I wish to do so not because that has any practical import today—after all, the Home Secretary has now proscribed it, and we welcome that—but because it will help to illuminate whether the system as a whole and the legislative framework that backs it are working as well as we would mutually hope.

I am extremely conscious that it is of great importance—as I hope the Home Secretary and the spokesman for the Liberal Democrats will agree—that we continue to have a framework within which there is a system of appeal, to which the Home Secretary rightly referred. Of course, if there is such a system, it will be necessary for the Home Office to accumulate reasonably robust evidence—albeit disclosable only in camera—before making a decision to proscribe, because otherwise the commission would overturn the proscription. I utterly accept, therefore, that there will inevitably be delays that would not occur if we were operating a system of proscription by fiat without appeal. I would be the last person in the House to suggest such a system. Indeed, the Home Secretary and I have had debates in the past on other matters in which I have been keen to strengthen the system of appeal, so I recognise the obligation on us to accept that there will be delays as a result of the appeals system.

Nevertheless, the question arises as to why this has taken so long, and I want to ask five particular questions about that. First, how long has it been known, or guessed, by the security services that there was a link between Jemaah Islamiyah and al-Qaeda? Secondly, was it known that JI was active in Thailand at the beginning of the year, as has been reported? I do not know whether those reports are accurate; I am merely asking whether that was known. Thirdly, how long has it been known that the Indonesian authorities believed that JI was connected with the terrible events that took place there at Christmas 2000? Fourthly, what liaison was there between our agencies and the Singaporean authorities when or after the Singaporean authorities detained a considerable number of suspected JI agents—13, I think—in December 2001? Finally, when the Government of the Philippines detained nine people—in May 2002, I think—alleged to be connected to JI, did that Government inform our security apparatus of the basis on which they were proceeding? If so, why did that not lead to proscription at that stage?

I re-emphasise that none of this had an unhappy result for Britain. There is no reason to suppose, for example, that the bombings in Bali would have been less likely to occur had proscription occurred earlier. I do not believe that any adverse practical consequences have flowed from the delay, and the Home Secretary has now taken the step that needed to be taken. No blame attaches either to him, to the Home Office or to the security services. I am grateful to him for making the offer to explain this matter in further detail on other terms. It is important, however, for the House—and perhaps, in due course, the Intelligence Committee—to

[Mr. Oliver Letwin]

understand whether the system is capable of responding as fast as the quite proper legal restraints enable it to do. If the Home Secretary can reassure us, now and later, on that point, he will have our backing not only today but, as we move forward, for the continued operation of a system that is certainly much better than no such system.

4.9 pm

Andrew Mackinlay (Thurrock): I shall not detain the House, because a number of hon. Members want to speak in this brief debate. I want to pick up on and amplify the matter that I raised in an intervention on the Secretary of State, and to raise a further issue.

I am deeply concerned about these and other terrorist groups, the growing menace of human trafficking and the likelihood of terrorist materials coming in through our sea ports. The Home Office—I am not referring to the Home Secretary himself—and other agencies do not sufficiently appreciate the nature of our sea ports. I represent the port of Tilbury, which is a secure port with it own dedicated police force, and very professional it is too. Incidentally, it celebrated its bicentenary this weekend. I am proud of the force, which is part of a much wider Port of London police force, which has now gone into decline.

In decades past, some ports were policed by the British Transport police, but only a few ports—Tilbury, Felixstowe, Tees and Hartlepool, one on Merseyside, Larne, Belfast, Dover and perhaps a few others—have a dedicated police force. Those forces are very professional, but in many other sea ports and wharfs, including some in my constituency outside the port of Tilbury, boats come in every day. I am convinced that, day after day, people get off those boats and come into the United Kingdom unchallenged, because the immigration authorities and Customs and Excise are not present and there is no dedicated police force.

I note what the Home Secretary said in response to the hon. Member for Southwark, North and Bermondsey (Simon Hughes) about the concept of a wider border authority for the European Union, and I am with the hon. Gentleman on that. That issue has wider implications and should be raised in a summit. I urge the Home Secretary to discuss with colleagues in his Department and across Departments the need for a dedicated national police force along the lines of the Ports Canada police and the coastguard in the United States of America. Such a force should operate in the United Kingdom. How would it be paid for? That is always the grubby problem. A small charge on each container going into our ports and a small nominal charge on each passenger passing through them could sustain an effective ports police.

Such a force would not be instead of Customs and Excise, the immigration service and other agencies, but would buttress them. It would provide a safety net and could develop skills and expertise, and use the technology to which the Home Secretary referred. That technology is being introduced at good ports, because the port managements are investing in it. The port of Tilbury has done a great deal, and is using some wonderful technology, which I do not understand, that can see inside containers. It can prevent human trafficking, terrorism and the other crimes that take place in our ports. That is not happening in some of its competitor ports. There is an issue of fairness and competition. All ports in the United Kingdom should have the same standards of integrity when combating crime and terrorism. I hope that the Home Secretary will think about that—I could amplify those ideas further in a meeting if that would be useful.

The Home Secretary referred to this technology in the summer. I would have tabled some parliamentary questions had we been sitting, but we do not yet sit in the summer. There was a report of radioactive material coming through the port of Felixstowe. Funnily enough, it was eventually stopped in Tilbury, although it was nothing to do with the port of Tilbury. The technology worked, but the human response failed.

Mr. Speaker: Order. This order refers to four terrorist organisations, so it is narrower than the point that the hon. Member is making.

Andrew Mackinlay: I fully accept and abide by your ruling, Mr. Speaker. In my defence, I should say that it was the Home Secretary who referred to the technology at ports, not me. I noted that, because I thought that you might call me to order. He was the guilty man, not me, but I shall move on. The Home Secretary might know of the incident to which I refer. I realise that the question of security is involved, but I would welcome the opportunity to talk to him or his colleagues about this issue.

I have discussed in the Foreign Affairs Committee and with the Foreign Secretary my great anxiety about the presence in our scientific postgraduate institutions of members of groups such as those that are the subject of this order who are studying doctorates. The scientific community in this country is transient. It is a high-income earner for the United Kingdom, and long may it flourish, but all the indications are that our security and intelligence services and academia have not the foggiest idea who some of these people are. That constitutes a great void in our security and intelligence services, and I hope that the Home Secretary will refer to it. The organisations mentioned in the order could well have people working at the University of London, in Bloomsbury, at Imperial College, or at other of our great and proud institutions. Such people might be working on proper research 95 per cent. of the time, but what we do not know is what they are doing during the other 5 per cent., and what they have kept in the back of the fridge.

4.16 pm

Simon Hughes (Southwark, North and Bermondsey): I told the Home Secretary and the House that my colleagues and I will support the order in this House, and in the other House later today. Given that this is the first debate on this issue for more than a year, it is appropriate first to join Ministers and others by reaffirming our solidarity and sympathy with the huge number of people who, since we last debated proscription and terrorist organisations, have suffered at the hands of terrorists. Atrocious numbers were killed in the United States in the late summer of last year. According to the latest figures, 184 people were killed in Bali just a couple of weeks ago, of whom 14 were UK

citizens, and according to research carried out by my assistant with the help of our very good Library staff, the intelligence suggests that other terrorist activities that took place between 11 September last year and the Bali incident resulted in the deaths of a further 50 people in Saudi Arabia, Pakistan, Tunisia, Yemen and Kuwait.

The Home Secretary is right to say that we need to be continually vigilant in this matter, and the Government are right to say that proscription must be kept under permanent review. As I have always made clear, we have an obligation to have legislation that helps to counter terrorism. Although he was not in his current post at the time, the Home Secretary may remember my Liberal Democrat colleagues and I arguing for the end of the old anti-terrorist legislation that split the UK into two parts—Northern Ireland in one category, and Great Britain in the other—and for comprehensive legislation that treats all parts and all citizens equally. That is why we welcomed the principle of the 2000 Act and accepted the principle of proscription. Sometimes, it is necessary to take the drastic step of telling those who belong to, work for and associate themselves with certain organisations that such activities are unacceptable in this country. We still hold to that view, which is why we will support the order, and consider it absolutely right that this country reserve the power to proscribe certain organisations in the right way.

To pick up on a phrase that the Home Secretary used, we should, of course, never be a haven for terrorists. The justifiable argument was made that we perhaps unwittingly became such a haven, in part, during the late 1990s. There is a difficult balance to strike. We must not become such a country, but on the other hand we must be a haven for free speech and liberty for those who, within the law, want to be critical of—in spoken word and in writing—regimes, faiths and practices that they consider unacceptable. I therefore hope that the Home Secretary—of whom I, like the right hon. Member for West Dorset (Mr. Letwin), would like to ask a few questions—will accept the good faith of our position.

Lady Hermon (North Down): Does the hon. Gentleman accept that proscription often leads to fragmentation and splinter groups, which go underground and change their names? Sometimes, proscription can lead to greater difficulties, rather than addressing current ones.

Simon Hughes: The hon. Lady has clear local experience of that issue in Northern Ireland, and I understand her point. When we debated the legislation in Committee, her party's nominee on the Committee was sometimes critical—as were other Opposition Members—of some of the terminology, definitions and processes put forward by the Government, and that was because of his Northern Ireland experience. Now that we have common legislation that proscribes both Irish organisations and international organisations, we have a common interest in ensuring that we get it right. One of my questions for the Home Secretary is how we can get it right so that banning one organisation does not just force the people involved to invent themselves in another guise and carry on, with the inevitable lead time before that guise is also banned.

I have a question on timing, which is not meant to be accusatorial. The Home Secretary puts the names of four organisations before us today, which are all extremist Islamic organisations. The first, Jemaah Islamiyah, is based in Indonesia, Malaysia and the Philippines, and was put on the proscribed list by the United States, Australia and the United Nations only in the past couple of days or weeks. I have not been able to check whether it is on the European Union list yet. What triggered the Government's view that the organisation should be proscribed? I understand the delicacy of the intelligence issues, but that organisation clearly has a reputation in the areas in which it is based that has given real cause for concern.

As for the other three organisations, Abu Sayyaf is based in the Philippines, Asbat Al-Ansar is based in the Lebanon and the Islamic Movement of Uzbekistan is—self-evidently—based in that former Soviet state in Asia. All those organisations appear to have been put on the EU list last October. What link is there between a decision by the EU to put them on its list and the Government's decision to put them on our list? I accept the point, which was well made by the Home Secretary, that we must not act simply on the basis of somebody's assertion of the case against an organisation. The Home Secretary has himself had experience of a case in which someone was arrested in this country but then acquitted because the United States did not produce the evidence that the authorities had been led to believe—in good faith, I am sure— would be forthcoming. The Government are right to make their own intelligence assessment and not rely on arguments put forward by another country that might have different motives to which we might not always wish to subscribe.

Can the Home Secretary confirm that to his knowledge none of those organisations are or have been active in the United Kingdom or are or have been a threat to our interests here? I understand that in relation to activities in Indonesia, there was a clear threat if those killed included British citizens—indeed, the organisation in question there showed that it is a threat to the international community. Is it sufficient for the purposes of the legislation for the Home Secretary to be of the view that a threat exists abroad?

Can the Home Secretary tell us when we may expect Lord Carlile's review, taking place under the process for checking on the legislation? It is due in the near future and will be helpful as an independent review of the working of the legislation. Does the Home Secretary remember whether the Government said in Committee that they would also undertake a regular review process? What is the mechanism for doing that?

The Home Secretary may remember that the Liberal Democrats had some arguments with the Government about the definition of terrorism. I shall not rehearse them today, but we argued for a narrower definition. We accept that we lost the argument, but we were also concerned that the legislation was a matter of proscribe first, review later. On that key issue, will the Home Secretary give further consideration to seeking the advice of the Intelligence and Security Committee—on which my right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith) serves—to obtain an independent view on every case in which he is minded to proscribe? That could be done very quickly. In some circumstances, it might not be possible immediately, but it would still remain a parliamentary backstop. I should be grateful if the Home Secretary would give consideration to that process, not least because it would

[Simon Hughes]

give him support for his propositions in connection with information that cannot always be available to the House or the country.

It has been suggested outside the House that one currently proscribed organisation, the Sri Lankan Tamil organisation the LTTE, might be a candidate for de-proscription, as it has been de-proscribed in Sri Lanka. Given the peace process that is under way, will the Home Secretary say whether de-proscription of the LTTE is under active consideration? Which organisations currently on the list have appealed to the Home Secretary and, beyond him, to the commission? I presume that any organisation still on the list was unsuccessful in its appeal, but whether an organisation has appealed—and to which level—should not be a secret.

Finally, I represent a constituency with a significant multi-faith community that includes Muslims. We have to do another job that is the opposite of banning organisations. We have to educate young people who might be tempted to serve the causes of bad people. It might be useful for any such education process to list the banned organisations, and to ensure that correct information is propagated. That would ensure that people were not under any misapprehension that the organisation to which they were being recruited was involved in justified activity, whether it be in Afghanistan, Pakistan, the Philippines or Indonesia. Will the Home Secretary consider ways to ensure that the communities affected—in this case, the Islamic community—can have the information that will help people with good motives to avoid entrapment in organisations that will lead them badly astray?

This is an important debate. The level of unanimity among hon. Members of all parties shows how seriously we take it. In the past, my party asked that organisations be proscribed separately rather than collectively. We argued that differences of view about organisations meant that it was impossible to vote on them all together. We hold to that view. As it happens, we believe that each of the four organisations in the order pass the test and therefore we agree that they should be proscribed. However, we hope that the Home Secretary will consider separate proscriptions for each organisation. We also hope that there will be separate votes, if not separate debates, if the matters come before the House again while he is in office.

4.27

Mr. Andrew Dismore (Hendon): I am sure that my right hon. Friend the Home Secretary is aware of my interest in some of these matters.

Mr. Blunkett: I could not be [illegible]thing else.

Mr. Dismore: I think that I have asked about 150 parliamentary questions on these matters over the past couple of years. My file of correspondence is probably as fat as my right hon. Friend's, but he will be interested to know that I do not propose to raise with him the question of the people whom he called loud-mouthed irritants. I assume that they include Abu Hanza, although I believe that he is a threat in a way that my right hon. Friend does not.

Moreover, press reports suggest that Abu Qatada, one of the spiders at the centre of the terrorist web in Europe,is now in detention. I am pleased about that, and hope that the reports are correct. However, I want to raise the question of the Popular Front for the Liberation of Palestine, about which I was in correspondence with my right hon. Friend earlier in the year.

I have been looking at the criteria employed for the proscription of some of the organisations. The PFLP seems to meet all of them, but has not been proscribed. That seems rather odd. My right hon. Friend the Home Secretary said earlier that proscription required that there be a specific threat to the UK or its nationals, or to those who support the international community's campaign against terrorism. Again, in that context, I am surprised that the PFLP is not on the proscribed list.

In a letter dated 29 May—and in response to a parliamentary question that I asked at around the same date—my right hon. Friend the Home Secretary told me that the list of organisations was kept under review, that decisions to proscribe or to deproscribe were taken after consideration of all relevant aspects, that the list was renewed periodically, and that organisations could be added in the light of available information. I welcome the fact that four organisations are being added to the list, but given the criteria for selecting those organisations, I find it surprising that the PFLP was not selected.

The PFLP has a long history of terrorism, going right back to 1968. I do not propose to go into it this afternoon, but it virtually invented aircraft hijacking with the 1970 black September hijacking, when Leila Khaled was detained in the United Kingdom after the death of a terrorist and serious injury to a flight attendant on an El Al airliner. That terrorism has developed and grown since those early days and I was very surprised that Leila Khaled was allowed into this country earlier this year.

In recent times, the PFLP has become increasingly active in terrorist attacks. It rejects the peace process and its leadership is very hard line. In the past year, in particular, there have been some serious incidents, which mirror and, indeed, go far beyond those described on the list in the explanatory memorandum for today's debate. For example, Jemaah Islamiyah is being proscribed because of its links with al-Qaeda and the memorandum mentions

"planning attacks against several targets in Singapore".

In the past year, the PFLP attempted an attack on Ben Gurion international airport using a car bomb, which was mercifully foiled by the Israeli security services. Mohammed Kandas, a PFLP organiser, told his interrogators that he had been recruited in Iraq in 1988.

In the same month, there was an attempted attack on the Maccabiah games in Jerusalem. Salem Taleb Al-Darawi, of the PFLP, was one of those involved. It was described as a "joint operation" and a PFLP militia group was involved. Perhaps most chilling of all was the attempt to bring down the Israeli equivalent of the twin towers when, on 7 May this year, Israeli soldiers intercepted a truck filled with more than half a tonne of high explosives, the target being the 50-storey Azrieli towers. Again, two of those involved were senior PFLP

leaders, Ra'ad Nazel, the area commander for the PFLP, who was killed in the operation, and another PFLP commander who was arrested. Let us contrast that record with that of the JI organisation, which was accused only of planning attacks. I think that the PFLP attacks were much more serious.

The Islamic Movement of Uzbekistan is being proscribed because it is supposed to have launched a sophisticated bombing campaign in Tashkent, which was directed against the Uzbekistan regime. We should note that it was not directed against UK interests. However, in the past few months the PFLP has organised more bomb attacks. On 3 September, a car bomb and three other bombs exploded in Jerusalem and nine civilians were injured. On 17 October 2001, there was a car bombing in the Gaza strip at Nahal Oz. On 16 February 2002, two children were killed and 27 wounded when a PFLP suicide bomber exploded himself at a crowded shopping mall in Karnei Shomron. On 19 May 2002, the PFLP carried out a suicide bombing in the coastal city of Netanya, in which three people were killed and 59 wounded, which was apparently planned from prison by Ahmed Saadat, the leader of the PFLP, according to telephone taps, while he was supposed to have been guarded by UK and American prison guards as part of the agreement with the Palestinians and the Israelis.

David Winnick: I make no apology for the organisation to which my hon. Friend refers, although I certainly see a distinction—even if he does not—between it and the organisations that have been proscribed, and I deplore all forms of terrorism. He referred to the totally unjustified killing of Israeli civilians, including children, which is absolutely deplorable. I hope that he will deplore the killing of Palestinian civilians and children by the Israeli authorities in the occupied territories.

Mr. Dismore: Obviously, I hear what my hon. Friend says and any deaths in the middle east are to be regretted. We need to do what we can to achieve a ceasefire, but one of the keys to that is an end to Palestinian terrorism. However, that is not the issue that I am dealing with today.

We are told that Asbat Al-Ansar is being proscribed because of its activities in the Lebanon, which we are told in the memorandum have

"been limited to small-scale bombing and assassinations".

We can contrast that with the assassination of the Israeli Tourism Minister, Rechavam Ze'evi, on 17 October 2001, for which the PFLP actually claimed responsibility. When we contrast the PFLP record against the individual records of those organisations, it is as much as everything that they have done.

We are told that we should be supporting the international community. After the assassination of the Israeli Cabinet Minister, even the Palestinian Authority allegedly outlawed the military wing of the PFLP, yet we do not even seem to be doing the little that the Authority has done.

In June this year, the European Union declared the PFLP a terror organisation. To follow up the point made by the hon. Member for Southwark, North and Bermondsey (Simon Hughes), there is a relationship between our domestic anti-terrorism laws and decisions taken by the EU. I understood that the EU decision to proscribe the PFLP as a terror organisation meant that, as one of the 15 member states, we, too, must take action by—at the least—freezing the funds and assets of the PFLP. If we accept that EU decision, I fail to understand why we are not proscribing the PFLP under the order.

We are told that we have to consider the threat to the United Kingdom and to UK citizens. There is no doubt that the PFLP is active on university campuses in the UK, as my hon. Friend the Member for Thurrock (Andrew Mackinlay) suggested. For example, in January 2001 and May 2002, Leila Khaled visited the UK, but apparently we cannot prosecute her because in 1970 our laws against hijacking were not as strong as they are nowadays. If those offences had been committed today, she would have been jailed, presumably for life; yet she is allowed to come and go with impunity because the PFLP is not a proscribed organisation. In Manchester and at the School of Oriental and African Studies in London, she reportedly justified suicide bombings. In the *Daily Telegraph* of 27 May, she stated that the PFLP has

"a lot of supporters here".

Indeed, an organisation has been formed—the Che-Leila Youth Brigade—which is primarily a student group and has been sending British students to the West Bank and to Gaza.

The PFLP has never accepted the peace process in the middle east. The organisation is rejectionist. It has never renounced its intention to mount attacks overseas against Israeli citizens and, indeed, those who get caught in such attacks. We must not forget that, in 1994, the PFLP attempted to blow up the Israeli embassy in Britain. It is a terrorist organisation and has become increasingly active. We are being asked to proscribe four organisations and I cannot understand why the PFLP is not the fifth on the list.

4.38 pm

Mr. Douglas Hogg (Sleaford and North Hykeham): Next time, perhaps the hon. Member for Hendon (Mr. Dismore) might care to table an amendment. We could then at least address the question specifically.

Mr. Dismore: Will the right hon. and learned Gentleman give way?

Mr. Hogg: Not yet.

It is right that we should not let the motion pass undebated and that several right hon. and hon. Members should participate in the debate. The motion is important. I raise no objection to the proscription of these organisations. I am perfectly prepared to accept that they genuinely are terrorist organisations that constitute a threat to us all. None the less we need to be clear that the order is draconian and that it affects British citizens dramatically.

If you will forgive me, Madam Deputy Speaker, I shall remind the House of the extent to which the rights of British citizens are affected. British citizens are made the subject of the criminal law and their rights to support political organisations are constrained by what is very largely an Executive action.

[Mr. Hogg]

The explanatory memorandum is helpful. Section 11 of the Act makes it an offence to belong to a proscribed organisation. That offence is punishable by 10 years in prison and/or an unlimited fine. Section 12 makes it an offence to seek support, financial or otherwise, for those proscribed organisations. That, too, is subject to a 10-year maximum prison sentence and/or an unlimited fine.

Section 13 of the Act makes it an offence to carry placards, for example, or wear the insignia of the proscribed organisations. That, too, is backed by a sentence of imprisonment and/or a fine. Of course there are very wide powers in the Act to seize, detain and forfeit the property of proscribed organisations, and the full range of the powers in the Act are applied to terrorist organisations.

The fact that the four organisations are largely situated outside the United Kingdom should not blind us to the fact that there may be British citizens in this country who, prima facie, support them. So we are ourselves by this proscription greatly extending the scope of the criminal law to the British citizen, and we need to be absolutely clear about the gravity of what we are doing. We therefore need to consider the procedure by which the House—it is ultimately the House—makes the order.

To start with, the Home Secretary—or, of course, his successor—has to form a belief that the organisation in question is a terrorist organisation, and I shall return to that in a moment. Assuming that the right hon. Gentleman reaches that conclusion, he will lay an order— which will doubtless be passed by the House and, indeed, the other place, because it is subject to the affirmative procedure. But let us be absolutely clear about the fact that no hon. Member, with the exception of the right hon. Gentleman, knows the nature of the evidence on which the proscription takes place, so we are entitled to ask how the British citizen affected by the order can challenge it.

I shall tell the House. The British citizen can apply for the proscribed organisation to be de-proscribed by applying to the person who proscribed it in the first instance, and if by any chance the Home Secretary says no, one is entitled to ask what then is the appeal. Well, that is where the difficulty arises. There is no proper appeal; there is a commission. I am not blackguarding the commission—I am perfectly prepared to accept that it is staffed by very eminent and respectable people—but its powers are limited because it reviews the Home Secretary's exercise of his powers in accordance with the principles that govern judicial review. In other words, the appeal is not an appeal against the merits of the Home Secretary's decision—oh, no—it is an appeal about the procedure. Provided that the Home Secretary got the procedure right—in other words, he did not act ultra vires or in any unreasonable manner—the decision not to de-proscribe stands because there is no review of the merits. The review applies the principles of judicial review to the procedure or the exercise of the powers. That is different.

Mr. Letwin: The issues that my right hon. and learned Friend raises are worthy of debate, but does he agree that the criteria on the basis of which the Home Secretary makes the judgment are not just whether the organisation is in his view a terrorist organisation, but whether it poses a specific threat to the United Kingdom or to British nationals overseas; whether it has a significant presence in this country; and whether there is a need to ban it to support other members of the international community in the global fight against terrorism. Given that those are the criteria on the basis of which the Home Secretary is called to judge the matter, does it not follow that the proceedings will be parallel to those in the Special Immigration Appeals Commission, or judicial review on the basis of a full display of the evidence? The merits themselves cannot be questioned, but the commission will tend to ask the question that it is appropriate to ask in the light of the Wednesbury unreasonableness test. So will the commission not be investigating precisely whether the Home Secretary has sufficient evidence to be a reasonable person in making that decision? Is that not a sufficient safeguard?

Mr. Hogg: That may be true. Clearly, the commission in question determines whether the Secretary of State was acting intra vires and whether he was acting reasonably. That is different, however, from deciding whether the decision was right, and/or whether the evidence was sufficient on its merits to justify the conclusion. That is a different matter from reviewing procedure.

Mr. John Burnett (Torridge and West Devon): The right hon. and learned Gentleman is, of course, right. He has been consistent, and he is consistently right. It should be possible for the merits to be explored by a court, and that can be done without jeopardising security. I hope that he will elaborate on that point in the short time that is available.

Mr. Hogg: I was going to come to the next point, which is that there is a limited right of appeal to the Court of Appeal. In that regard, I am talking about the jurisdiction of England and Wales and not outside—the hon. Member for North Down (Lady Hermon) will forgive me if I do not refer to Northern Ireland on this point.

A right exists to appeal to the Court of Appeal in England and Wales, but only on a point of law and from the commission—there are rules in relation to getting leave for that. I return to the point that, in reality, the criminal law is being extended and civil rights curtailed without anybody outside the Home Office having the opportunity to review the evidence. I view that, as a matter of principle, with great anxiety; that is not to say that it is not right in this case, but we should be very cautious.

Simon Hughes: The right hon. and learned Gentleman will remember that when we debated the Bill, he, I and others sought to amend it to allow a review before prescription by a judicial authority that there were reasonable grounds. If the legislation were amended

along those lines, would he be satisfied, or at least partly satisfied, that that would deal with the Executive power unqualified of which he is now critical?

Mr. Hogg: It would be better than the current position, but I will make a particular proposal, too. I have expressed my anxieties, and I now want to identify some further questions. I know that the hon. Member for North Down wants to contribute, and I shall give way in good time.

First, we need to be conscious that what are being proscribed are terrorist organisations. Terrorism is defined broadly in section 1 of the Act. Of course, that definition catches the four organisations that are the subject of the order, many of which are related to al-Qaeda. By definition, however, it also catches, for example, people who want to supplant Saddam Hussein. Distinctions exist between sheep and goats in relation to terrorism. Some terrorists are goats, and some are sheep. The interesting question is who makes that decision. In theory, of course, the House decides, as it has the right to refuse the order. As the hon. Member for Southwark, North and Bermondsey (Simon Hughes) rightly said, however, this is a rolled-up order dealing with four named organisations. It would be better by far to have single orders dealing with the four separate organisations.

David Winnick: Will the right hon. and learned Gentleman give way?

Mr. Hogg: If I may, I shall finish this point, and then I shall give way.

The point is that we need to know more definitively how the distinction between one set of terrorism, which we regard as good because it does not threaten us, and another set of terrorism, which we regard as bad because it does, is made. Nothing in the Act provides for that; it is entirely discretionary.

David Winnick: The right hon. and learned Gentleman knows as well as anybody—perhaps better, owing to his ministerial experience—how difficult it is for a liberal democracy to protect itself while protecting civil liberties, and, at the same time, to try as far as is possible to deny those who want to destroy us the opportunity of doing so. Although the right hon. and learned Gentleman says that there is no evidence—I do not expect the Home Secretary to give us all the detailed information any more than he does—I notice that he has not questioned the information supplied to us in the explanatory memorandum. Would he not be on safer ground if he said that he does not accept what the Home Secretary has stated in the memorandum, and that he therefore disputes that the named groups are terrorist organisations?

Mr. Hogg: I do not think that is fair criticism. In the first place, I have made it plain to the House that I am perfectly prepared to accept that the proscription of these four organisations is fair. The point that I wish to make is that the consequences are pretty draconian for British citizens. We therefore need to establish better ways of ensuring that the evidence is good.

That takes me to the point that I wanted to make in response to the hon. Member for Southwark, North and Bermondsey, and which has also been raised by another hon. Member. I asked rhetorically why the Joint Intelligence and Security Committee of both Houses should not review the quality of the intelligence material on the basis of which the Home Secretary acts. It would at least be able to form a view as to the quality of that material. In a sense, that would be a review of the merits of the decision.

I have a couple of other direct questions for the Home Secretary. First, which Minister decides on proscription? I refer to the substance and not the form.

Mr. Blunkett: It would be sensible for me to reply to the right hon. and learned Gentleman's question now. The answer is I do.

Mr. Hogg: I am very glad to learn that. I recall from my time in the Home Office—and in the Foreign and Commonwealth Office—that there is a tendency to delegate decisions down to junior Ministers before the submission goes up to the Home Secretary. I hope that the right hon. Gentleman is saying that the decision is not delegated to junior Ministers or officials, but that it is taken exclusively by him.

Mr. Blunkett: The right hon. and learned Gentleman used the word "hope". I have just said—therefore, it is a fact—that, on this and every other terrorism and security-related issue, I take the decisions personally.

Mr. Hogg: I am very glad to hear that, but I want to press the right hon. Gentleman a bit further. On what basis does he act? Is it exclusively a paper-based exercise? In other words, does he rely exclusively on a file or does he ask the relevant officials from GCHQ, the security services or whatever to come and make a presentation to him? I would like to know the answer, because I would be more cautious about a paper-based exercise than I would if the right hon. Gentleman summoned officials to a meeting and quizzed them. That is what he should do. How much consultation is held with intelligence services from other countries? That issue is important.

I have two final points. First, I very much agree with the point that the hon. Member for Southwark, North and Bermondsey made about regular reviews. They can be carried out in various ways, but I should like to think that a regular review would take place within the Home Office of whether these or any other organisations should be subject to proscription.

I know that the hon. Member for North Down has been waiting patiently, but I wish to refer to justice. Let us never lose sight of the fact that we are curtailing civil and political rights and that we are extending the criminal law to British citizens who may or may not be our constituents. It is very easy to be unjust in the context of a crisis, an emergency or terrorism. I put those arguments to the Home Secretary during the debates on the Terrorism Act 2000.

Mr. Burnett: I had hoped that my earlier intervention might tempt the right hon. and learned Gentleman into

[Mr. Burnett]

discussing an appeals system of the sort operated by SIAC. However, I do not want to tempt him to do so for too long.

Mr. Hogg: I have, in a sense, come to where I want to rest. I would be happy to help in the establishment of a review committee that would address the merits of proscription. The consequences of proscription are perhaps graver than we all appreciate. The fact that the House is nearly empty may be evidence of that. The fact is that we can commit serious acts of injustice in the context of a national emergency, and the House must be slow in becoming party to such a process. We must scrutinise such orders as carefully and as closely as we can within the accepted procedures.

4.54 pm

Lady Hermon (North Down): It is a pleasure to follow the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg). I agree with his view that it is an important measure, so it is a matter of regret that the Chamber is so empty on this occasion.

I preface my remarks by saying that the experience of living through 30 years of terrorism in Northern Ireland colours one's impressions when speaking on any measure that deals with terrorism and extends the powers of the Home Secretary. It is with the appalling consequences that thousands of people in Northern Ireland have had to endure for those 30 years in mind that we welcome the fact that we are tightening measures to combat terrorism, not just in the United Kingdom, but around the world, where Governments are taking collective action and rightly standing shoulder to shoulder with the Prime Minister. I assure the Home Secretary that although other Members from the Ulster Unionist party are not here in body, they are with him in spirit. To quote the Prime Minister, we stand shoulder to shoulder with him in tightening measures to combat the awful scourge and threat of terrorism.

However—I realise that it is an awful moment when an hon. Member uses that word—there are two matters on which I would welcome the Home Secretary's comments. The first relates to the statement of compatibility with the European convention on human rights, on which I should like guidance. The Home Secretary knows that, according to the convention, everyone within the jurisdiction of the United Kingdom, irrespective of their nationality, is guaranteed the right to life and to freedom from degrading and inhumane treatment. If a non-British national who is within the jurisdiction of the UK is a member of, or associated with, any of the four proscribed organisations listed in the order, can he be deported to a country where he will almost certainly be put to death or at least subjected to inhumane and degrading treatment or torture? I am greatly worried about the powers that we are taking to ourselves because the rights, privileges and the guarantees of the convention apply to everyone in the jurisdiction, irrespective of nationality.

My second concern relates to what I said when I intervened on the hon. Member for Southwark, North and Bermondsey (Simon Hughes). Although proscription rightly sends out a strong signal to terrorist organisations, as the Home Secretary said, it often leads to fragmentation of those organisations, which go underground and rename themselves. That has been our experience in Northern Ireland of both loyalist and republican organisations, although internal feuding has also been a factor.

I shall not give a comprehensive list because I do not want to delay hon. Members, but the loyalist list includes the UDA, the UFF, the UVF, the Red Hand Commandos and the Red Hand Defenders. They have rebranded many times, primarily because of proscription, but also because of internal feuding. On the other side of the coin, the list of republican organisations started with the IRA. After a falling out, the list was extended to include the Official IRA and the Provisional IRA. The Real IRA, Continuity IRA and the INLA are also now on the list, to name but a few. Will the Home Secretary reassure me that the proscription of the four organisations will not follow the similar tragic pattern of proscribed terrorist organisations in Northern Ireland?

4.59 pm

Mr. Blunkett: I am grateful to right hon. and hon. Members for the manner in which they have addressed the issues, and I will endeavour to respond to the wide range of the questions that have been asked. If questions remain that I have not tackled, I shall be happy to answer them in correspondence. As I indicated at the beginning of the debate, I shall deal on Privy Council terms with issues that require security clearance.

I assure the hon. Member for North Down (Lady Hermon) that we need to be vigorous in pursuing the intentions of proscription. If an organisation reconfigures itself—I used the term "reconfigure" earlier in the debate—and reappears with the same members presenting themselves in a different guise, it must fall under the original proscription. The key task, of course, is to ascertain that a group has done so, and I would not demur from the inference that the task needs to be performed with vigour and clarity. In other words, we have not fallen off a log, and we know that simply changing a name or vaguely reconfiguring the membership would constitute a prima facie case. I am happy to continue to discuss that, and I shall do so with the new Secretary of State for Northern Ireland. The issue was also raised by the hon. Member for Southwark, North and Bermondsey (Simon Hughes).

I want to make it clear that the use of these powers and the designation of proscription are designed not to damage the interests of any individual but to protect the interests of the wider community. The hon. Member for North Down asked me about the process whereby an individual would, prima facie, be sent to certain death or torture. Such considerations were the reason for the establishment of the Special Immigration Appeals Commission under the 1997 Act of the same name, and for it being given powers that are wide enough to review raison d'etre and to consider evidence in camera for the decision of certification. Obviously, those provisions would apply if an individual were deemed to be a member of a proscribed organisation and was to be ejected from the country on the grounds that their presence was not conducive to the public good.

The right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) raised several issues—fervently, as he always does. I repeat my view that all

security and intelligence issues, including proscription and the issuing of warrants, should be the job of the Home Secretary, and I take that very seriously because the buck stops here.

I make it clear to all hon. Members that, as the right hon. Member for West Dorset (Mr. Letwin) rightly and generously said, I find decisions on proscription or the issuing of certificates weighty issues that have to be tackled with the utmost seriousness and care and in great detail. The unit established in the Home Office is able to provide that detail because it draws from the security and intelligence services evidence that they have adduced and evidence that they have gleaned from other such services throughout the world, with whom they have tremendous relationships.

The intelligence services—MI5, MI6, GCHQ and the defence intelligence service—have the best possible relations and, therefore, the ability to draw on and share information. That is crucial for the evidence that we use, particularly concerning organised international terrorism. All four organisations in this measure are being proscribed on the basis of their international action rather than—this answers one or two of the questions raised—the presence in the United Kingdom of individuals who can be shown to be members of the organisations. However, we are concerned about the general support, financial or otherwise, that may be given to those organisations, which is why the Chancellor of the Exchequer and I acted as we did following the UN decision last week.

In response to a question by the right hon. and learned Member for Sleaford and North Hykeham, I have to say that there is always a difficult issue concerning the proportionality and balance between the rights of individuals in a free society and the protection and public interest of that society as a whole. We debated that at length last year, and we will continue to debate it because we are a democracy. We will continue also to debate the nature of those who review the actions of the democratically elected Parliament, embodied in the Executive who are held to account, this afternoon and on many other occasions, by Parliament. The review should be conducted by people who can ask questions about the process described by the right hon. and learned Member for Sleaford and North Hykeham, as well as the evidence base and the way in which that relates to the original terms of the legislation and the definitions that I gave earlier. We should not consider democracy by Parliament and elected representatives more flawed and less reliable and secure than democracy by judicial methods—the two go hand-in-hand and are pillars supporting the same structure of protection. It is important that people do not think that the democracy that we have constructed is less secure and less of a democracy because we do not constantly hand over final decisions to those who are not elected and do not have that accountability or responsibility.

Mr. Burnett: As usual, the Home Secretary is giving a fair view of sensitive matters, which are rightly confidential. No one in the House would impugn his personal integrity. Nevertheless, I hope that he agrees that, in the interests of justice, it should be possible for a court to scrutinise in camera the merits of a decision made by him or one of his successors with the appropriate advocate chosen from a pool of prolocutors in a process similar to that used by the SIAC system.

Mr. Blunkett: We could obviously debate whether the Proscribed Organisations Appeal Commission goes far enough in reviewing matters that we are reviewing and in being able to provide a proper form of appeal. I was asked earlier about appeal and de-proscription. If an organisation—the example given was LTTE, but others are also relevant—provides evidence that it has forsworn terrorism and is clearly distanced from it, here or internationally, it is important that we take evidence from the country that has suffered most and consider whether it is still actively raising funds and engaged in other ways with international terrorism. If so, it should be proscribed. That process can take place; the organisation can produce evidence and argue its case properly, not just to the Home Secretary but to the commission. We must take a reasonable and rational view—if the organisation believes it has a case, it can take that action. I shall supply the hon. Member for Southwark, North and Bermondsey with a list, but some appeals are going through at the moment, so I shall not comment any further. Lord Carlile's review is due in February, and a 15-month review will be debated in Parliament on the back of the sunset clause in the Anti-terrorism, Crime and Security Act 2001. There are so many review bodies and commissions, including those that rightly review all the warrants and certificates that I sign, that they almost constitute an industry. That is a proper safeguard, albeit one that is little known to the outside world, which assumes that we make a decision, then go away and that is the end of it. It is not, of course.

Simon Hughes: I am grateful for the Home Secretary's helpful answer. To take up a proposal made on a couple of occasions, will he consider whether an existing body of parliamentarians—the democratically elected members of the Intelligence and Security Committee—may be given an additional brief reviewing intelligence prior to future decisions about proscription?

Mr. Blunkett: I am minded to try to keep the balance of the Intelligence and Security Committee, for which we all have a great deal of respect. However, I am prepared to consider the kind of evidence that its members can take on Privy Council terms. I am not sure about widening the committee chaired by Lord Newton. In fact, I seem to have put myself in the hands of every form of opposition, from Lord Carlile to Lord Newton and Lady Harris. I am afraid to tell the hon. Member for North Down that no member of her party serves on that committee—we will have to take a look at that and see what we can do.

In response to my hon. Friend the Member for Hendon (Mr. Dismore), I made it clear at the outset that the proscribed organisations covered by the motion are determined by their contacts with al-Qaeda and our knowledge and proof that that is so, but that does not rule out proscribing other organisations where that is merited. I have not done that. I want to make that clear to him, because he made a powerful case in relation to Palestinian terrorism.

There is an underlying issue, which was raised throughout the debate: the need to understand the international nature of terrorism, rather than the issue

[Mr. Blunkett]

of whether a particular group wants to overthrow Saddam Hussein. The international nature of terrorism is what we have been debating this afternoon.

I invite my hon. Friend the Member for Thurrock (Andrew Mackinlay) to meet the co-ordinator, to see whether we can make some progress on his concerns about port security. It is as important to me as it is to him and his constituents that we get that right. We have a senior police officer working as co-ordinator and I would value the help that my hon. Friend can give. In fact, he and my hon. Friend the Member for Hendon might be tremendous candidates for joining the security services when, at some distant future date, they decide to step down from Parliament. I shall put their names forward as they have done such a good job.

I assure the shadow Home Secretary, the right hon. Member for West Dorset, that I will provide to him any answers that I have not given during the debate. It is important that answers are given to questions about the links to the meeting in Thailand, the incidents in the Philippines and Singapore, and the direct links to knowledge, at a particular juncture, about the work and actions of JI in the archipelago, of which Bali is just one part. I would like to provide that information on Privy Council terms. Clearly, knowledge has been available. Everyone who has taken an interest in these matters—I know that his right hon. Friend the shadow Foreign Secretary, the right hon. Member for Devizes (Mr. Ancram), raised the matter in the context of a statement following the Bali attack—was aware of the kind of intervention that had saved people in Singapore, and the exchange of information that had taken place between security services on the back of it.

As the right hon. Gentleman rightly pointed out very gently and, I thought, generously, it is easy to be wise after the event. We are trying to balance what his right hon. and learned Friend the Member for Sleaford and North Hykeham believes to be a draconian power of proscription with the need to act quickly and decisively when we believe that there is sufficient evidence to prove international links with terrorism, and a threat not just to us, but to all those seeking democracy across the world.

Question put and agreed to.

Resolved,

That the draft Terrorism Act 2000 (Proscribed Organisations) (Amendment) Order 2002, which was laid before this House on 28th October, be approved.

DELEGATED LEGISLATION

Madam Deputy Speaker (Sylvia Heal): I propose to put together the Questions on delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

Income Tax

That an humble Address be presented to Her Majesty, praying that the draft Double Taxation Relief (Taxes on Income) (The United States of America) Order 2002 be made in the form of the draft laid before this House on 22nd July

That an humble Address be presented to Her Majesty, praying that the draft Double Taxation Relief (Taxes on Income) (Lithuania) Order 2002 be made in the form of the draft laid before this House on 23rd July.—*[Joan Ryan.]*

Question agreed to.

ENTERPRISE BILL (PROGRAMME) (NO. 4)

Ordered,

That the following provisions shall apply to the Enterprise Bill for the purpose of supplementing the Order of 10th April—

Consideration of Lords Amendments

1. Consideration of Lords Amendments to the Bill shall be completed at this day's sitting and shall (so far as not previously concluded) be brought to a conclusion—

(a) four hours after their commencement, or

(b) at Ten o'clock,

whichever is later.

Subsequent stages

2. The proceedings on any further message from the Lords on the Bill shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.—*[Joan Ryan.]*

Orders of the Day

Enterprise Bill

Lords amendments considered.

Madam Deputy Speaker (Sylvia Heal): I draw the House's attention to the fact that privilege is involved in Lords amendments Nos. 54, 77, 279, 281, 282, 286, 294, 296, 297, 299 to 301, 305, 306 and 308, which are to be considered today. If the House agrees to any of these Lords amendments, I shall ensure that the appropriate entry is made in the Journal.

Clause 1

OFFICE OF FAIR TRADING

Lords amendment: No. 1, in clause 1, page 1, line 5, after "corporate" insert

"with both a chairman and a chief executive"

5.15 pm

The Parliamentary Under-Secretary of State for Trade and Industry (Miss Melanie Johnson): I beg to move, That this House disagrees with the Lords in the said amendment.

Madam Deputy Speaker: With this we may discuss Lords amendment No. 2 and Government amendment (a) thereto, Lords amendments Nos. 3 to 6, Lords amendment No. 176 and Government motion to disagree thereto, Lords amendments Nos. 177 to 186 and Government motions to disagree thereto, and Lords amendments Nos. 187 and 188.

Miss Johnson: Lords amendments Nos. 1 and 176 to 186 provide for a statutory post of chief executive to the Office of Fair Trading. The Bill provides that the OFT consist of a chairman and no fewer than four other members appointed by the Secretary of State, who would consult the chairman before appointing any other member. That is a depersonalisation of consumer and competition regulation. We expect the OFT to have a majority of non-executive members and are giving it significant independence from Ministers.

We have taken account of the OFT's particular circumstances in deciding not to separate the roles of chairman and chief executive at this time. The Secretary of State will appoint John Vickers as chairman for the remainder of his current term as Director General of Fair Trading, honouring the commitment that was made to him when he was appointed to that post. John Vickers will work with other members of the OFT. Given his position and the need to provide some continuity in this period of great change, I do not think that the OFT should necessarily separate the roles of chairman and chief executive. Although the Bill does not provide for a separate post of chief executive, it does not preclude it either. If the OFT wishes at any time to take that route, it can create a separate post of chief executive and select the appointee.

The amendments would create a post of chief executive appointed by the Secretary of State. By contrast, our approach ensures that the OFT could appoint a separate chief executive if it wished to do so and gives it much more independence and discretion. It is also consistent with the approach taken throughout the Bill and with other regulators. The chief executive of Postcomm is appointed by the chairman, who is appointed by the Secretary of State, and the chief executive of Ofcom will be appointed by the board. That is why I urge the House to accept the Government motions to disagree.

On Government amendment (a) to Lords amendment No. 2, I am very happy to accept the principle of the proposal that the OFT should have regard to generally accepted principles of good corporate governance in its affairs, but after much consideration, we consider it necessary to amend the Lords amendment to ensure that the OFT must have regard only to the principles of good corporate governance that may reasonably be regarded as relevant to it and that it must also have regard

"to such general guidance concerning the management of the affairs of public bodies as the OFT considers appropriate."

The OFT will be a non-ministerial Department and not a public limited company, and many of the principles of corporate governance are aimed at business practices that do not have obvious equivalents in government. I believe that the changes that I recommend reflect the will of the Lords to ensure that the OFT has regard to the principles of good corporate governance, but achieve that in a way that is appropriate to it as a public body.

Finally, Lords amendments Nos. 3 to 6, 187 and 188 were tabled in response to points made in Committee. They improve the accountability and transparency of the OFT and require the Secretary of State to publish criteria for designating bodies as super-complainants. I am happy to speak in more detail about those amendments if hon. Members wish me to do so.

Mr. Andrew Robathan (Blaby): I come to the Bill rather late in the day after it has undergone a marathon. I pay tribute to my predecessor, my hon. Friend the Member for Eastbourne (Mr. Waterson), who represented the Opposition in earlier proceedings, and my colleagues in the House of Lords who have done sterling work.

The Bill tackles many issues; enterprise is only an incidental part of it. It deals with consumer protection, insolvency and competition. The question of how to stimulate enterprise has taxed Governments and others throughout the ages. Not many have succeeded in answering it. The Bill returns to the Commons in a much better state than when it went to the Lords. However, it should be a grave embarrassment to the Government that it left the House of Commons with 420 amendments and nine new clauses. In the House of Lords, 326 amendments were made, the majority being Government so-called technical amendments.

The Bill is highly complex and deals with people's livelihoods. Like so much legislation, it may have serious unintended consequences. It is a gross understatement to describe it as ill prepared and badly drafted. The Government should be ashamed of themselves. However, it was examined in detail in the House of Lords and we broadly agree with the Government about some of the amendments that were forced upon them in the other place.

[Mr. Andrew Robathan]

The amendments that we are considering deal with good corporate governance. The Government should be particularly interested in that, especially in view of the Enron scandal and others which have occurred since the Bill was first drafted. Those scandals have brought corporate governance into not only the public eye but that of Governments everywhere.

Let us consider the two amendments with which the Government disagree. First, on what basis do the Government believe that the chief executive officer and the chairman should be the same person? We believe that it is important to emphasise the chairman's independence because the heart of the Bill involves the creation of a body that is free from political interference.

I appreciate that the Office of Fair Trading will not be a public limited company, but apart from the Financial Services Authority, where else does no separation of power exist between chairman and chief executive officer?

Miss Johnson: The hon. Gentleman appears not to have been listening. I provided two further examples in my remarks only a moment ago.

Mr. Robathan: I was listening, but the examples did not appear relevant.

I want to consider important sources that were cited in the House of Lords, including the Cadbury report. The Minister will claim that the report referred to public limited companies, but it is nevertheless relevant. It stated:

"The chairman's role in securing good corporate governance is crucial. Chairmen are primarily responsible for the working of the board, for its balance of membership subject to board and shareholders'—

they will not exist, of course—

"approval, for ensuring that all relevant issues are on the agenda, and for ensuring that all directors, executive and non-executive alike, are enabled and encouraged to play their full part in its activities . . . Given the importance and particular nature of the chairman's role, it should in principle be separate from that of the chief executive."

The principle is vital. The report continues:

"If the two roles are combined in one person, it represents a considerable concentration of power".

After that report, the Hampel report was published in 1995. It was established to review the Cadbury code. It states:

"The chief executive officer's task is to run the business and to implement the policies and strategies adopted by the board. There are thus two distinct roles".

The report continues:

"Cadbury recommended that the roles of the chairman and chief executive officer should in principle be separate . . . We agree with Cadbury's recommendation and reasoning, and we also note that in the largest companies there may be two full-time jobs . . . Our view is that, other things being equal, the roles of chairman and chief executive officer are better kept separate, in reality as well as in name. Where the roles are combined, the onus should be on the board to explain and justify the fact."

In the case that we are considering, the onus is on the Government to explain and justify the fact"

We know from the advertisements in the Sunday newspapers that the Government will appoint a strategic board. As the Minister said, it has already been decided that Sir John Vickers will take the post of chairman and chief executive, if the Government have their way. I am sure that Sir John Vickers is an excellent man. I do not know him, but he attended my college in Oxford, and that must be a recommendation, although he is younger than me. However, the question remains: should all the powers be vested in one person?

If I could call on one person to pray in aid the idea that the powers should not be vested in one person, that person would be the Minister. There is certainly a great deal of confusion in the mind of the Government on this matter. In Committee, she said that the Director General of Fair Trading

"currently has a wide range of functions in the areas of competition and consumer protection, many of which are being reformed in the Bill. The Government believe that in the light of the reforms, it is no longer appropriate for all those powers to be vested in one individual."—[*Official Report, Standing Committee B*, 16 April 2002; c. 12.]

Perhaps the Minister will explain how it is that she seems to have changed her mind.

Miss Johnson: I am happy to reiterate something else that I remarked on earlier. The Director General is to be backed up by a strategic board of four or five members who will oversee the work of the Office of Fair Trading under the new arrangements proposed in the Enterprise Bill.

Mr. Robathan: The Minister did indeed say that earlier, but she has not quite explained how the powers currently vested in the Director General of Fair Trading will not be vested in the same person, although there will be non-executive directors, as she said. We believe that it is a good principle in corporate governance that there should be two people for two posts. That is true of public limited companies, and I suggest that it should also be true here, especially in a body that is required to oversee so many plcs and to consider fair trading. The Government have certainly not convinced me or my hon. Friends, or, I suggest, the Lords, otherwise.

The second amendment under discussion is like unto the first. It talks about "good corporate governance", and I find it strange that the Government should want to change it at all. It states:

"In managing its affairs the OFT must have regard to the generally accepted principles of good corporate governance."

I sat in this Chamber only the week before last and listened to the introduction of a ten-minute Bill that lauded the merits of good corporate governance and stated how important it was that we all adhered to them. I do not understand why the Government want to change this proposal. Their amendment is woolly, it dilutes the purpose of having such a statement in the Bill, and it is rather meaningless. It follows the same basic idea but dilutes the principle. I do not think that it is worth opposing, but I would like the Government to explain why they intend to change the wording because the Minister has not explained, whatever she may say.

Dr. Vincent Cable (Twickenham): I support the previous contribution and the Lords amendments generally. This is an important issue. We are talking not

about a technical change but a fundamental issue of principle involving the question, "Who regulates the regulators?" The Bill has implications for others—the way that we shall deal with Ofcom in due course, for example.

We are considering an extraordinarily powerful post that has very little public accountability and mechanisms to address that problem. I suggest that there are two fundamentally different ways of doing that, involving two models. It does not really matter which we adopt, and I think that we should be open-minded. The first model is the one that the Conservatives have been promoting. I would not necessarily adopt it, but it has merits and it certainly improves the Bill. It uses the model based on corporate governance. We are clearly not dealing with a plc here—there is no direct read-across—but there are lessons to be learned from the way in which good business practice operates, and if this is the amendment on offer, I will happily support it.

The alternative approach, for which I have argued right from the beginning of this legislation, is to strengthen public accountability. That is partly captured, rather weakly, in Lords amendments Nos. 3 and 4, but the principle of involving Parliament more directly in scrutinising the appointment of the Director General is a matter to which I shall return.

Why is the issue of who regulates the regulators so important here? The appointment of John Vickers has already been mentioned. He is an admirable individual, whose work I have encountered professionally. As an economist, he is a very clever guy, and I have no doubt that he has complete integrity. That is not the issue here. This post is very important in different ways. It inherits the discretionary powers that used to be held by Ministers. It has substantial enforcement powers—we debated at some length the power to initiate criminal action against cartels.

5.30 pm

The Government seem to believe that this new approach to competition will radically raise the productivity of the United Kingdom economy. If that is to happen, this post must have enormous powers. The underlying trend in growth of productivity has remained pretty much unchanged since the Napoleonic wars. We are talking about revolutionary changes in the way in which the British economy functions. The person who drives that must have a great deal of power.

There are analogies with other appointments. Reference has been made to the Financial Services Authority. When the FSA legislation went through, the Opposition had legitimate concerns that Howard Davies would have unfettered powers. He is also an admirable public servant, but he has a great deal of power. There is some qualification in his case, because he is working alongside managing directors, so there is divided responsibility. Some heavy hints have been dropped that, when he moves on, a chairman will be appointed alongside the head of the FSA, so that problem is perhaps on the way to being resolved. The Office of Communications presents many of the same problems as this legislation.

The approach that I have advocated is to follow in the footsteps of the Chancellor of the Exchequer when he introduced the Monetary Policy Committee. It would be possible for the Minister to deal with this problem at any point through a statement, so no provision would have to be built into legislation. As we know, the Chancellor has boundless intellectual and political self-confidence. He obviously felt able to submit his appointments to the scrutiny of Parliament, and has done so. The process of confirmatory hearings has done an enormous amount to strengthen the credibility of the Bank of England's Monetary Policy Committee and the Chancellor. It has been a great success story. I do not understand why other Ministers have not had the self-confidence to do the same.

As regards the approach taken in this legislation, which I think is weaker but none the less a positive step and an improvement, the argument for using the corporate governance approach is partly based on the analogy with what has happened in industry. Post-Maxwell, there has been a considerable improvement in corporate governance. The system of split responsibility prevents megalomaniacs from dominating institutions. That lesson has been widely learned.

It is not merely a question of using a business model. One of my more illustrious constituents is Mr. Greg Dyke. I suspect that, whatever people think about him, there would be considerable apprehension if he were to have unfettered executive authority over the BBC. The BBC is not a plc, and has a chairman as well as a chief executive. Split responsibility provides a balance of power: there are checks and balances in the BBC. That public agency is in some ways analogous to the Office of Fair Trading.

We are not arguing that we should adopt this approach because it works well in plcs in the private sector, although that is a useful source of inspiration. Split responsibility is a sensible way of dealing with over-powerful, public officials who are not sufficiently accountable. I commend the Lords amendments, and will support them.

Mr. Jonathan Djanogly (Huntingdon): At the start of the Bill, the Office of Fair Trading is described, separately from its current constitution, as a body corporate. As such, I fully support hon. Members' suggestion that it should be subject to, and have regard for, the principles of good corporate governance.

For a listed company, it is accepted practice, as set out clearly in the combined codes of corporate governance, that the role of chief executive and chairman should be separated. The chief executive is at the coalface and the chairman has a detached role. The chairman can stand back, whereas the chief executive may not be able to do so. The chairman can review the wider picture, resolve conflicts within the board, act as a public interface and ensure a good balance of representation on the board.

Having heard hon. Members' comments, I have a sneaking suspicion that the Government wish to keep the chairman's role for themselves. As the Minister would doubtless be the first to say, that is not the intention behind the Bill, but it appears to be the implication of, for example, the Governments retaining the role of selecting the chairman. The principle of separation would certainly be enhanced by separating the roles of chairman and chief executive.

Yesterday, the Trade and Industry Committee held an inquiry into corporate governance in relation to the White Paper on the new companies legislation.

[Mr. Jonathan Djanogly]

We looked carefully at corporate governance and the way in which this rapidly advancing area of regulation has moved forward. In the context of that discussion, today's debate sounds very regressive. If institutional shareholders are to make a recommendation to shareholders in circumstances in which there is no split between a company's chief executive and chairman, they will almost automatically vote against, or recommend that shareholders abstain. If that is good enough for companies, why is it not good enough for public bodies?

The Government's amendment (a) contains certain irregularities. According to subsection (a), the OFT can make up whatever guidance it wants, but despite that fact, subsection (b) implies that some note should be taken of corporate governance best practice. However, the Government are not saying that corporate governance best practice should apply in the private sector. They use the phrase "applicable . . . generally", which presumably could imply the same level of best practice that applies in the Post Office, for instance. Furthermore, we know that that principle will not extend to the splitting of the roles of chairman and chief executive, because the Government oppose that.

This is not an esoteric element of corporate governance; in fact, it is one of the primary elements that institutions would consider, and which the combined code deals with in the private sector. It would therefore be appropriate to head for best practice by, for instance, splitting the roles of chairman and chief executive. Moreover, if it is the Government's intention that what constitutes best practice be decided on the hoof by the OFT, they should instead adopt a more open approach and set out what constitutes best practice.

The combined code itself is not a compulsory document; it is a very fluid document, and if companies do not wish to adhere to any aspects of it, they need not do so. What they must do is to say how they derogate from best practice. Such items need to be set out in their annual accounts—a perfectly proper approach, which should be followed by the OFT. In other words, its principles of best practice and good governance should be set out, and if it derogates from them, that derogation should be explained in its annual report. In that way, people could tell whether it had moved away from best practice in a perhaps appropriate context at a given time.

If the Government are going to let the OFT go its own way and pick and choose particular elements of best practice and corporate governance, will the Minister please explain what such practice is likely to consist of? We have heard precious little about it so far, and the Government's amendment looks like a reaction to the Lords proposal rather than a clearly thought-out provision.

In considering the future of corporate governance, we should take note of Lords amendment No. 188, which states that the OFT should

"from time to time publish . . . its rules and procedures for dealing with conflicts of interest."

That is loosely worded and is—I should have thought—an acceptable way in which to proceed. If it is not acceptable, it would be appropriate for the Minister to comment on the procedure that the OFT is likely to follow when dealing with conflicts of interest for its members or those of its committees. That does not appear to have been dealt with previously.

Mr. Mark Field (Cities of London and Westminster): I, too, wish to endorse the words of my hon. Friend the Member for Blaby (Mr. Robathan). We should seek to divide the role of chairman from that of chief executive as an integral part of good corporate governance. My concerns include the potential power of the regulator, which could be immense, especially given the criminal sanctions against individuals for cartel offences. That point was discussed at great length in Committee.

I also endorse the words of Lord Hunt of Wirral, who did splendid work in the other place on this issue, and of the hon. Member for Twickenham (Dr. Cable), who said that the crux of the matter was who regulates the regulator. More importantly, how will that regulation operate? We have discussed that issue on several occasions, and the Cadbury code recommends separation. That is especially important for the OFT, given the sensitive and political nature of what it will do. It is staggering that Lord Sainsbury was complacent enough to say, in the other place:

"The OFT is a government department, not a public limited company, and many of the principles of good corporate governance are aimed at business practices which do not have an obvious equivalent in government."—[*Official Report, House of Lords*, 15 October 2002; Vol. 639, c. 714–15.]

We have similar grounds of dispute on Lords amendment No. 2, and I wished to tease out of the Minister what the Government amendment means when it says:

"they may reasonably be regarded as applicable in relation to a statutory corporation, to generally accepted principles of good corporate governance."

The Government appear to be saying that what is good for the Government is not so good for business. That appears to be breathtakingly complacent, in the aftermath of the disgraceful behaviour over the Penrose inquiry into Equitable Life. The inquiry's delay has meant that tens of thousands of our constituents have not had an opportunity to take their cases to the ombudsman. Because it is a Government inquiry, it is also taking place under a veil of secrecy.

We see parallels with the distinction between the requirements for the OFT and those for bodies in the private sector, in respect of the divide between the roles of chief executive and chairman. Given the recent scandals in both the public and the private sectors, the Minister will understand why the OFT and all other public bodies must be beyond reproach. How can the Government exhort business to get its act together if they are not willing to do so themselves?

Mr. Andrew Lansley (South Cambridgeshire): I apologise to the Minister and to you, Madam Deputy Speaker, for not being here for the opening speech on this group of amendments. I hope that the Minister will forgive me if I reiterate a point that she has already made.

I had thought that I understood what the Government were trying to do when we discussed in Committee the issues related to Lords amendment No. 1. The Government had previously vested the powers in one person—the Director General of Fair

Trading—but had resolved that it would be better in future for powers to be vested in a board, or body corporate, rather than a single individual. It is therefore suggested in the schedule that there be a chairman and not fewer than four other members.

The other place helpfully explored the underlying intention of that change. The intention is, of course, to try to ensure corporate responsibility—a division of powers that does not allow their arbitrary exercise by an individual. No one is accusing the Director General of Fair Trading of acting in such a way, but there is a tendency in the media, if not in the business community, to personalise matters and to suggest that the exercise of powers by a single regulator relies excessively on that person. That is especially true when a regulator might be replaced.

5.45 pm

Corporate responsibility makes possible a sense of continuity and consistency on the part of a body corporate over a period of time, regardless of changes of personnel. That is a positive move, but it is curious that the Minister, in her response to my hon. Friend the Member for Blaby (Mr. Robathan), seemed to be reinventing the idea that the OFT chairman would be its director general. However, although the chairman may act as chief executive, under the Bill it is possible for the chairman to be appointed and for another OFT member to be the chief executive.

Miss Melanie Johnson: I hope that I can help the hon. Gentleman. I pointed out earlier that the Bill allows the OFT to have a separate post of chief executive.

Mr. Lansley: I thank the Minister, whose intervention reinforces my point. That possibility—of the OFT having both a chairman and a chief executive—is entirely consistent with the structure of schedule 1. I presume that the chief executive would be one of the other board members.

However, the Government seem to be contemplating that their objective will be frustrated, initially at least. The fact that the chairman of the OFT will be its chief executive reinforces the sense that the office is governed by an individual more than by a set of corporate responsibilities. That is a pity. Business people say that experience tells them that it is desirable to separate the roles of chairman and chief executive, and they believe that that separation should be evident in a body with so much power over them.

There is no notion that it is best practice among regulators to separate the roles of chairman and chief executive. There are good examples of people combining those roles in a satisfactory manner, but we are moving away from that structure and towards having a board in which the roles are separated.

Mr. Robathan: This issue is so complex that it is beyond the grasp of some very clever accountants and lawyers, but does my hon. Friend agree that the checks and balances governing the relationship between a chairman and a chief executive are especially desirable in respect of the OFT?

Mr. Lansley: It is not just a question of complexity. Indeed, that complexity suggests that the technical nature of a problem might be understood better by an extremely able person such as John Vickers than by a board comprising some part-time members. The point of separating the roles of chief executive and chairman is to allow the chairman not to become immersed in detail. The chief executive needs competence when it comes to technical factors, but the chairman should be able to see the strategic wood rather than the trees. That is not to say that the chief executive should not have a role in strategy, but that can happen more satisfactorily if the chairman is distanced a little from the chief executive's responsibilities.

I had understood that that was the direction in which the Government wanted to go. Lords amendment No. 1 seems merely to reinforce that intention on the Government's part and is consistent with the structure of clause 1 and schedule 1. I am surprised, therefore, that the Government are resisting something that is in line with their intentions.

Mr. John Redwood (Wokingham): I have declared my interest in the register. I was a fellow of an Oxford college that received an application from Mr. John Vickers for a fellowship by examination. As one of those who voted when he became a fellow of that college, I have the greatest regard for his intellectual ability and the high standard of his written work. I have since got to know him rather better and I also have a high regard for his fairness of mind and his independence, so my remarks are in no way an aspersion upon the present personality in the role. When legislating on such a powerful position, however, it is incumbent on the House to think about what might be needed were a less suitable candidate to be in the position at some future date, or were some unexpected events to transpire that, by definition, we cannot—and would not—forecast today given the personalities involved. To have good and fair law, it is important to think about what would happen should there be problems with the personality and decisions of the director general. I do not think that that has been adequately covered so far by the legislation or by ministerial statements.

The most obvious way in which power is sensibly limited in a pluralistic democracy is through competition. The irony of this post is that we are creating a monopoly to enforce competition on the commercial world. It is a paradox rather than a contradiction. Much as I admire competition, I would not want to advocate two or three offices of fair trading. That might be taking a good thing a little too far. However, that means that the most obvious way to control power, which we are rightly recommending to the private sector, cannot apply in this case.

The Minister may say that legal action could be taken if individual companies or industries do not like the way in which verdicts and judgments are going. There are legal remedies, but often it is not good practice, even for a powerful company, to take a regulator to court—it prejudices the relationship considerably. Many businesses and industries understand that they have to live with these regulators for the foreseeable future and are naturally reluctant to go to court.

There are appeals procedures against the judgments of the competition authorities, which are welcome and very necessary, but which are not sufficient for all the circumstances that might arise if a director general has

[Mr. John Redwood]

gone wrong and the concentration of power is being abused. That is the situation that my hon. Friends the Members for Blaby (Mr. Robathan), for Cities of London and Westminster (Mr. Field) and for Huntingdon (Mr. Djanogly) rightly said requires special attention.

Splitting the roles could be of some assistance. There would be another senior figure to whom Ministers, the public and others could turn if it were felt that a director general had become unreasonable or unfair and was pushing the power too far. That provision would provide a balance or check in addition to the court and appeal system, which applies in some cases but not others. I want the Minister to reconsider all those factors because the Government have removed one of the most obvious ways in which this used to be done. They have decided that Ministers and politicians are particularly dangerous beings—I can understand why, given some of the Ministers that we have, although I am not commenting particularly on the present Minister. As a democrat before anything else, I believe that the correct way to control the power of powerful regulators is through democratic accountability to Ministers and this House, but the Government have made a series of legislative manoeuvres that will limit the power of politicians to intervene and, therefore, the power of the House to hold the regulator to account. That is a pity. In that context, I urge the Minister to think again about the Opposition's reasonable suggestion that a countervailing power should perhaps be introduced by having another senior person in the regulatory system who could be a court of appeal—a second place where one could go for informal redress and someone who could ultimately take action if the director general went over the top, became systematically unreasonable or became too powerful a figure.

I can understand why the Minister might not want to retrace steps by increasing the accountability of the regulator to this House and to Ministers, although that is a pity, so the second best answer is the one that my colleagues recommended so strongly and I urge the hon. Lady to think again.

Miss Melanie Johnson: First, the vast majority of the Lords amendments are minor drafting amendments. About 40 or 50 amendments were accepted in the other place in direct response to arguments put forward by the Opposition—indeed, some were Opposition amendments. I hope, therefore, that this Chamber will agree that the passage and consideration of the Bill has improved it as appropriate and that the Lords have played a useful role in that.

The hon. Member for South Cambridgeshire (Mr. Lansley) mentioned the strategic board, which is to be a minimum of four plus the Director General of Fair Trading, and the hon. Member for Twickenham (Dr. Cable) mentioned accountability. First, it is not necessarily the case that it is easier to hold to account a chairman whose role is separate to that of the chief executive. Whether there is one person occupying two roles or two people with two different roles, they will still have to answer in the role in which accountability has to be exercised. We have improved that accountability in many ways, not least through the provision for public consultation on an annual plan and a report. Although it is obviously a matter for this House and its Committees, we expect that an appropriate Select Committee, or Select Committees, will exercise scrutiny powers. A whole range of provisions have improved accountability rather than weakened it.

Dr. Cable: According to the press, the subjects of the Lords amendments were referred to the Cabinet for discussion. Can the Minister confirm that? Can she also explain why the amendments were thought so threatening to the Government that they had to involve senior Ministers and the Prime Minister?

Miss Johnson: I can neither confirm nor disconfirm that. I am not a member of the Cabinet as the hon. Gentleman is aware.

This is not a question of accountability—

Mr. Lansley: Perhaps the Minister will clarify something. She referred once again to the Director General of Fair Trading, which is confusing. I understood that we were to have a chairman at the Office of Fair Trading and that the post of director general was to be abolished under clause 2, so I do not understand why she referred to the director general.

Miss Johnson: It is current speak. If the hon. Gentleman will forgive me for doing so, I am referring to the individual. It may be more helpful if I simply refer to Professor John Vickers, the current occupant of the role, and we would expect him to occupy both new roles, as I explained in my opening remarks, which the hon. Gentleman missed—

Mr. Robathan: Was it just a slip of the tongue when the Minister referred to both new roles? Does she see them as separate roles, as we do? If so, why not have two separate people to carry them out?

Miss Johnson: I have already explained that there is a possibility of splitting the roles. It is easy to argue whether there are two roles or one, but arguing how the role is divided is largely academic. It has strategic and operational aspects. The point is whether there is a separate strategic post. I could argue in different terms, but I am using those that have been put to me in the debate.

6 pm

The concerns expressed by several hon. Members, including the right hon. Member for Wokingham (Mr. Redwood), were mainly about individual decisions taken by the office. We see the role of any chairman, whether or not it is separate from that of the chief executive, exercised as part of a strategic board arrangement and providing strategic oversight. There would not be a decision-by-decision oversight of matters to do with the operation of the office.

Mr. Redwood: I was interested in the abuse of power by the office-holder. That could take many forms. It might be a run of unfair decisions, unfair treatment in a particular case or pursuit of a line that did not tally with

the normal policy. All those things are theoretically possible and the Minister needs to tell us how they would be handled.

Miss Johnson: I have already explained that there will be an annual plan, an annual report, and mechanisms for accountability. Those were discussed at considerable length during the Bill's proceedings. If serious problems arose or if a future chairman acted inappropriately and abused their power, the Secretary of State has the power under paragraph 3 of schedule 1 to remove from office the chairman or any other board member

"on the ground of incapacity or misbehaviour".

We thus have provisions to deal with the "mad and bad" under the proposed arrangements.

The other main issue raised by hon. Members relates to aspects of corporate governance. We propose to amend those provisions because not all the principles of corporate governance are relevant to a public body or a Department. For example, the principles refer to remuneration practices and relations with shareholders, which are obviously not relevant to the Office of Fair Trading. The amendment simply ensures that the OFT has regard only to what can reasonably be considered relevant to it.

To respond to the remarks made by the hon. Member for Huntingdon (Mr. Djanogly), the amendment is intended to ensure that the guidance, which was originally aimed at private companies, does not override for the OFT any guidance specifically for public bodies. The OFT is a public body, not a private company. Indeed, all the Hampel provisions were designed for public, listed companies. Clearly, the OFT is not a public, listed company.

To reassure hon. Members, I stress that we expect the OFT to have regard to the combined code principles in so far as they relate to it. However, it will also have to act in accordance with rules and guidance: for example, that on public accounting, which is a different area. As I explained in response to the questions of the right hon. Member for Wokingham, if there is abuse we can deal with it.

Under the present arrangements, it is possible for the OFT to appoint a separate chief executive officer. Currently, that is true. We envisage that we shall reconsider those arrangements in 2005 when John Vickers retires from his post to assess whether they will be appropriate after that time. They are entirely appropriate at present, however, and I hope that the House will support the motion.

Question put, That this House disagrees with the Lords in the said amendment:—

The House divided: Ayes 325, Noes 181.

Division No. 343] **[6:04 pm**

AYES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Benn, Hilary
Benton, Joe *(Bootle)*
Berry, Roger
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Bryant, Chris
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Connarty, Michael
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corston, Jean
Cousins, Jim
Cox, Tom *(Tooting)*
Crausby, David
Cruddas, Jon
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunningham, Tony *(Workington)*
Dalyell, Tam
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Ewing, Annabelle
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Heppell, John
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hoey, Kate *(Vauxhall)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*

King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Love, Andrew
Lucas, Ian *(Wrexham)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Price, Adam *(E Carmarthen & Dinefwr)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, Angus *(Moray)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salmond, Alex
Salter, Martin
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
Weir, Michael
White, Brian
Whitehead, Dr. Alan
Williams, rh Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wishart, Pete
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anth[redacted] *(Gt Y[redacted])*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Charlotte Atkins and Jim Fitzpatrick

NOES

Allan, Richard
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burnside, David
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Dorrell, rh Stephen
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Gale, Roger *(N Thanet)*
Garnier, hon. Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Hague, rh William
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Heald, Oliver
Heath, David
Hendry, Charles
Hermon, Lady
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, rh Michael
Jenkin, Bernard
Johnson, Boris *(Henley)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
MacKay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa

Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Osten, Mark *(Winchester)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Selous, Andrew
Shephard, rh Mrs Gillian
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soames, Nicholas
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve *(Northavon)*
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. Mark Hoban and Mr. Mark Francois

Question accordingly agreed to.

Lords amendment disagreed to.

Government amendment (a) to Lords amendment No. 2 agreed to.

Lords amendment No. 2, as amended, agreed to.

Lords amendments Nos. 3 to 6 agreed to.

New Clause

Lords amendment: No. 7, after clause 16, to insert the following new clause—*Tribunal: regulations*—

(1) The Lord Chancellor and the Secretary of State may together make regulations—

(a) empowering the courts to transfer to the Tribunal for determination by it any issue arising in any civil proceedings the determination of which depends on whether provisions of Chapter I or II of the 1998 Act or of Article 81 or 82 of the Treaty have been infringed where, in the opinion of the court making the transfer, the transfer would be conducive to the efficient conduct of the proceedings;

(b) making any rules that the Lord Chancellor and the Secretary of State may deem to be appropriate as ancillary to the power to make such transfers or to be reasonably required in connection therewith and in particular, but without prejudice to the generality of the foregoing, to the effect that—

(i) on making such a transfer, the court making the transfer may state facts that the Tribunal shall them treat as established for the purposes of determining the issues transferred to it;

(ii) after having made its determination, the Tribunal shall remit the matter to the court that made the transfer to it, declaring the determination of that issue by the Tribunal, which, subject to any clarification or amplification by the Tribunal of its determination that may be requested by the court that made the transfer, shall then be treated as a determination of that issue by that court;

(iii) enabling courts that have made, or have in contemplation the making of, such transfers and the Tribunal to co-operate together in any way that they deem to be appropriate to enable issues arising in the proceedings before then to be determined as efficiently as possible.

(2) The Lord Chancellor may appoint as president and as chairman of the Tribunal judges of any of the courts provided that, before appointing a judge of the Court of Session or sheriff courts under this subsection, the Lord Chancellor shall first consult the Lord President of the Court of Session.

(3) In this section references to "the courts" are to the High Court of Justice and the county courts in England and Wales and Northern Ireland and the Court of Session and the sheriff courts in Scotland.

(4) The power to make regulations under this section is exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

Miss Melanie Johnson: I beg to move, That this House disagrees with the Lords in the said amendment.

Madam Deputy Speaker : With this it will be convenient to take Government amendment (a) in lieu, Lords amendments Nos. 8 to 17, 74, 124, 189 to 209 and the Government motion to disagree thereto and Government amendment (a) in lieu, and Lords amendment No. 210.

Miss Johnson: Lords amendment No. 7 would give the Secretary of State and the Lord Chancellor the power to make regulations allowing the courts to transfer to the Competition Appeal Tribunal issues arising in civil proceedings that require a determination of whether there has been an infringement of competition law.

The main argument made for the amendment in another place was that, following the implementation of the so-called modernisation project, which is likely during 2004, the ordinary courts will be given the power to apply article 81 of the EC treaty in full. They may therefore have to deal with significantly more civil cases raising complex competition law issues. The argument was that the courts were not equipped to deal effectively with competition law points, which often involve complex economic evidence.

Article 81(3) issues are thought to be particularly difficult, requiring an assessment of whether countervailing benefits arising from an anti-competitive agreement are sufficient to legitimise it. The Competition Appeal Tribunal, an expert body set up to hear appeals against decisions of the OFT on such matters, was perceived as better qualified to determine these matters.

The Government argued in another place that it was the role of the courts to build up the expertise in competition issues needed to handle competition matters arising in civil proceedings. There are practical ways in which the expertise of judges can be enhanced and, if necessary, certain judges could be nominated as specialists in competition law. The courts will also be assisted when necessary by the Office of Fair Trading and the European Commission. Under the modernisation regulation, the Commission will be empowered to submit written observations to the national courts on issues relating to the application of articles 81 and 82, and, when we implement modernisation, we intend to provide a similar power for

[Miss Johnson]

the OFT. Both bodies, with the permission of the court in question, will also be able to submit oral observations as expert witnesses.

Our current belief, therefore, is that the courts will be able to cope with the consequences of modernisation without the need for powers to transfer issues arising in civil proceedings to the Competition Appeal Tribunal. However, we recognise the strength of feeling in another place that an explicit power should be provided in the Bill to allow regulations to be made allowing the courts to transfer competition law matters to the Competition Appeal Tribunal for determination by that body. If the proponents of the amendment are right, and the courts are not able to handle competition issues effectively, there will be specific powers to allow matters to be transferred. If the Government are right, the powers need never be used. On reflection, we now agree that an amendment along the lines of Lords amendment No. 7 would be a prudent piece of future proofing, and should be made.

However, there are some technical difficulties with Lords amendment No. 7 as it is currently drafted, which is why we propose to replace it and Lords amendment No. 209 with our amendments in lieu. I would like to highlight the main changes. First, the redraft provides that the Lord Chancellor alone, rather than jointly with the Secretary of State, would exercise the power to make regulations. There is no particular significance to that change—it is simply customary for the Lord Chancellor to have sole responsibility for such matters. Secondly, the amendment in lieu not only refers to the regulation-making power but makes it clear that the rules of court may be made in connection with a transfer. Thirdly, the amendment removes the power for the Lord Chancellor to appoint judges directly to the key positions on the Competition Appeal Tribunal. In another place, it was accepted that this power was not needed. The power exists already, but it would cut across the policy of the Lord Chancellor's Department that all appointments to tribunals should be made through open competition.

The second amendment in lieu, to Lords amendment No. 209, makes a corresponding adjustment to the scope of the tribunal rules so that they may make provision in connection with the transfer of proceedings from a court. Lords amendment No. 209, which was a Government amendment, is superseded by the amendment in lieu.

I would now like to turn to the remaining amendments in this group: amendments Nos. 8 to 17, 74, 124, 189 to 208 and 210. That group of Government amendments reflects work that was done in the other place to improve the drafting of part 2 of the Bill and related provisions. Part 2 is concerned with the establishment of the Competition Appeal Tribunal and the allocation to it of new powers such as the ability to hear damages claims arising from infringements of competition law. It also provides for such claims to be brought on behalf of named consumers.

The most important changes here are the technical improvements to clauses 17 and 18 of the Bill. Amendment No. 8, for example, makes it clear that the scope of a damages claim made before the tribunal is to be the same as that made before a court. It also makes it clear that the damages or other sums that may be awarded include all monetary awards that could be awarded by a court in respect of the relevant infringement. Amendment No. 9 ensures, among other things, that an infringement of competition law has to be established before a group claim can be brought, and that the right to bring a group claim does not affect the right to bring a claim before the court.

Amendment No. 11, too, is worth highlighting. It enables the Competition Appeals Tribunal to order the defendant to pay any monetary remedies to the body bringing the claim for onward distribution to the relevant individuals, as long as all of them consent. The damages will still be awarded to the individuals rather than the representative body, which will be acting on their behalf in receiving the amounts due.

Clause 19 adds a new section 58A to the Competition Act 1998 to provide that infringement findings—for example an OFT decision that a chapter 1 prohibition has been breached—will be binding in the courts when the courts are considering monetary claims. Amendment No. 17, however, clarifies that the new section does not apply in relation to infringement decisions made before the commencement of the section. It is important, for business certainty reasons, that there should be no retrospective application of the new provisions.

Amendments Nos. 74, 124 and 205 remove the reference to the period for bringing an appeal to the Competition Appeal Tribunal following a decision in a merger or market investigation. It is still our intention to have firm, fixed time limits, but these timings will now be set by the tribunal's rules, on which we are currently consulting. Part of that consultation seeks views on whether those periods should be one month for a merger and six weeks for a market. We have not yet come to a view on the appropriate length of either period. However, as we may end up changing these periods in the tribunal's rules, we decided that it would be better to remove the reference to three months from the Bill.

The remaining amendments in this group are consequential on the changes to clauses 17 or 18 or are minor and technical improvements to this part of the Bill. I do not propose to go through them in detail, but I invite the House to agree that they should be made, and I am happy to address them should hon. Members so wish.

Mr. Robathan: We are, of course, delighted that the Government have listened to the sensible arguments put forward in another place by my noble Friends Lord Kingsland, Lord Hunt of Wirral and others. The Government are rather foolish to say that their current belief is that the provision will not be necessary. Experienced lawyers have concluded that it will be necessary, and I am therefore delighted that the Government have accepted our views. That merely begs the question why such a contingency plan was not included in the Bill in the first place. With 750-odd amendments to the Bill, however, we are not that surprised.

We have taken unofficial legal advice on the matter, which was that amendment (a) to Lords amendment 7 is somewhat better than the one that we produced, so we are happy to accept it—one would expect a parliamentary draftsman to do better than an amateur

parliamentary draftsman. Nevertheless, I would like to thank Sir Jeremy Lever, an eminent Queen's counsel, for his sensible and public spirited assistance.

I want to raise some concerns relating to Scotland and Northern Ireland. I am not a lawyer, so I hope that the Minister will be able to put me right—as she knows, I have come to the Bill somewhat late, so perhaps she will be able to do so straight away. Will the Government clarify whether separate measures will be necessary for Scotland and Northern Ireland? Although the Lord Chancellor is given particular mention, I had understood that the Lord President had jurisdiction in Scotland. I certainly understand that the joint working party of the Bars and Law Societies of the United Kingdom says that, in this case, the Lord Chancellor would not have the relevant jurisdiction. Could the Minister scurry around to get some legal advice on that point before we finish our consideration of this clause?

Mr. Redwood: I welcome the Government's change of heart in one important respect. I think that they will find that they need to make use of the provision. As for the principal arguments, it will expedite proceedings, as the general court system is very congested, and some of these cases need to be dealt with in a timely way. Furthermore, the technical complexity of this extremely voluminous Bill, which is very much in evidence this evening, will require specialists to argue the case and to adjudicate the complex issues involved. It will therefore often be necessary to send such cases to a tribunal to be dealt with by people who are well versed in this complicated area, and to ensure that they are dealt with in an expeditious manner. I hope that the Minister will enter fully into the spirit of the Government's welcome change of heart and recognise that it is not just a belt-and-braces provision. It was strongly recommended by independent lawyers of no political persuasion who have worked in this area for many years and have a firm view of how such matters should be handled.

6.30 pm

Miss Melanie Johnson: I am grateful to the right hon. Member for Wokingham (Mr. Redwood) for his remarks. Of course, I enter into the spirit as well as into the letter of the suggestion. I reassure him of that.

The Government have not acted in the way that the hon. Member for Blaby (Mr. Robathan) suggested. We have not been foolish. We believe that the provision will not, in general, be necessary and that the courts will equip themselves with the necessary expertise. Views obviously differ, so we have accepted the wisdom of the suggestion that the Bill should contain the provision. Accordingly, we have tabled amendments that are as effective and as appropriate as possible.

I am not a lawyer, but I have taken legal advice about the issue of separate measures in Scotland and Northern Ireland. The court rules for Northern Ireland are made by the Lord Chancellor and are not a reserved matter. In fact, Northern Ireland will be covered exactly as specified in the Bill. The hon. Member for Blaby is correct about the position in Scotland, but the law will be consistent. The Lord President will make the rules in Scotland in the way that the hon. Gentleman suggested. There will be a separate arrangement for Scotland, but not for Northern Ireland.

Lords amendment disagreed to.

Government amendment (a) in lieu of Lords amendment No. 7 agreed to.

Lords amendments Nos. 8 to 17 agreed to.

Clause 21

DUTY TO MAKE REFERENCES IN RELATION TO COMPLETED MERGERS

Lords amendment: No. 18 in page 11, line 19, leave out paragraph (e) and insert—

"(e) the European Commission is considering a request made, in relation to the matter concerned, by the United Kingdom (whether alone or with others) under article 22(3) of the European Merger Regulations, is proceeding with the matter in pursuance of such a request or has dealt with the matter in pursuance of such a request."

Miss Melanie Johnson: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this we may discuss Lords amendments Nos. 21, 22, 24, 28, 34, 53, amendments (a) and (b) thereto, 54, amendments (a) to (c) thereto, 65, 66, 78, 81, 82, 84, 88 to 90, 116, 117, 136 to 142 and 211.

Miss Johnson: This group of amendments covers issues relating to the interaction between domestic regimes and European competition law. In particular, we have introduced amendments to clarify and improve the relationship in four areas. We have sought, first, to highlight the primacy of EC competition law where it applies and, secondly, to clarify the domestic duty to reflect that. The third point is the need to ensure that the Secretary of State can act to protect legitimate interests in cases that fall to the EC merger regime for assessment of the competition aspects. The fourth and final area is the minor changes to the power to take account of modernisation. They are sensible amendments to ensure that the new domestic regime is a good fit with EC competition law.

The Government intend to resist the amendments to Lords amendment No. 53, and I shall take your advice, Mr. Deputy Speaker, on whether I can do that. However, my hon. Friend the Member for North-East Derbyshire (Mr. Barnes) will no doubt wish to speak to his amendments.

Mr. Harry Barnes (North-East Derbyshire): I wish to speak to amendments (a) and (b) to Lords amendment No. 53, and to amendments (a), (b) and (c) to Lords amendment No. 54.

This is the fourth attempt that has been made in the two Houses to try to insert into the Bill serious provisions relating to the public interest that are in line with those in section 84 of the Fair Trading Act 1973. Under the current legislation, it is possible in theory for the Secretary of State or the Director General of the Office of Fair Trading to refer to the Competition Commission a merger that might seriously affect the public interest. In the 1973 Act, the public interest is described as relating to the balance of industry and employment throughout the United Kingdom and to a

[Mr. Harry Barnes]

consideration of the ability of UK producers to compete in export markets. If those markets are harmed or damaged, the Competition Commission can consider a merger.

Unfortunately, since the time that Lord Tebbit was a Member of the House, the policy of Governments of both persuasions has been not to make great use of that power. It is not true to say that it has never been used, but it has been difficult to persuade Governments to act. Ideally, I would like moves to be made so that action is obligatory while retaining as much as possible of the 1973 provision. I have pursued that aim on several occasions in the House.There is much concern in the trade union movement about this matter, and the general secretary of the Trades Union Congress and most of the major trade unions have made representations to the Secretary of State. I elaborated on that in our earlier debates on this issue.

The Bill restricts public interest considerations to defence matters and contains a longstop provision, which means that the public interest can be referred to. However, the Government have never defined what that means or clarified the circumstances in which the provision could be used. The Conservatives tend to fear the Government's provision, believing that a horse and cart could be driven through it. However, I see the Government's approach as something of which we know not what. It is unlikely to be used in any feasible circumstances, so it is likely to be a fairly insignificant power. We therefore need a much stronger provision for the public interest to be introduced.

We first discussed the matter in Standing Committee. The probing amendments that I tabled were based on the experience in my constituency of the takeover of Biwaters by Saint-Gobain, which resulted in the immediate loss of 700 jobs. In terms of employment, the distribution of industry, export markets and viability, Biwaters was in a good position. What happened was a disgrace. We should have activated and made use of the 1973 measure.

I forced a vote on the issue on Report, as reflected at columns 1094–95 of *Hansard* on 13 June, when I managed to muster 39 in support of the measure. Some 245 hon. Members voted against it. I do not imagine that the Government are going to have a change of heart and make a concession, so I intend to divide the House on my amendments. The vote on 13 June was the only hostile vote by Labour Members because the Bill contains many acceptable provisions. Indeed, there has been little hassle throughout its proceedings. The Bill is lengthy. It has been greatly debated and many amendments have been tabled, but there has not been a raft of votes or heated discussions. Opposition Members have in general been happy with the Bill. They view it as a way to produce a dynamic economy, and that part of new Labour ideology appeals to some of them.

A third attempt was made to introduce public interest measures. When the Lords discussed the Bill in Committee, probing amendments were tabled by Baroness Turner, supported by Lord Hoyle. My amendments have a different framework and context.

Mr. Robathan: I just want to clarify one thing. Although we may not object to everything, we are not entirely happy with the Bill. However, much of it is sensible.

Mr. Barnes: I realise that many people in the City and elsewhere will be happy with many of the measures. However, other people are attracted to different aspects of it, such as consumer rights, which we wanted to extend to worker rights, and bankruptcy. Had things been different, the 11 Clay Cross councillors, some of whom still represent people in my constituency, might have faced a different system.

The scope of our debate is reduced to matters associated with the European Union and clawing back powers. In addition, the definition of public interest is a bit restrictive because it refers to the distribution of employment and industry. It is drafted in that way because of the possibility that it would be debated and can be discussed only in the context of amendments Nos. 53 and 54.

6.45 pm

We are restricted to European merger laws. They relate to mergers of a certain scale and to a community dimension, which in turn relates to a complex threshold provision. They are handled exclusively by the European Commission rather than national competition authorities. However, European law allows national competition authorities to request the Commission to consider a merger on a number of grounds including defence interests, mergers that primarily affect the member state and cases in which a member state needs to take action to protect its legitimate interests. The amendments would instigate and extend public interest concerns.

The subject was elaborated on and discussed in the Lords. Lord Sainsbury explained that the intention of the amendments tabled there was

"to preserve the current position, which is that, where necessary, the UK can use the comestic merger control regime to take action on matters other than competition, such as defence, in relation to cases that fall to"

the economic community merger regulations. He went on:

"It is important to note, however, that the power to protect legitimate interests will not range any wider than the public interest considerations that may be taken into account under the new UK merger regime."—[*Official Report, House of Lords*, 15 October 2002; Vol. 639, c. 789.]

My intention is not in line with that. I want to widen the scope, even though the extent to which I can do that under the procedures of the House is limited.

I feel strongly about the matter, especially in light of the Biwaters experience and ensuing developments. It seemed that the Government were ready to get rid of the public interest concern as it related to mergers. The House needs another chance to express its views on that so that a residual part of the public interest remains.

Dr. Cable: I admire the hon. Gentleman's persistence and stamina. I have supported him because he has a

case, although my point of departure is different from his. The existing system, which allows Ministers to make final decisions on mergers, has considerable disadvantages. That is why the Bill gets rid of it. The problem with the system is that it leads to capricious political intervention, but it does have some advantages. Ministers are ultimately accountable and can act in a wider public interest. There will be times, such as the impact of a merger on a geographical area, when that would be useful. The hon. Gentleman is right that it is desirable to have the principle of a backstop provision.

Mr. Barnes: There is no arrangement by which the Director General of the Office of Fair Trading can use the public interest argument when referring a case to the Competition Commission. We should consider whether that power should fall to the Secretary of State or the director, or a combination of the two.

Dr. Cable: The hon. Gentleman suggests options, but we are arguing about the principle.

Mr. Redwood: The hon. Gentleman said that ministerial decisions can be capricious. As a Minister who was involved in making competition decisions, I hasten to put it on the record that they were never capricious. Had they been capricious, they would have been subject to judicial review and legal proceedings. There are rightly strict controls on how Ministers make such decisions and on how they have to be promulgated and explained. The hon. Gentleman should reflect again. There can never be a capricious ministerial decision unless it is one that is overturned.

Dr. Cable: The right hon. Gentleman may be playing with words. He is describing the procedure correctly, but Ministers have in the past made decisions on mergers policy that do not appear to have been inspired by competition policy or the public interest. That is why the Bill was introduced and why it has the support of all parties.

The hon. Member for North-East Derbyshire (Mr. Barnes) has made his presentation on several occasions. I am not sure that we would be well served by having another Division on the matter, but if the hon. Gentleman wants to press it to a vote, I will support him.

John McDonnell (Hayes and Harlington): The debate on public interest and public security, as defined by the European merger regulations, has been extensive but not particularly clear. It would be helpful for future interpretation of the law if the Minister stated on record whether, under those regulations, the definitions of public interest and public security take any account of the distribution of industry and employment. Are rates of employment and unemployment in an area a consideration in determining public interest or public security? Can the Minister give examples in which those factors would be taken into account?

Mr. Redwood: I hope, Mr. Deputy Speaker, that if the Minister catches your eye, she will comment a little more on the main purpose of these amendments and on the relation between UK and European Union law.

When the Bill that became the Competition Act 1998 was before the House, we were assured that it would be the final statement on the necessary division between EU law and UK law. We were told that it would implement a new system that would ensure that we were not at variance with Brussels and that we had separated powers correctly. We are now told by Ministers that the Act is far from perfect and that we must pass voluminous legislation to get it right, even though EU competition law has not changed very much. The main definitions for that law were set out in the merger regulations and other important texts that have not changed in the intervening period.

Will the Minister explain why errors were made and why she feels that the Government have now got it right? Is she prepared to say that this is a definitive version of the relative powers of the EU and the UK in this field, barring, of course, further change because of a development in the superior law of the EU? I was pleased to hear the Minister admit that EU law in this field is superior—and that that is reflected in the Bill—because I have long believed and argued that, and I have encountered resistance from those who want to pretend that the EU is less powerful than it is. That was an important statement by the Minister.

Mr. Djanogly: I point out, in support of my right hon. Friend, that it was repeatedly said in Committee that the previous legislation is so recent that we have not had time to assess its implications and how it works in practice.

Mr. Redwood: My hon. Friend has made the powerful point that such complicated legislation, with many regulations, takes a long time to bed down. It takes time to establish the case law by which we see how legislation is working, so the Government, figuratively speaking, have pulled up the plant to see whether it is growing, which is not a good way of practising horticulture. I am worried that they may do that again because of the enormous complexity of this Bill. They lack a sureness of touch because they are trying to marry their political wish to tell the British people that Europe has very little power and is not taking strong legal powers beyond those of the nation states in their desire to align themselves with the obviously strong powers held by the Brussels regime in this and many other areas.

Will the Minister reassure the House that she is aware of the current negotiations for a constitution for Europe? That is important work, and drafts have been in circulation. Can she assure the House that nothing in those drafts clarifying the relative powers of the Union and the member states will mean that she, or her successor, has to return to the House within a couple of years to legislate yet again? One worries that, as the Government fumble for a solution, this will become a perpetual round of legislating, revising and amending. That would mean that all those in the business community who are desperate for certainty about the law, about who applies it and about who has power would constantly have to go to expensive lawyers for interpretations of lengthy new legislation.

I have declared my interest in the register, and I do not speak on behalf of business, but that community is increasingly befuddled by the length and complexity of legislation and the constant changes to it. It is beginning to feel that the Government change the law rather more often than does the EU, although they claim that in some way the EU requires those frequent changes.

[Mr. Redwood]

Will the Minister reassure us that she has taken account of all the best legal advice about the current position, and that it is now definitive? Secondly, will she reassure us that nothing doing the rounds in Brussels or elsewhere in the EU is likely to make a material change? Thirdly, will she confirm that there is nothing in the preliminary drafts for the European constitution that will require us to revise the Bill? Fourthly, does she think that there can now be a period of greater certainty and clarity to allow our competition regime to bed down for years and give us a good chance to see how it works?

Mr. Mark Field: I support the words of my right hon. Friend the Member for Wokingham (Mr. Redwood), and I think that the issue of certainty is central to the debate about the relationship between the EU legal regime on competition and that in the UK. My right hon. Friend rightly addressed the demand from business for more certainty. It is certainly odd that legislation passed as recently as 1998 is now being updated when it has not had an opportunity to bed down.

My concern, however, goes further, and I am interested to hear the Minister's response. There seems to be confused thinking about the role of competition policy. Indeed, it has to be said that, whatever one thinks of EU competition policy, it is fairly certain, and it has a test—the dominant position test. One of the concerns addressed in Committee and in the Lords is that the theory underlying the Government's introduction of the Bill, which will presumably be an Act before long, is that it will bring in a "substantial lessening of competition" test. It strikes me that, notwithstanding the Minister's reassurance a few moments ago, there is a risk that if we are not careful we will fall foul of EU legislation and, as a result, our businesses will fall foul of the European court. I reiterate the point that we must have give the situation proper consideration and take full legal advice. The Minister reassured us that the Bill will be part and parcel of the EU process, but I can imagine that changing, particularly as we now seem to be diverging from the dominant position test.

I turn briefly to the contribution of the hon. Member for North-East Derbyshire (Mr. Barnes) and that of my old sparring partner, the hon. Member for Hayes and Harlington (John McDonnell). I am sure that he is aware that only yesterday the Lords finally gave the City of London (Ward Elections) Bill its Third Reading. However, I am concerned that in his desire to get a balanced distribution of industry and employment in his amendment, the hon. Member for North-East Derbyshire presumes that the trade unions are acting in the public interest. I do not believe that that is the case. The trade unions act, rightly, in their members' interests, but the idea that those interests and the public interest are one and the same is naïve. I do not favour more Government control.

7 pm

Mr. Barnes: Of course, a substantial part of the Enterprise Bill covers consumers, who have their own individual concerns and legitimate interests. The hon. Gentleman may remember that I attempted to table another batch of amendments arguing that workers organisations should have such representation, which is not to say that they do not have sectional and selfish interests as well. However, they also have legitimate interests, which sometimes produce a fruitful result.

Mr. Field: The hon. Gentleman will forgive me if I cannot remember all his contributions. I am sure that, like me, he is befuddled by a number of matters that have come before the House. The Bill has not only completed its Report stage but has come back before the House today. However, I accept his point that collective interests are at stake, including consumer matters which, no doubt, we will discuss later, even if only in outline.

Opposition Members are concerned that large consumer bodies will play a more important role in the Bill's operation than their status necessarily dictates. They are not unaccountable, but should be regarded as a party with particular interests that do not necessarily amount to the public interest. I shall be interested in the Minister's response, but I am concerned that the amendments are proposing more Government control. It would be unwise to second-guess markets, as that served the country badly in the 1960s and 70s. If that were introduced in the Bill, there would be no great advantages, either for enterprise or the business community as a whole.

Miss Melanie Johnson: May I respond first to the amendments tabled by my hon. Friend the Member for North-East Derbyshire (Mr. Barnes)? I recognise that he has spent a considerable time trying to convince the Government of the wisdom of his case. Like the hon. Member for Twickenham (Dr. Cable), I admire his stamina and efforts.

The amendments to Lords amendments Nos. 53 and 54 seek to enable the Secretary of State to intervene and act to protect matters relating to

"the legitimate interests of the balanced distribution of industry and employment"

in cases that fall to the European Community merger regulation—the ECMR. I am not sure that the line numbers are accurate, but I think that that is the sense of my hon. Friend's proposals. We have previously debated in the House amendments that sought to introduce the consideration of matters such as employment in cases handled under the domestic regime. I shall not repeat in detail why the Government believe such changes are undesirable, although I agree with my hon. Friend that those matters are important. The Government believe that vigorous competition is the key to ensuring that United Kingdom businesses are better able to provide long-term and sustainable employment. Our record of creating more than 1.5 million new jobs since 1997 is proof of the success of our strategy.

The domestic regime that we have proposed ensures that competition is the key consideration—we have made it clear that that should be the focus of future merger inquiries. The European regime already operates along those lines. Under the ECMR, the European Commission looks solely at the competition aspects of the merger. Only in a very few cases is it necessary for member states to act in parallel to address non-competition concerns. We have proposed that the grounds on which the Secretary of State acts in ECMR

cases should be no wider than those in which she may act in domestic cases. It seems sensible, therefore, to link the European intervention power to the considerations specified in clause 57. However, we also need to be aware of the impact of European law in ECMR cases. The ECMR provides that the grounds on which member states can act is limited to those specified as legitimate interests or recognised as such by a decision of the Commission. The grounds suggested by my hon. Friend are neither specified nor the subject of a Commission decision, so the amendments would have no effect in law. For those reasons, I urge him to withdraw his amendments, although I respect the fact that he has said that he may wish to press them to a vote.

Turning to the remarks of the right hon. Member for Wokingham (Mr. Redwood), the Competition Act 1998 and the Bill deal with different matters. The Competition Act deals with the introduction of prohibitions on anti-competitive agreements and abuses of the dominant position. The Bill is mainly about the reform of the merger and monopoly regimes, which were not touched by the Competition Act. The Bill completes the process of reform. We have also taken sensible steps to provide for future changes in Europe by providing for a power to deal with EC modernisation issues, although I emphasise the fact that the amendments are minor in relation to such matters. I hope that that clarifies my point that the Bill is a complementary exercise which completes the process begun by the Competition Act. Indeed, it also completes the reform of competition legislation and the competition regime in the UK, which lay untouched for several decades before the Government came to power in 1997.

Mr. Redwood: Is the Minister assuring the House that the Bill completes the reform process so that we are completely compatible with European Union law? We would therefore need only to make changes in future if there were a big upheaval in EU law. Will she also confirm that no such upheaval is planned in the current discussions on the constitution and other matters?

Miss Johnson: The right hon. Gentleman knows full well that it would be foolish of me to respond to his quest for assurances. We are doing our best to ensure that we do not have to make significant changes in future. I doubt whether he had a crystal ball when he was in government, and I do not have one either. The provisions are as future-proof as possible in relation, for example, to the changes mentioned by the hon. Member for Cities of London and Westminster (Mr. Field). We are discussing the future of the dominance test with the Commission and have moved towards a substantial lessening of competition. We would like the European authorities to do the same, but if they do not, that does not pose any difficulties for us. However, that is one of the main areas of discussion on competition law. I therefore hope that the right hon. Member for Wokingham accepts my assurances.

Lords amendment agreed to.

Lords amendment: No. 19, page 11, line 43, after "of" insert

"a notice or possible notice under section 41(2) or 58(2) or"

Miss Johnson: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this we may discuss Lords amendment No. 20 and Government amendment (a) thereto, and Lords amendments Nos. 23, 25 to 27, 29 to 33, 35 to 52, 55 to 64, 67 to 73, 75 to 77, 79, 80, 83, 85 to 87, 91 to 115, 118 to 123, 125 to 131 and 212 to 225.

Miss Johnson: I shall speak to this group of merger and market amendments in two parts. First, I shall deal with the turnover threshold, and then I shall speak to themany technical amendments that constitute the remainder of the group.

On the turnover threshold, we agree with the Lords that clause 22 should be amended. We believe that Lords amendment No. 20, which replaced the £45 million threshold for mergers with one of £100 million, should itself be amended by amendment (a), which inserts one of £70 million.

The turnover threshold is one of two jurisdictional tests that make a merger eligible for investigation by the Office of Fair Trading. The other test is whether a merger would create or enhance a 25 per cent. share of supply. It is important to emphasise at the outset that these are eligibility thresholds only. If a merger involves the acquisition of a business with a UK turnover above the relevant threshold, the OFT is entitled to inquire into it. It does not mean that the merger will be referred or blocked but simply that the OFT can consider whether the merger raises sufficient competition concerns to justify a reference. The great majority of qualifying mergers are not subject to any further action by the competition authorities, but it is important that they can be assessed.

The purpose of thresholds is to strike a balance between excessive and necessary regulation. They should be aimed at ensuring that mergers of real concern can be examined, but avoid interference with cases of no material competition concern. Getting the level right is necessarily a matter of judgment.

The Bill replaces the current assets-based jurisdictional threshold with a turnover threshold. It is widely agreed that turnover is a better indication of the economic significance of a merger. The issue is at what level the new threshold should be set. Our goal in selecting the level of the turnover test has always been to bring within the scope of the merger regime broadly the same number of companies as currently qualify under the assets test. To get this right will inevitably take experience.

Our research indicated that a £45 million level would represent neither a tightening nor a loosening of the domestic merger control regime. In the context of a Bill that has as one of its primary aims the safeguarding of competition, we think that it would be odd to be thinking in terms of any significant relaxation of the scope of the regime. Anti-competitive mergers can do serious harm to the interests of consumers and to the economy at large. Avoiding that is the whole point of merger control and it should not be overlooked.

[Miss Johnson]

Amending the threshold to £100 million, as the Lords propose, runs a serious risk of allowing anti-competitive mergers to proceed without any form of scrutiny by the competition authorities. The OFT has estimated that about 50 per cent. of the mergers that can currently be scrutinised would no longer be eligible for any form of investigation. Far greater reliance would have to be placed on the alternative share of supply test. That would go against the grain of experience to date. At present a big majority of mergers that qualify for investigation qualify under the assets test. It also goes against the grain of international notification regimes, which are invariably based on turnover thresholds.

7.15 pm

The share of supply test can be useful in the context of horizontal mergers, but it is more complex and cannot be used to bring vertical mergers within the scope of the regime. For example, a merger that was scrutinised last year, the Dynergy/BG Storage merger, would not have qualified under a £100 million turnover threshold, or under the share of supply test. The merger could have affected domestic gas prices and is therefore the sort of case that we would want investigated.

With a very high turnover threshold, we risk missing mergers of small but potentially significant companies with lower market shares, such as IT or biotech companies, which none the less represent a significant threat to established firms. It is because of such examples that the Competition Commission has expressed serious concerns about the impact that a turnover threshold of £100 million might have.

We recognise, however, that the threshold figure is an issue around which there are strong feelings. We have no desire to increase unnecessary regulation in this area, or in any other. We have also noted that the assets threshold of £70 million has not been adjusted since 1994. A review of that figure might have been appropriate before long. We recognise that estimating the practical impact of the new turnover threshold is necessarily an imperfect science, and that it would be unfortunate if we had unintentionally caught too many cases. In the light of pressures for a higher figure, we therefore propose amending the Lords amendment so that the turnover threshold is initially set at £70 million.

We offer this raised threshold amendment with some unease. If it proved subsequently that a significant number of harmful anti-competitive mergers were escaping scrutiny altogether, the Government would have no choice but to reduce the threshold to an appropriate level. We will need to keep the matter under review. I hope that the £70 million threshold will be acceptable to the House.

Mr. Djanogly: In the same way as the Government intend to keep the matter under review with a view to moving the figure downwards, does the Minister accept that it may be more appropriate to move the figure upwards? Will the Government keep an open mind about what the appropriate figure should be after the Bill is enacted?

Miss Johnson: Yes, indeed. We will keep an open mind. The entire discussion is about the methodology of achieving in turnover terms the same effect as the asset threshold had before. We want neither to relax the regime nor to tighten it. We need to achieve equivalence; the question is which figure would achieve that. All our research suggested £45 million, but we have not managed to convince others of that, so we are suggesting moving to £70 million. There is a clear indication that were we to move to £100 million, there would be a significant relaxation of the merger control regime, which would be highly undesirable, as I am sure the hon. Gentleman would agree. That is why we have arrived at the £70 million figure.

Mr. Djanogly *indicated dissent.*

Miss Johnson: The hon. Gentleman shakes his head in a worrying way, but does not wish to elaborate.

The remaining amendments in the group are all primarily technical changes to the Bill to improve its functioning. They reflect work that has been done in the other place to respond to points raised by noble Lords and to check the Bill for accuracy. Unless hon. Members wish me to go through any of the amendments in detail, I do not propose to do so at this point.

Mr. Robathan: It is unfortunate that on such an extraordinarily important and complex issue, which has taken up a great deal of the time of both Houses, with the exception of the hon. Member for North-East Derbyshire (Mr. Barnes) and his supporter, the hon. Member for Hayes and Harlington (John McDonnell), no hon. Member has been willing to speak in support of the Government.

John McDonnell: I was not supporting the Government.

Mr. Robathan: I apologise to the hon. Gentleman for suggesting that he was supporting his Front-Bench colleagues. *[Interruption.]* I know that he has a reputation to protect. I meant that it is a pity that no Government Back Benchers who served on the Committee or others wished to take part in the debate.

On Lords amendment No. 20, the Government have been pragmatic and sensible, and we shall not oppose the change. Of course, we would prefer to stick with a £100 million threshold. None the less, I think that that is a moot point and a matter of judgment, so perhaps the compromise is a happy one. It is possible that the Government's acceptance of a £70 million threshold represents a recognition that turnovers are currently falling, so fewer people might be caught in that threshold as well.

In the House of Lords, the Government committed themselves to reviewing the level within three years of implementation. The Minister has mentioned reviewing. Will there be a rolling review? Does she believe that she could raise the threshold if the provision proves not to work, as my hon. Friend the Member for Huntingdon (Mr. Djanogly) suggested?

Apart from that, I think that we are happy to accept the amendments.

Dr. Cable: I shall speak very much in the same spirit as the hon. Member for Blaby (Mr. Robathan).

I accept that the Minister has moved a considerable way towards acknowledging the criticisms about size levelled by the business sector. The worrying aspect of the original discussion was a sense that a number had merely been written on the back of an envelope and that it did not satisfy any scientific tests. I do not know whether the figure is right or wrong, as I am going by the information that I have been given. None the less, I gather that the CBI conducted an extensive survey of UK companies that might come within the Bill's scope in which it cited a ratio of the order of 1.2:1 in describing the relationship between turnover and assets. If that had been applied as an average, the appropriate turnover figure would have been about £85 million. I do not know whether those figures are right or wrong. Clearly, market capitalisation is very volatile and big changes have occurred in the past two years, but that seems a plausible order of magnitude to people in the industry, and I am inclined to accept their judgment.

The key point is that the Government are keeping the matter under review and are committed to the principle of maintaining after the Bill is enacted a number of merger investigations that is roughly equivalent to the number that were conducted previously. I am not entirely clear about when the review will take place. My understanding had been that the Government would reconsider the issue after a year, rather than three years. Perhaps the Minister could clarify that point.

In general, however, I think that the compromise that is being offered is helpful and is a move in the right direction. I am sure that most people in the business sector will accept that the provision is a useful move towards meeting their concerns about over-regulation.

Mr. Djanogly: In supporting the comments of my hon. Friend the Member for Blaby (Mr. Robathan), and having examined the debate on these matters that occurred in the other place, I should like to say that there seemed to be some justification for the £100 million figure. However, I was happy to hear the Minister say that an open mind would be kept on the matter and that it would be reviewed.

In introducing the Bill, the Government's clear intention was to help enterprise by inducing a competitive environment and a level playing field. That has been accepted in all parts of the House. On the other hand, at various stages in the Bill's passage, Opposition Members have stated our concern that, rather than helping competition, the Bill borders on restricting the ability of companies to trade and is unnecessarily onerous for directors.

The turnover benchmark key in that context is obviously a very important issue. The merger rules are very complicated. Companies and directors that become involved in any sort of investigation must contend with enormously significant costs and a massive amount of time will be taken from them in running their businesses. There is always a fear in respect of such legislation that the OFT and the Serious Fraud Office, which will now get the same powers, will embark on fishing expeditions.

After the Committee proceedings, the Minister should know that, having spoken to a competition legal practitioner, my understanding is that the OFT has recently changed its procedure. The OFT is not only investigating companies, but putting in place a new procedure in which it asks companies to conduct its investigations on its behalf. It will basically send the companies lists of matters for investigation and ask them to come up with the goods. That is a serious development. Instead of having a certain amount of costs carried by the OFT, companies will now have to cover those costs themselves. In other words, they will have to employ professionals to do the OFT's work. Such concerns are very serious and are becoming more so.

The turnover threshold is extremely important in that context. The concern is that, if we do not get the level right, it could stunt the growth of some of our fastest growing companies. We should want to encourage those companies, instead of restricting them with unnecessary regulation and cost. Obviously, stopping their growth will be bad for the economy overall.

While I certainly appreciate that the £70 million figure is better than the original one, companies and practitioners have communicated genuine concerns to me. I therefore hope that the Minister and the Government will keep to what they have said about reviewing the figure carefully and seeing how it works in practice.

Mr. Redwood: I usually speak as a hawkish person on competition matters. I think that it is most important that the regulator and the Government are vigilant in ensuring that no market is damaged by any company having unreasonable market power. That is especially important when mergers or acquisitions are being planned.

I accept that it is possible for a company to seek dominance in a local area or region in the United Kingdom and that that might give the authorities reason to investigate mergers with relatively small turnovers. However, we should remember the context of the United Kingdom economy, which is the fourth largest economy in the world and is exposed to an enormous amount of overseas trading and huge competition from the five continents of the world. We are now talking about an economy with more than £1 trillion in national turnover. Therefore, even a business concern with a turnover of £100 million would represent 0.01 per cent. of total national income. If such a business were a national one, it would be unlikely to have a strong position unless it operated in a tiny marketplace, as in most of the larger marketplaces such turnover figures would be unlikely to attract the attention of the authorities.

Mr. Djanogly: I thank my right hon. Friend for giving way. In that context, I think that it is worth mentioning—

Mr. Deputy Speaker: Order. May I tell the hon. Gentleman that it is a good convention to address the Chair?

Mr. Djanogly: Thank you, Mr. Deputy Speaker.

It may be worth pointing out to my right hon. Friend that he might want to take into account in his speech the size of the public sector. For instance, it was disclosed to the Trade and Industry Committee only the other day that the public sector now accounts for 40 per cent.—

Mr. Deputy Speaker: Order. I am sorry to have to interrupt the hon. Gentleman a second time, but as I

[Mr. Deputy Speaker]

understand it, he is supposed to be making an intervention on his right hon. Friend and not a second speech.

7.30 pm

Mr. Redwood: I get the drift of the comments of my hon. Friend the Member for Huntingdon (Mr. Djanogly) that it is important to understand the public sector context as well as the overall national income figures to which I have referred so far.

The Minister was right to point out that there are two tests. The lower the turnover threshold in the Bill, the more the reliance on the test of 25 per cent. or more of the market. The essence of good judgment will rest on the competition authorities and those contemplating the reference in defining the marketplace. That is always the crucial, difficult issue: is the marketplace all chocolate, specific chocolate bars, or a brand that is so well known that, sui generis, it has 100 per cent. of the market? How do we handle such issues? There have been famous cases over the years, with companies wanting as generous a definition as possible, and consumer groups and others preferring a narrow definition.

Mr. Mark Hoban (Fareham): My right hon. Friend makes an important point. Does he know how much time lawyers, accountants and other consultants spend on defining a market? From my experience, even in apparently straightforward matters, such as the supply of paper, the market can be fragmented in many different ways. Definition of the market is therefore so important that the turnover test may not be appropriate.

Mr. Redwood: I am glad that my hon. Friend agrees that defining the market is crucial. We must examine the turnover threshold in the light of that difficult judgment.

Narrowly defined markets in which dominance is a problem can exist, and one could gain a dominant position in parts of the national market because the services or goods are not easily transported beyond the boundaries of a specific area. In such circumstances, a lowish turnover threshold might be desirable. Therefore I do not approach the figure of £45 million from the position that it is definitely wrong because it is low and that, as a deregulator, I should like it to be higher.

I ask myself the question that the Minister rightly asked: will a turnover threshold of £45 million provide approximately the same as the 1994 £70 million asset threshold, with which I am happy? It has worked well, and the Government must also believe that, because they have not amended it since coming to office and the Minister said that she was trying to reach equivalence when shifting to turnover. I agree with her reasoning. It is right to move to turnover because it is more meaningful than assets when defining a market. After all, turnover affects consumers, whereas the size of the asset base makes little difference to consumers except through the mediation of price. The consumer wants to know how much turnover is being transacted, so turnover is the appropriate test.

I believed that it was implausible for £70 million of assets to correspond with £45 million of turnover. I was therefore interested to hear the remarks of the hon. Member for Twickenham (Dr. Cable), who said that CBI research suggested a ratio of 1.2:1. I understand how such a figure could be derived. Earlier, I did some calculations on the back of an envelope and got a figure of at least £70 million for equivalence. If we take £45 million as the figure for turnover, we assume exceedingly profitable businesses to achieve an asset value of £70 million. The current state of most British industry and service sector activities shows that we are nowhere near the profitability that we would need on average to sustain translating £70 million of assets into only £45 million of turnover. A ratio of 1:1 would be required as a minimum; at least £70 million of turnover would be needed to achieve £70 million of assets. Even in that case, one assumes approximately 10 per cent. of turnover. That is an exceedingly good return for all but successful, well protected businesses such as pharmaceutical companies.

The judgment is difficult to make. My first reaction on reading the amendments and the debate in another place was that £100 million was a better round number and closer to what one might calculate to achieve equivalence to the old assets test. However, the Minister and my hon. Friend the Member for Blaby (Mr. Robathan) have persuaded me that perhaps we should start with the figure of £70 million and a 1:1 ratio of assets to turnover in the hope that one day, activities will be more profitable and the figure will prove more realistic.

Mr. Robathan: I want my right hon. Friend to understand that I should prefer a threshold of £100 million. That was the CBI's broad assessment. However, the decision is subjective and perhaps we should not be too dogmatic in resisting the Government's amendment.

Mr. Redwood: Logic and knowledge of business tell me that £100 million is more sensible from the business point of view.

Mr. Mark Field: Perhaps there is some wisdom and method in the Government's madness. Given the state of the economy, a company with a turnover of £100 million this year is likely to have a turnover of £70 million next year.

Mr. Redwood: That introduces an irreverent political point into a hitherto elegant, non-partisan debate. However, I take my hon. Friend's point: business is not as profitable or successful in the round as one would like.

Although I understand the logic for the figure of £100 million, as a competition hawk, I appreciate the case for starting at £70 million. However, I want to probe the Minister a little more on her interesting point that the Government had been considering that the £70 million asset threshold that was set in 1994 might no longer be appropriate. There were clearly good years in the economy in the mid-1990s, and not all have been overwhelmed or eroded by events since 2000. It would therefore be interesting to know the extent of the Government's thinking about updating the assets test. If they conclude that £70 million is low for the assets test, they must also determine that £70 million is far too low for the turnover test. I cannot be persuaded that

anything less than a ratio of 1:1 produces equivalence. I should be intrigued to learn the Minister's view on that important topic.

Mr. Hoban: We are considering an important issue and I am grateful to my noble Friend Lord Hunt for pressing it in another place. In considering the competition law reform that the Government set in train in their first Parliament and the Minister's earlier comment that she believed that we had reached the end of the process, it is important to examine the threshold for the turnover test and ensure its fitness for today's business environment. The Government have chosen a turnover limit that is the equivalent of the gross asset test under the previous regime. That leads me to question the amount of research that the Government undertook before selecting £70 million as an appropriate turnover threshold.

Lord Hunt's amendment was based on the considerable research that the CBI carried out. It examined 500 companies in different sectors to determine the appropriate threshold for the turnover test. I wonder whether the figure of £70 million was arbitrary and based on the previous test. The Government should consider properly the right amount of turnover in today's business environment. The competition process will be greatly enhanced by a sensible threshold. Although, as the Minister said, many references are not made when a merger is called in under the turnover test, businesses are anxious about a deal being called in.

As I said in an intervention, consultants and others have spent much time examining the structure of a deal to ensure that it does not rise above the threshold. I should hate to believe that the Government are setting a low threshold for the turnover test without considering the costs that businesses will bear by reducing it from £100 million to £70 million.

Mr. Djanogly: My hon. Friend makes a very good point, and reminds me of the old adage that turnover is for vanity and profit is for sanity. That has the important implication that, in a tough economic environment such as the one that we have now, the turnover might mean that companies will have less profit and that it would be more important to have a higher turnover figure because of that.

Mr. Hoban: I am aware of my hon. Friend's commercial background and his understanding of these issues, and he makes an important point. A company could have relatively low profitability, which might suggest that it had a weak market position and low market share, and that it perhaps did not have the opportunity to impact on the competitive environment in which it operates. Simply because its turnover was more than £70 million, however, that application would be called in and looked at by the OFT. It is, therefore, important to ensure that the turnover level is set fairly and appropriately. The Minister referred earlier to the way in which that level could be reviewed. She intimated that it could be reviewed downwards, and my hon. Friend the Member for Huntingdon (Mr. Djanogly) referred to an upwards review.

It would benefit both practitioners and Members of the House if the Minister could comment on the basis on which such an adjustment could take place, and on when she expects that review to happen. What method of consultation would she use to ensure that we set the right level of turnover? How long a period would elapse between the Bill becoming an Act and the review taking place? Clearly, we want to ensure that we have the right answer to this, and we do not want to see too much uncertainty in the market.

Mr. Mark Field: Does my hon. Friend agree that, following the CBI's research to which several hon. Members have referred in this small debate, one of the best ways forward might be for the Government to look at the number of companies likely to be encompassed within the confines of such a turnover test? They could then adjust the test on the basis of, for example, the 20,000 or 30,000 companies that would be subject to the provision. In other words, the measure would have an eye to a much more broadly based market, rather than being overly hamstrung by the purely financial terms of turnover.

Mr. Hoban: I am grateful to my hon. Friend for raising that important point about the number of companies being brought into the provisions of the Bill. My understanding from reading the debates in the other place is that the £45 million level was set with a view to bringing the same number of companies into the net as the £70 million gross asset test would have brought in. I think I see the Minister nodding assent to that explanation, and I am grateful for that. We should not make decisions about thresholds simply on the basis of getting an equivalent number of companies into the net. That would be an inappropriate way of monitoring competition, because we should be looking at the impact of transactions on competition and the market, rather than focusing on the level of turnover.

Mr. Robathan: Does my hon. Friend share my suspicion that there has been no well-justified or empirical analysis of this threshold? We thought that the original figure of £45 million was plucked out of the air. Let us take a median point and pluck the figure of £70 million out of the air, because that seems better and might satisfy us. To a certain extent it has done so. There has not been sufficient analysis of why we should have the figure of £70 million.

Mr. Hoban: I am grateful to my hon. Friend for raising that point, because this is one of my principal concerns. I would not say that the £70 million figure has been plucked out of the air, because that would be unfair to the Government. It is, however, a number with which we are familiar from the gross asset test applied under the previous regime. It is important that we use a sensible figure that is based on empirical evidence. That is the basis of the £100 million that the CBI suggested, which was proposed in amendments in the other place and accepted into the Bill there.

I am concerned that the amendment that the Government have tabled is arbitrary in the way in which it sets a threshold for applications to be investigated by the OFT. The Government should be clear that this is only a holding figure. They should reconsider it in the light of experience and empirical evidence, and I hope that the CBI survey that was used to set the figure of £100 million can be used as a basis for the research

[Mr. Hoban]

involved. Will the Minister outline in more detail the mechanisms that the Government expect to have in place when looking at the applicability and appropriateness of the £70 million limit?

7.45 pm

Miss Melanie Johnson: I shall endeavour to be brief. Conservative Members have raised broadly the same issues in different guises, and I think that I can be fairly brief in my response.

I shall deal first with the figure set for the turnover threshold. The Competition Commission's estimate of the operation of the £100 million turnover threshold is that there would be 50 per cent. fewer mergers under consideration. It is worth reiterating that figure. In fact, the analysis that the Government carried out was based on the Fame database, which gives details of 1,699,137 companies that filed in 2000–01. That showed that there were 9,966 live companies with assets of £70 million or more. It also showed 7,806 companies with a United Kingdom turnover of £45 million. So, the turnover figure was as close as we could get to that. Only 5,350 companies on the database have a UK turnover of £70 million or more. The figure for companies with a turnover of £100 million was 2,258, compared with the original number of 9,966, based on the assets figure.

Mr. Redwood: We are talking about a merger, so we have to add one turnover to another. Has the Minister any information on how many of the mergers that have been referred and blocked under the present regime would not have been blocked under either the £70 million or the £100 million turnover figure? That is the more interesting figure for us to know.

Miss Johnson: The right hon. Gentleman will appreciate that I do not have the whole analysis file here, but very detailed work went on. I hope that I have explained one approach that was made by the Government, and why the figure was picked out as being the best stab that we could make. We shared our findings with the CBI, which undertook further analysis using the different methodology to which other hon. Members have referred. That suggested that it thought that the £100 million figure would be more appropriate, but its approach is based on measuring the average turnover of the companies that happen to meet the assets test, establishing a ratio of that turnover to assets and applying the ratio to the £70 million assets threshold to establish an equivalent turnover threshold. We think that that is an unreliable way of doing it.

Changing the test means that we will inevitably cover a slightly different range of companies. We certainly think that new technology companies whose turnover might significantly exceed their asset base might be covered by the new test for the first time. I return to my original point, with which I am sure all hon. Members agree, that we are seeking to find an equivalent—by moving from the assets test to the turnover test—that captures those companies within the regime for consideration. As I have said, many of the cases are just cleared mergers or investigations that are not taken further. It is important that we look at the same segment in relation to competition issues.

It is also important to note that the turnover threshold relates to the turnover of the target company, to which the right hon. Member for Wokingham (Mr. Redwood) referred. A large company may acquire any company with a turnover up to the threshold without qualifying under this test.

I hope that I have explained why we have got to where we are. We have all agreed that we need to compromise. Clause 27(4) contains a requirement for the Office of Fair Trading to report to the Secretary of State on the appropriateness of the level. I believe that we need to reconsider this matter as time goes on.

Assurances that the Government gave in the other place about the three-year review need to be seen in the light of the original £45 million figure. We have the same interests as Opposition Members and will want to consider how the £70 million figure is emerging to see that it is broadly producing the same playing field for competition merger concerns to be considered as the present regime does, with the improvement of the turnover test. I hope that Opposition Members will support these amendments.

Lords amendment agreed to.

Government amendment to Lords amendment No. 20 agreed to.

Lords amendment No. 20, as amended, agreed to.

Lords amendments Nos. 21 to 52 agreed to.

After Clause 65

Lords amendment: No. 53, insert the following new Clause —

"Intervention to protect legitimate interests

(1) Subsection (2) applies where—

(a) the Secretary of State has reasonable grounds for suspecting that it is or may be the case that—

(i) a relevant merger situation has been created or that arrangements are in progress or in contemplation which, if carried into effect, will result in the creation of a relevant merger situation; and

(ii) a concentration with a Community dimension (within the meaning of the European Merger Regulations), or a part of such a concentration, has thereby arisen or will thereby arise;

(b) a reference which would otherwise be possible under section 21 or 32 is prevented from being made under that section in relation to the relevant merger situation concerned by virtue of Community law or anything done under or in accordance with it; and

(c) the Secretary of State is considering whether to take appropriate measures to protect legitimate interests as permitted by article 21(3) of the European Merger Regulations.

(2) The Secretary of State may give a notice to the OFT (in this section "a European intervention notice") if he believes that it is or may be the case that one or more than one public interest consideration is relevant to a consideration of the relevant merger situation concerned.

(3) A European intervention notice shall state—

(a) the relevant merger situation concerned;

(b) the public interest consideration or considerations which are, or may be, relevant to a consideration of the relevant merger situation concerned; and

(c) where any public interest consideration concerned is not finalised, the proposed timetable for finalising it.

(4) Where the Secretary of State believes that it is or may be the case that two or more public interest considerations are relevant to a consideration of the relevant merger situation concerned, he may decide not to mention in the intervention notice such of those considerations as he considers appropriate.

(5) No more than one European intervention notice shall be given under subsection (2) in relation to the same relevant merger situation.

(6) Where the Secretary of State has given a European intervention notice mentioning a public interest consideration which, at that time, is not finalised, he shall, as soon as practicable, take such action as is within his power to ensure that it is finalised.

(7) For the purposes of deciding whether a relevant merger situation has been created or whether arrangements are in progress or in contemplation which, if carried into effect, will result in the creation of a relevant merger situation, sections 22 to 31 (read together with section 33) shall apply for the purposes of this section as they do for the purposes of Chapter 1 but subject to subsection (8).

(8) In their application by virtue of subsection (7) sections 22 to 31 shall have effect as if—

(a) references in those sections to the decision-making authority were references to the Secretary of State;

(b) for paragraphs (a) and (b) of section 22(9) there were substituted ", in relation to the giving of a European intervention notice, the time when the notice is given";

(c) the references to the OFT in section 23(2)(a) and (b) included references to the Secretary of State;

(d) sections 24, 30 and 31 were omitted; and

(e) the references in sections 22 to 28 to the making of a reference or a reference were, so far as necessary, references to the giving of a European intervention notice or a European intervention notice.

(9) Section 41(3) shall, in its application to this section and section *(Scheme for protecting legitimate interests)*, have effect as if for the words "intervention notice" there were substituted "European intervention notice"."

Amendment proposed to the Lords amendment: (a), after "consideration", insert—

", or a matter relating to the legitimate interests of the balanced distribution of industry and employment,".—[*Mr. Barnes.*]

Question put, That the amendment to the Lords amendment be made:—

The House divided: Ayes 48, Noes 283.

Division No. 344] **[7:52 pm**

AYES

Abbott, Ms Diane
Banks, Tony
Barnes, Harry
Barrett, John
Brooke, Mrs Annette L.
Burnett, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Campbell, rh Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Carmichael, Alistair
Clapham, Michael
Davey, Edward *(Kingston)*
Doughty, Sue
Ewing, Annabelle
Foster, Don *(Bath)*
George, Andrew *(St. Ives)*
Gerrard, Neil
Green, Matthew *(Ludlow)*
Holmes, Paul
Hughes, Simon *(Southwark N)*
Jones, Lynne *(Selly Oak)*
Kennedy, rh Charles *(Ross Skye & Inverness)*
Lamb, Norman
Laws, David *(Yeovil)*
Llwyd, Elfyn
McDonnell, John
Mahon, Mrs Alice
Marshall, Jim *(Leicester S)*
Mitchell, Austin *(Gt Grimsby)*
Öpik, Lembit
Price, Adam *(E Carmarthen & Dinefwr)*
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Angus *(Moray)*
Russell, Bob *(Colchester)*
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Stunell, Andrew
Thomas, Simon *(Ceredigion)*
Thurso, John
Vis, Dr. Rudi
Webb, Steve *(Northavon)*
Weir, Michael
Williams, Roger *(Brecon)*
Wishart, Pete
Younger-Ross, Richard

Tellers for the Ayes:
Tom Brake and
Mr. Kelvin Hopkins

NOES

Adams, Irene *(Paisley N)*
Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Atherton, Ms Candy
Atkins, Charlotte
Bailey, Adrian
Barron, rh Kevin
Battle, John
Bayley, Hugh
Begg, Miss Anne
Beggs, Roy *(E Antrim)*
Benn, Hilary
Benton, Joe *(Bootle)*
Berry, Roger
Blackman, Liz
Blears, Ms Hazel
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, Russell *(Dumfries)*
Bryant, Chris
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Connarty, Michael
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corston, Jean
Cousins, Jim
Cox, Tom *(Tooting)*
Crausby, David
Cruddas, Jon
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunningham, Tony *(Workington)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Djanogly, Jonathan
Dodds, Nigel
Donohoe, Brian H.
Doran, Frank
Dorrell, rh Stephen
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Field, Mark *(Cities of London & Westminster)*
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hermon, Lady
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hoey, Kate *(Vauxhall)*
Hope, Phil *(Corby)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Khabra, Piara S.
Kidney, David

Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Kirkbride, Miss Julie
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McIsaac, Shona
MacKay, rh Andrew
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Miliband, David
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norman, Archie
Norris, Dan *(Wansdyke)*
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Redwood, rh John
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Robinson, Mrs Iris *(Strangford)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Smith, rh Andrew *(Oxford E)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Tyrie, Andrew
Walley, Ms Joan
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
White, Brian
Whitehead, Dr. Alan
Williams, Mrs Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes: Mr. Fraser Kemp and Mr. John Heppell

Question accordingly negatived.

Lords amendment agreed to.

Lords amendments Nos. 54 to 131 agreed to.

Clause 182

CARTEL OFFENCE: SUPPLEMENTARY

Lords amendment: No. 132, in page 132, line 33, leave out "section" and insert "paragraph"

Miss Melanie Johnson: I beg to move That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this we may discuss Lords amendments Nos. 133 to 135 and 226 to 228.

Miss Johnson: These are a few minor and improving amendments to parts 5, 6 and 7 of the Bill. Clause 191 provides for professional privilege in respect of legal and banking material in the context of investigations of a cartel offence. Amendment No. 133 provides a different way of accounting for the equivalent in Scotland of legal professional privilege. This was a response to a point initially raised by the Opposition in the other place. The amendment means that the current Scottish custom and practice is properly reflected in the Bill. It follows the more recent precedent of the Proceeds of Crime Act 2002, and provides a definition that corresponds more closely with Scottish practice.

Amendments Nos. 134 and 135 correct a technical defect in the provisions relating to competition disqualification undertakings. They make it clear that the OFT or a specified regulator can rely on its own judgment when considering whether a person is unfit to be involved in the management of a company. That requirement applies before it can accept a competition disqualification undertaking from an individual. In making its assessment, the OFT or the regulator will take into account the same considerations in relation to a director's conduct that a court would have to do.

Amendments Nos. 226 and 227 allow for the appointment of independent members to the Competition Commission's governing council. The addition of these independent members will strengthen the leadership of the Competition Commission, and reflects best practice in corporate governance. The council will now consist of a chairman, the deputy-chairman, the chief executive and one or more independent members.

Mr. Robathan: We are discussing very important issues that perhaps require more airing than they have received in the past, especially since many of them were not even discussed in the Lords. Is it true that, because of the programming of discussion in Committee on the Floor of the House, cartels were not even discussed? If so, does the Minister consider that helpful?

Miss Johnson: We are here to discuss Lords amendments, and I am unable to comment in detail on previous consideration of the Bill. The question of what

was discussed when is a matter of record in this House and in Standing Committee. The answer to the hon. Gentleman's question rests to a considerable extent on the way in which the Opposition used the time available to them.

Lords amendment agreed to.

Clause 208

APPLICATIONS

Lords amendment: No. 143, in page 151, line 28, after "Investment" insert "in".

Miss Melanie Johnson: I beg to move That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: with this we may discuss Lords amendments Nos. 144 to 147.

Miss Johnson: The amendments all relate to part 8 of the Bill. Amendment No. 144 is intended to meet the concerns expressed by the Joint Committee on Human Rights about the provisions in clause 213 concerning applications for interim enforcement orders. The Committee's 21st report stated that it would be beneficial for the Bill to draw attention to the need for the courts to take account of the whole picture, rather than simply accepting the facts presented by the applicant. When an application for an interim enforcement order is made without notice being given to the person named in the application, the whole picture is necessarily limited to the evidence put before the court by the applicant. It is our view that, on an application without notice, the applicant will be obliged to put before the court all material facts, and that the court will consider them in deciding whether to make an interim enforcement order. The Committee agrees that that is likely to be the case, but for clarity amendment No. 144 includes that obligation in the Bill. The amendment—which applies to all applications for interim injunctions, and not simply to those made without notice—corresponds to a similar provision in practice direction 25, in England and Wales, on interim injunctions.

Mr. Djanogly: Would not the rights in the amendments exist in any event? If so, can the Minister justify the need for the amendments?

Miss Johnson: I had hoped that I was doing that. The Joint Committee has agreed that the presentation of the material facts before the court is important and that is likely to be the case whatever it says in the Bill. The Joint Committee was concerned about the expression of that in the Bill, in terms of the responsibility for human rights. We have taken that guidance and expertise into consideration when tabling Lords amendment No. 144 which makes that explicit.

Mr. Hoban: I appreciate the reasons that the Minister has given for tabling the amendment, and we all agree with them. However, would the provisions increase the time it takes to obtain interim enforcement orders? What impact would it have on the process?

Miss Johnson: It is a matter of making the obligations clear and not of altering the time scale. If anything, the process would be speeded up, not hindered.

Lords amendments Nos. 145 and 146 were made in response to an amendment tabled in the Lords Committee which the Government agreed to consider. When clause 224(5) left this House, it read:

"If the OFT is preparing advice or information".

The amendment recognised that those words were inconsistent, given that the section in fact requires the OFT to produce such advice and information.

Lords amendment No. 147 is a technical amendment to clause 227, which concerns the supply of goods and services. The definition of the arrangements for supply when the Bill left this House mirrored that currently in section 138(3) of the Fair Trading Act 1973. That section refers to "documents" and "correspondence", which do not take account of today's world of internet transactions and other forms of electronic communications and commerce. Lords amendment No. 147 updates those provisions to include arrangements made by electronic means. Lords amendment No. 143 makes a minor drafting change in the title of the Department of Enterprise, Trade and Investment in Northern Ireland.

Lords amendment agreed to.

Lords amendments Nos. 144 to 147 agreed to.

Clause 233

STATUTORY FUNCTIONS

Lords amendment: No. 148, in page 166, line 13, at end insert—

"( ) In subsection (1) the reference to an enactment includes a reference to an enactment contained in—

(a) an Act of the Scottish Parliament;

(b) Northern Ireland legislation;

(c) subordinate legislation."

Miss Melanie Johnson: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this we may discuss Lords amendments Nos. 149 to 155.

Miss Johnson: The amendments all relate to the information exchange provisions in part 9 of the Bill. Lords Amendments Nos. 148, 149 and 150 are minor technical amendments to clause 233. Lords amendments Nos. 148 and 149 ensure that the definition of "enactment" in clause 233 can include Scottish and Northern Ireland legislation, and subordinate legislation. That is to ensure that the Scottish and Northern Ireland legislation can be added to schedule 14 by order after Royal Assent, and so brought within part 9.

Lords Amendment No. 150 ensures that the order-making powers in both subsections (l)(c) and (4) of clause 233 are subject to negative resolution procedure. Subsection (5) of clause 233 of the Bill as it left this House referred only to the power to amend schedule 14 in subsection (4).

Mr. Greg Knight: (East Yorkshire): Why does Lords amendment No. 148 not include a reference to a resolution of the Welsh Assembly?

Miss Johnson: I may have to undertake to write to the right hon. Gentleman on the point that he has raised. I cannot answer that point now, but I am grateful to him for raising it.

[Miss Johnson]

Lords Amendments Nos. 151 and 152 bring the disclosure gateway for criminal proceedings in part 9 into line with the equivalent gateway in the Anti-Terrorism, Crime and Security Act 2001. Amendment No. 151 amends the gateway to allow disclosure to "any person" for the purposes of criminal proceedings. We made that change after listening to concerns expressed by the Local Authorities Co-ordinating body on Regulatory Services—LACORS—and the Alliance Against Counterfeiting and Piracy that part 9 would have prevented trading standards from disclosing information to consumers and private bodies to assist them in bringing private prosecutions. Industry bodies in particular have used such information to assist with successful private prosecutions for copyright theft. We do not wish to prevent such cases being taken in future, and saw no reason why the gateway for criminal proceedings in this Bill should be any narrower than that in the Anti-Terrorism, Crime and Security Act 2001.

8.15 pm

To accompany the widening of the gateway for criminal proceedings, we have introduced an additional safeguard which must be taken into consideration by a public authority before information is disclosed under the gateway. Lords Amendment No. 152 therefore adds a requirement that, before disclosing information for the purposes of UK criminal proceedings, the disclosing authority must have satisfied itself that the disclosure is proportionate to what is sought to be achieved by it. This amendment responds to one tabled in the Lords Committee and, together with amendment No. 186, brings clause 237 into line with the Anti-Terrorism, Crime and Security Act 2001.

Lords Amendment No. 153 responds to two important recommendations made by the Joint Committee on Human Rights to ensure that the provisions on overseas disclosure are subject to tighter safeguards. First, the Committee recommended that the considerations that will be used by UK public authorities when making decisions on whether to disclose information to overseas authorities should be placed on the face of the Bill. Secondly, the Committee recommended that the criteria should include a consideration on whether the disclosure being contemplated would be proportionate to a pressing social need which the disclosure would address, and whether the matter for which disclosure is sought is sufficiently serious to justify disclosure. Amendment No. 153 therefore adds to clause 238 a set of considerations to which an authority must have regard before disclosing information to an overseas authority.

Mr. Bellingham: In the other place, there was some discussion about the different rules pertaining to British overseas territories. Can the Minister elaborate on whether they will be treated any differently from other countries?

Miss Johnson: I would be grateful for a reference to the report of the debate in the other place in which those matters were considered, because I am not familiar with the point that the hon. Gentleman makes.

On disclosure to overseas authorities, amendment No. 154 will ensure that legislation which is to be specified for the purposes of Community or domestic infringements in part 8 will fall within the definition of "relevant legislation". That will enable public authorities in the UK to disclose information to overseas authorities where those authorities wish to carry out investigations or bring civil proceedings under their equivalent legislation.

If the hon. Member for North-West Norfolk (Mr. Bellingham) could supply me with the details of the point that he has just made, I hope to be able to reply to it.

Lords amendment agreed to.

Lords amendments Nos. 149 to 155 agreed to.

Clause 246

PROHIBITION OF APPOINTMENT OF ADMINISTRATIVE RECEIVER

Lords amendment: No. 156, in page 172, line 34, leave out "72F" and insert "72FA".

Miss Melanie Johnson: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this we may discuss Lords amendments Nos. 157 to 160 and amendment No.165.

Miss Johnson: During the passage of the Bill concerns were expressed about the potential impact that the prohibition of the appointment of an administrative receiver would have on the social housing sector. Following constructive dialogues between officials and representatives from all parts of the sector, I am pleased to say that we were able to take on board and act upon their concerns. It was recognised that both the Housing Act 1996— which covers England and Wales—and the Housing (Scotland) Act 2001 provide for a moratorium period which provides an alternative means to facilitate rescues and provide a stay on unilateral action by lenders when registered social landlords are in financial difficulty. The provisions apply to housing associations that are registered social landlords.

Lords amendments Nos. 157 and 156 and Nos. 158 to 160 are consequential amendments. They exclude organisations that are companies from the prohibition on the appointment of an administrative receiver.

Lords amendment No. 165 ensures that the enabling power extending administration and company voluntary arrangements to industrial and provident societies does not apply to industrial and provident societies that are registered social landlords.

Lords amendments agreed to.

Lords amendments Nos. 157 to 160 agreed to.

Clause 247

LIQUIDATOR'S POWERS

Lords amendment: No. 161, in page 176, line 8, at end insert—

"( ) Subsection (2) shall also not apply to a company if—

(a) the liquidator, administrator or receiver applies to the court for an order under this subsection on the ground that the cost of making a distribution to unsecured creditors would be disproportionate to the benefits, and

(b) the court orders that subsection (2) shall not apply."

Miss Melanie Johnson: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to take Lords amendments Nos. 162 to 164, 174, 175 and 229 to 264.

Miss Johnson: Before detailing the amendments and the thinking behind them, I wish to thank the Opposition parties for their keen interest in the fine details of this legislation. I am extremely grateful for the various amendments that have been tabled in both Houses relating to the corporate insolvency provisions of this Bill.

I am grateful because those amendments have provided us with an opportunity to revisit the drafting of the provisions and to refine it so that our policy aims are clarified in the Bill. Indeed, this process was started way back in the summer, during the debates in this House. It was at that time that our attention was drawn to the potential pitfalls that we faced in seeking to make the administration procedure practicable and workable while ensuring that it remained both fair and focused. I believe that we now have a Bill that is exactly that, and it is for that reason that I am grateful to hon. Members and to those in another place. I shall now turn to the details of the amendments in question.

The need for Lords amendment No. 161 was recognised following an amendment tabled, but not moved, by the Opposition in the Lords Committee. It gives the office holder the ability to apply to the court in order that he does not have to implement the ring fence in instances where, despite the net property exceeding the prescribed minimum, he or she feels that the costs of distributing the prescribed part would outweigh the benefits.

Mr. Djanogly: In what circumstances is the provision likely to apply? I agree with the thinking behind the amendment, but its application is quite general.

Miss Johnson: I believe the provision could apply in cases where there is a huge number of unsecured creditors. In such cases, the costs of distributing the prescribed part may be disproportionate to the benefit gained from the distribution and the office holder should be able to take action to disapply this new section.

In order to obtain an order under this subsection, the office holder will have to satisfy the court that the costs of distribution would be disproportionate to the benefits.

We are grateful to the City of London Law Society for bringing the need for Lords amendments Nos. 162 and 163 to our attention. Our policy has always been that the calculation of the prescribed part will not apply to charges created before the section's commencement, but that it is to apply to any floating charge created after the section's commencement. An existing floating charge granted prior to commencement will not be subject to the new section.

Where a company has granted both pre- and post-commencement floating charges, an insolvency office holder would pay out to fixed security holders, then pay the expenses of the winding up, then pay any remaining preferential claims, then pay out to the pre-commencement floating charge holders, and then he would apply the prescribed part to the net property available to the post-commencement floating charge holders.

It is not anticipated that there will be a problem with pre-commencement charges that have subordinated their claim to a post-commencement charge. They will have done so in the knowledge that they will be waiving their right not to be subject to the new section 176A.

Lords amendments Nos. 164, 174 and 175 are consequential and technical amendments necessary to ensure that the appropriate insolvency provisions extend to Scotland in addition to England and Wales, to align the Bill with the Insolvency Act 2000 and facilitate the drafting of insolvency rules. They are consequential on other amendments to the Bill.

Lords amendment No. 164 applies to clause 249. It will ensure that the powers that a Scottish liquidator has to take antecedent recovery actions against a company are also included in part I of schedule 4 to the Insolvency Act 1986 and will, as a result of clause 249, need the sanction of the court or the liquidation committee, or a meeting of creditors where there is no committee, before taking any such action. The reason for the amendment is to ensure that the benefit flowing to unsecured creditors from the abolition of the Crown's preferential status cannot be used for such actions without creditors' approval.

Lords amendments Nos. 174 and 175 ensure that provisions in clauses 249 to 251 will extend to Scotland.

Lords amendments Nos. 229 to 234 deal with purposes of administration. Lords amendments Nos. 235 to 240 and 242 to 245 deal with time scales, while amendments Nos. 241 and 246 to 258 are technical and relate to schedule 16, which deals with the detailed processes of administration.

Lords amendment No. 241 applies to the types of payments to be made to an administrator, and Lords amendments Nos. 246 and 252 deal with various matters which would normally be required in accordance with the Insolvency Act 1986 when a company goes into creditors' voluntary liquidation but which, where that liquidation follows immediately after administration, are not necessary or appropriate.

I should be happy to give the House further details of the amendments in this group if hon. Members wish.

Mr. Greg Knight: I am grateful to the Minister for her lucid explanation of the amendments, but I am suspicious by nature and I seek clarification and reassurance in respect of Lords amendment No. 161, which states that the subsection shall not apply to a company if

"(a) the liquidator, administrator or receiver applies to the court for an order under this subsection on the ground that the cost of making a distribution to unsecured creditors would be disproportionate to the benefits".

8.30 pm

Can the Minister tell us the precise scope of that provision? My concern is that if a liquidator has inflated his or her fees, or has a large fee built in, inflated or not, could that be an argument for the liquidator saying that a distribution to unsecured creditors would be "disproportionate to the benefits". I am concerned that a fat-cat liquidator could use that provision to deny a payout to a small, unsecured creditor solely on the grounds that he or she wished to be well paid for the work undertaken. I hope that the amendment would not lead to that situation.

Mr. Eric Forth (Bromley and Chislehurst): I am interested in the concept of proportionality in that context. Has my right hon. Friend given any thought to, or is he concerned about, the validity of the mechanisms that are available to judge proportionality in that case? While I follow his argument and share his concern, I am interested to know whether the judgment of proportionality will be appropriate in such cases.

Mr. Knight: Perhaps I have not given that matter the depth of thought that I should have done. I will no doubt want to reflect upon it later.

What I find slightly sinister about the provision is the requirement for the court to have a role. We all know that a liquidator can make all sorts of applications to a court—after all, he is not paying and the costs will come out of the general funds. What about the poor unsecured creditor? How does the creditor have a voice to tell the court that it should not go down that road, as the liquidator is using the provision as an excuse for not paying him when he should be paid—the liquidator is merely ensuring that he gets his own fees? I hope that the Minister will be able to reassure the House that the Government are not introducing a loophole that would allow fat-cat liquidators to ride roughshod over the poor unsecured creditor.

Mr. Mark Field: It is a great pleasure to join in debate with my right hon. Friends the Members for Bromley and Chislehurst (Mr. Forth) and for East Yorkshire (Mr. Knight). I suspect that they are already having withdrawal symptoms at the prospect of not being able to speak at such a late hour on Wednesday evenings. I was intrigued to see a long-lost interest in insolvency matters coming to the fore.

I am glad that the Minister has agreed with many of the Lords amendments. We discussed this matter at length in Committee and there were clearly some technical concerns. On a personal level, I am grateful to the Minister for thanking those hon. Members who contributed to the Standing Committee. I confess that on my website, which I have got up and running recently—I am sure that the hon. Lady is a regular and has logged on to it to find out what is going on in the Cities of London and Westminster, and I only wish that many other people were similarly minded—I made it clear that one of the least glamorous aspects of parliamentary life is being involved in a Standing Committee, going through legislation line by line. When I say that it is the least glamorous, it is not a reflection on the Minister, of course; it is because one has to grind through the technical amendments.

I hope that we were able to make some positive contributions to the insolvency provisions in the Bill. I pay tribute to a number of law societies, in particular the City of London Law Society, to which the Minister referred. Its contribution on the technical aspects of floating charges will, I hope, ensure, that the insolvency provisions will remain intact for some time.

Mr. Robathan: I wish to put right an earlier omission. I paid tribute to my hon. Friend the Member for Eastbourne (Mr. Waterson), who took this Bill through the Standing Committee for the Opposition, but I did not mention those who sat with him on the Benches in Committee and did very valuable work, in particular my hon. Friends the Members for Cities of London and Westminster (Mr. Field) and for Huntingdon (Mr. Djanogly).

Mr. Field: My hon. Friend the Member for Huntingdon (Mr. Djanogly) and I are in a nice position—we find that we are positive experts on this legislation since the Opposition Front-Bench trade and industry team has changed entirely.

Crown preference is one area that we discussed at some length in Committee that has not been mentioned—apart from a tangential reference by the Minister earlier. I appreciate that some of the amendments would protect the position of unsecured creditors to a certain extent in the event that Crown preference was done away with. When we first considered the provision, the Minister was keen to make it clear that there would be a windfall of about £70 million to £100 million a year on which the Crown would no longer be looking for first preference.

One of the potential problems with Crown preference is that a number of smaller companies—indeed, they need not be particularly small—have a good arrangement with the local Customs and Excise and Inland Revenue and thus have an arrangement by which they do not have to pay all their outstanding debt to the Government up front.

The football sector has been depressed recently and constant concern has been expressed about it. The Minister may have read in the financial press of the worry about some football clubs, which had come to positive agreements with their local Inland Revenue office about large sums of money that were due at a particular time. The imposition of Crown preference will mean that if a football club looks as though it is about to go into administration or even to go bankrupt, the Inland Revenue or Customs and Excise may decide to pull the plug earlier. That will be the result—no doubt unintentional—of the imposition of Crown preference. One of the underlying intentions of the measure, rightly, is to stop failing companies going to the wall either unnecessarily or too soon.

Mr. Hoban: Before I became a Member of the House, I had personal experience of working with companies that did not have a high asset base—their principal assets were people. I am concerned that not only football clubs but IT companies, architects and design companies will be affected. A slight pause in their income flow and in the collection of their debts might give rise to the situation to which my hon. Friend

refers—triggering bankruptcy by the Inland Revenue or Customs and Excise, to get the money immediately rather than letting the business trade through.

Mr. Mark Field: I thank my hon. Friend, who has articulated my point rather more clearly than I could. I hope the Minister will be able to draw something from what has been said and that she will be able to deal with the genuine concerns that have been expressed about Crown preference.

The subject is extremely technical and I applaud the Government for holding large-scale consultations during the past few months and especially over the past two or three years. I have already referred to the local law society in my constituency, but several professional bodies, in particular the Association of Business Recovery Professionals has also made constructive comments that will ensure that our amendments make the law much more workable.

Mr. Djanogly: The Minister kindly offered to give us further explanations if required. I should appreciate her further comments on the provisions on administrators in amendment No. 241, as those provisions have been developed since we last discussed them. Will the Minister also explain why, in amendment No. 244, a decision was taken to insert the words "one year", while amendment No. 245 specifies six months?

I concur with my hon. Friend and the Minister as regards the comments about the input to the Bill.

Mr. Greg Knight: As regards amendment No. 241, I am troubled by paragraph 65, which states:

"The administrator of a company may make a payment otherwise than in accordance with paragraph 64 or paragraph 13 of Schedule 1 if he thinks it likely to assist achievement of the purpose of administration."

What does that mean? If an unsecured creditor becomes an irritant and is becoming belligerent with the administrator, could the administrator pay them off to get them off his back? That could happen if my interpretation is right. I think that it was an American politician who said that his concern about democracy was that

"the wheel that does the squeaking is the one that gets the grease".

My concern is that the provision might mean that the belligerent unsecured creditor always got his money, while the reasonable person who tried to obtain a payout by moderate dealings with the liquidator was left out in the cold.

Mr. Djanogly: I thank my right hon. Friend for that intervention, and he makes a very good point. I note that the administrator could make such a payment if he thought that it would be likely to help to achieve the purposes of administration. Again, I reiterate my original request: I would appreciate it if the Minister would explain that issue.

Mr. Hoban: My right hon. Friend the Member for East Yorkshire (Mr. Knight) suggested that, under Lords amendment No. 241, a belligerent creditor could put pressure on an administrator to settle his debt early. However, would not Lords amendment No. 242 provide a means by which a creditor could become an irritant to a liquidator? Could not a creditor start to make noises about making claims to the court, saying that the administrator was not performing his functions as quickly or as efficiently as reasonably practicable? So there could be opportunities for the creditor and the administrator to play off against each other to reach a good deal.

Mr. Djanogly: I thank my hon. Friend for his worthwhile comments. The instances could vary, and it would be most helpful if the Minister could provide an explanation. Other hon. Members and I raised concerns in Committee relating to the ability to question the administration costs that could be involved.

Mr. Tony McWalter (Hemel Hempstead): It is as though we are back in Committee talking about all the problems that might arise with lousy administrators. Does the hon. Gentleman agree that the whole object is to try to ensure that other companies are not pulled down when a company goes bust? That should not happen unnecessarily if the administrator has the power to make such judgments.

Mr. Djanogly: The point of administration is that the company has the best possible chance of survival. The administrator will come in, and he has powers to let staff go and to run the company in place of the directors. However, when he has been appointed, the company is very often at his mercy in cost terms.

It is interesting that most administrations end in liquidation. The Bill may change that—that was one of the purposes of the Government's changing the administration process—but one of the main reasons why companies are finally forced into liquidation is often that, once administrators are involved, they are very expensive and that the money ends up in their pockets instead of going to the creditors.

Mr. McWalter: I obviously did not make myself clear. I was talking not about companies in administration but about other companies that want administrators to carry out their jobs in such a way as to rescue them from the difficulties that they may face if the first company goes under completely. That was the point that I was trying to make.

Mr. Djanogly: The hon. Gentleman makes a fair point in so far as the implications of an administration may be that the company continues to trade, so its creditors will benefit to the extent that they will not be pushed under by the fact that the first company does not survive, although that is not always the case in practice.

8.45 pm

Mr. Greg Knight: The hon. Member for Hemel Hempstead (Mr. McWalter) has made a telling point. We should have concerns not only for other companies that may be pulled down but for other small businesses that are not incorporated, such as the sole trader or the man who runs a corner shop and who may lose his livelihood as a result of these provisions. Lords amendment No. 242, for example, states:

"A creditor or member of a company in administration may apply".

[Mr. Greg Knight]

Is there not a case for saying that anyone aggrieved in this process may apply—for example, someone who is not a creditor or a member of a company but an unsecured creditor who may lose his business? Those are serious matters.

Mr. Djanogly: Indeed they are, and I thank my right hon. Friend for making that point. The situation is serious, and, to that extent, I would be most appreciative if the Minister could reply to our points.

Miss Melanie Johnson: I am enormously grateful to Opposition Members for their questions on these matters.

First, I want to respond to the question asked by the right hon. Member for East Yorkshire (Mr. Knight). Lords amendment No. 161, to which he referred, was brought forward by his noble Friends in another place in response to the debate. I am not sure how his paranoia is progressing—I think he described himself as paranoid, or used words to that effect—and I do not know whether telling him that his noble Friends were responsible for the amendment will help or hinder his condition, but I offer that as a reassuring titbit.

Mr. Knight: I am grateful to the Minister. I have never described myself as paranoiac—I think that I said that I was suspicious by nature, which is slightly different. My party colleagues in another place have made several improvements to the Bill. The context of my question to the Minister was whether those changes went far enough. Is she satisfied that Lords amendment No. 161 contains sufficient safeguards to prevent the sort of harm that I fear?

Miss Johnson: I think I entirely understood the right hon. Gentleman's remarks, and I note that I should have described him as suspicious by nature. To reassure him, only the court can disapply the prescribed part. In response to his point about so-called fat-cat liquidators, the court will be able to consider whether the office holder fees are fair and reasonable. The office holder will have to make the case to the court that it should make the order sought. It will therefore be for the court to consider the reasonableness of what is being laid before it. I hope that that reassures even a right hon. Gentleman of suspicious mind.

On the points made by the hon. Member for Cities of London and Westminster (Mr. Field), I reiterate our thanks to the City of London Law Society, particularly in relation to Lords amendments Nos. 162 and 163, and, no doubt, in relation to other work that it did on improving various aspects of the Bill. I hope that our thanks will be passed on. On Crown preference and the issues that he raised in relation to the football sector and related difficulties, the revenue departments have assured us that, in pursuing outstanding debts after abolition of preference, they will continue to offer help and support to vulnerable businesses facing genuine temporary difficulties. That includes support for business rescues via voluntary arrangements and for companies in administration. It must be remembered that the Crown Departments will not lose out altogether, because they will benefit from money becoming available to all other creditors. The provision covers the issues that the hon. Gentleman raised.

Mr. Hoban: The Minister has partly reassured Conservative Members who expressed concerns about early triggering. She referred to formal voluntary liquidation and administration, but I am particularly concerned about the informal arrangements that the Crown Departments might reach with a football club or an IT company. What guidance have they issued to show that they will continue to be as sympathetic to businesses as they were before the abolition of Crown preference?

Miss Johnson: I do not have any guidance in front of me, but I have placed on record the fact that we have been assured about the way in which the Crown Departments will deal with such matters. I hope that the House will accept that assurance.

The hon. Member for Huntingdon (Mr. Djanogly) asked about time scales and the six-month extension. This part of the Bill was subject to consultation following the Lords Committee, and the amendments were tabled to reflect the outcome of those discussions.

Mr. Djanogly: Will the Minister give the House an explanation of the outcome of those consultations?

Miss Johnson: I cannot respond in detail to that point, but I shall see what I can do to deal with the matter.

On the point about belligerent creditors, simple belligerence will not allow the administrator to pay. The payment must assist the purpose of administration. For example, it could be used to pay the supplier of something that the administrator could not obtain from any other supplier. The administrator must believe that payments will achieve the purposes of administration.

Mr. Knight: The Minister has been generous in giving way, and I appreciate that. I am heartened by what she has just said. Is she arguing that an administrator or liquidator could not say that time taken up corresponding with a vexatious unsecured creditor was not assisting the administration and that to pay that person off would assist the process? Does she confirm unequivocally that the administrator or liquidator could not use that as a reason?

Miss Johnson: It is difficult to comment without knowledge of individual cases. The right hon. Gentleman seeks an assurance in relation not to the Bill but to the judgments taken on individual cases by those qualified to interpret or discharge the provisions in the Bill.

To return to the point made by the hon. Member for Huntingdon, the outcome of the consultation is reflected in the time scales as amended. I hope that that point meets his concerns, and that the House will agree to the amendments.

Lords amendment agreed to.

Lords amendments Nos. 162 to 165 agreed to.

Clause 256

REPEAL OF CERTAIN BANKRUPTCY OFFENCES

Lords amendment: No. 166, page 180, line 29, after "by" insert "written"

Miss Melanie Johnson: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker (Sir Michael Lord): With this we may discuss Lords amendments Nos. 167 to 173.

Miss Johnson: Although not all the amendments are related, they are all technical amendments to the provisions on individual insolvency. I thank the Opposition in the other place. With the exception of amendments Nos. 168, 169 and 173, the amendments were inspired by helpful amendments tabled by them, for which we are most grateful.

I could comment in detail on the amendments if hon. Members wish, but I do not propose to do so. Amendment No. 166 ensures that any variation of an income payments agreement must be in writing. Given that an income payments agreement itself must be in writing, it is a sensible clarifying amendment. Amendments Nos. 167, 170 and 171 apply to clause 257 on the bankrupt's home and provide protection to what the noble Lord Freeman referred to as the deserted spouse.

Mr. Greg Knight: I may depart company with my noble Friends in the other place on this matter. Amendment No. 166 is, on the face of it, the most reasonable amendment tabled to the Bill. However, it is a long-established facet of English law that contracts do not have to be written. I await to be corrected by a lawyer, but I recall from the days when I practised law that the only aspect of law for which one had to produce a written contract was for the sale or purchase of property—land. That was introduced in the Law of Property Act 1925 by one of my political heroes, F. E. Smith, the First Earl of Birkenhead.

Since then, lawyers have accepted that it is reasonable that if someone is selling property, there has to be evidence of a written contract because of the risk of gazumping—but that is all that the Act has to say on the matter. It does not say that the contract has to be written, just that it has to be evidenced in writing. Why is it deemed that an agreement between the parties has to go further than the Law of Property Act and be contained in a written agreement?

Mr. Forth: I hesitate to intervene because I am not a lawyer and my right hon. Friend is a distinguished member of that profession.

In the context of the stipulation that a contract is to be determined by agreement between the parties, does there have to be a witness to it if it is simply verbal? One of the dangers is that we might get into the difficulty—I speak as a layman—of one person's word against another. Given the importance of the matters under consideration, it strikes me that there is a fragility or vulnerability in that context. Does my right hon. Friend believe that a simple verbal agreement without witnesses is sufficiently robust? Perhaps there should be a provision for a written agreement in such cases.

Mr. Knight: As I understand it, amendment No. 166 requires a written agreement—a document in writing between two or more parties. Ten or more people might witness a verbal agreement. They are honest citizens who are not going to perjure themselves. They would have heard the agreement made, but if this amendment were accepted, the agreement would be outwith the scope of the Bill, and that seems rather odd.

9 pm

The Minister dismissed this amendment as being technical, but we are seeking to make this a unique area of law. *[Interruption.]* I hear the Minister for Employment Relations, Industry and the Regions, the hon. Member for Hull, West and Hessle (Alan Johnson), muttering incoherently on the Front Bench, but I have to say to him that I am aware of only one case in English law where one needs evidence of a contract, and that is in the sale or purchase of land. We are now taking that a stage further and saying that written evidence is not enough; a written contract is necessary. Why should such a draconian provision be introduced?

My right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) touched on what many see as the danger here. If an oral contract is sufficient, someone who is less than honest may be willing to persuade his wife or another person to perjure themselves at a court or tribunal, and we have seen that happen in a number of court cases recently. We do not want to encourage that, but where a court can be satisfied that there is an agreement, even if it is not in writing, surely that should be sufficient.

Mr. Forth: I want to press the Minister to give further clarification on amendment No. 167. It strikes me—I confess that I speak as a layman, but such is the role that we have in these circumstances—that we are making some rather radical alterations to the sense and thrust of the existing provision. The wording that the amendment seeks to change is clear: it says that the provision applies where the property comprising the bankrupt's estate consists of an interest in a dwelling house that, at the date of the bankruptcy, was the bankrupt's sole or principal residence.

The amendment seeks radically to alter that sense. Instead of referring to the

"bankrupt's sole or principal residence",

it would refer to the

"sole or principal residence of—

(a) the bankrupt,

(b) the bankrupt's spouse, or

(c) a former spouse of the bankrupt".

By any definition, that considerably widens the scope of the provision. We need clarification from the Minister to establish whether the amendment seeks to broaden the definition so as to include more principal or sole residences, or whether it seeks to narrow the definition.

I thought that I heard some reference to divorced spouses a moment ago, and after simply reading the wording I am not entirely clear whether we are trying to

[Mr. Forth]

include or exclude them. On the face of it, the amendment means that the measure will now apply to one of a range of properties in the bankrupt's estate, and that range will extend beyond the property of the bankrupt himself.

That seems radically to alter the meaning of the provision, and it could have a considerable effect on a number of people, who may be innocent parties. I am not saying that any guilt should be attached to someone who is bankrupt. In fact, as the House will know, our cultural attitude to bankruptcy, which tends, wrongly in my view, to regard bankruptcy as a wicked act, is very different from that of our American cousins, who regard it as something benign that one must go through if one is to achieve something in future. I wonder whether we are trying to spread the blame and bring in others beyond the bankrupt himself or whether we are trying to protect those others.

We seek from the Minister clarification about the thrust of the amendment and its likely effect. It would be helpful if she could give us some idea of the numbers involved. I do not know whether we are talking about a few unusual cases or a larger number. If we start to include spouses or exes, the numbers could rise considerably.

Mr. Greg Knight: Lords amendment No. 167 is highly discriminatory or defective because proposed paragraph (b) refers to the bankrupt's spouse in the singular. What about polygamous marriages and the Mormon faith?

Mr. Forth: My right hon. Friend is trying to draw me into territory that I am reluctant to enter. In turn, however, will he clarify something for me as a distinguished lawyer? Is he suggesting that polygamous marriages are sufficiently legal in our culture to be encompassed by the amendment? My lay interpretation is that in our Judaeo-Christian tradition the amendment can apply only to one spouse, not multiple spouses as he suggests. I should be grateful if my right hon. Friend would consider something. It is possible that under proposed paragraph (c) there would be multiple ex-spouses—that possibility does arise in the Judaeo-Christian tradition and our legal framework. My right hon. Friend was therefore half-right, but was looking at the wrong paragraph—he concentrated on proposed paragraph (b) instead of (c). I shall allow him to think about that while giving way to my hon. Friend the Member for Cities of London and Westminster (Mr. Field).

Mr. Mark Field: I may be able to assist. Polygamous marriages are not recognised in English law, but my right hon. Friend is a polygamous politician. Not only has he represented Bromley and Chislehurst but a Worcestershire seat and another seat in the European Parliament. Our right hon. Friend the Member for East Yorkshire (Mr. Knight) is also polygamous, having previously represented Derby, North.

Mr. Deputy Speaker: Order. Before the right hon. Gentleman responds to that intervention, I remind him that he should stay tightly on track.

Mr. Forth: Of course I shall, Mr. Deputy Speaker. Uncharacteristically, however, my hon. Friend underestimated me, as he forgot that I was a local councillor in Brentwood in Essex back in the 1960s. My multiplicity is almost unlimited, but it would be immodest of me to dwell on it—the House knows that that would be uncharacteristic.

However, I wish to return to the remarks of my right hon. Friend the Member for East Yorkshire, which applied strictly to the amendment. The Minister, as happens from time to time when we are deliberating on such matters, tried to give the impression that we were considering a technicality—we were talking about a few words that would have little effect, and that we would have a quick glance at the provision and nod it through. I suspect that we are only scratching the surface and have an inkling that the provision could be problematic, as we do not know what its scope is. We need the Minister's guidance as to whether the provision is restrictive or permissive.

Mr. Djanogly: In his interesting speech, my right hon. Friend mentioned the cultural differences between America and the United Kingdom on the question of bankruptcy, an issue that was discussed at some length during deliberations on the Bill. One implication of the personal insolvency provision is that the insolvency period will be cut from three years to a maximum of 12 months, which has caused great concern to many of my hon. Friends and practitioners in the insolvency world. People are saying that we may move towards an American system—if you cannot pay your bills, why not just go bust and do the same thing afterwards? It would be interesting to hear my right hon. Friend's comments.

Mr. Forth: My hon. Friend puts his finger on an important matter, which I intended to deal with later in my remarks, but I shall do so now. Of course the time scale is relevant, in both a general sense and a specific sense. The word "former" is important. We could get into some difficulty—I refer to my hon. Friend's remarks about time scales—about the exact point at which the spouse becomes "former." My right hon. Friend the Member for East Yorkshire may be able to help us.

When we get into the territory of nisis and absolutes, it is possible that considerable confusion could arise from the amendment as regards the exact impact of the timing of the divorce and the point at which it takes effect within the time scale that is envisaged. In one sense, it does not matter whether we are speaking of one year or three, but in another sense it does. If we are talking about longer time scales, the impact of the divorce and the legal impact of nisis and absolutes must be taken into account.

Mr. Knight: My interest is rather in the scope of the Lords amendment. My hon. Friend the Member for Huntingdon (Mr. Djanogly) touched on the widening provision of amendment No. 167. The question that the House must ask, and which I hope my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) will address, is whether the widening goes far enough or too far. The problem that we have had for too long under English law is the stigma associated with bankruptcy, which, as my hon. Friend the Member for Huntingdon properly said, does not apply in America.

Not many people know that early in his career, the very successful and popular worldwide entertainer, Dean Martin, was made a bankrupt.

Mr. Deputy Speaker: Order. Not many people may know that, and I am not sure that at this stage the House wants to hear it.

Mr. Forth: I shall not break into song, although I am a bit of a fan of Dean Martin myself. The serious point is that the more we probe the amendment, the more troublesome it begins to appear.

The Minister for Employment Relations, Industry and the Regions (Alan Johnson): You call that probing?

Mr. Forth: I have probed gently so far; wait till I really get going. The difficulty that we are getting into, which I hope the Under-Secretary will deal with in detail and at some length, is the subtle interplay between the mechanisms of the divorce in the case of the former spouse referred to in the amendment, and the bankruptcy proceedings.

Mr. McWalter: Will the right hon. Gentleman note that the reference is to a dwelling house, which must be comprised in the bankrupt's estate? We are discussing one way in which people can be protected from the seizure of their home. That is all.

Mr. Forth: I am grateful to the hon. Gentleman for seeking to simplify matters for me. I am a simple man, as he knows. I can see that he is trying to come down to my level, to help me to understand the provisions, but I am still struggling with the interplay, which I am sure exists, between the estate, the period of bankruptcy and the legal moment of bankruptcy. We are attempting to relate that to another variable, the concept of the former spouse. I am sure that even the hon. Gentleman would agree that there are circumstances in which those factors could come into conflict. The legalities involved in the bankruptcy process, the estate and the process of divorce could come into conflict. That might not make the provision unworkable—that would be going too far—but could complicate it.

9.15 pm

In my view, as the original wording was straightforward and easily understandable, it was also easily implementable. My fear about the amendment is that it would introduce considerable additional complications. I therefore wonder whether their lordships gave sufficient thought to it. After all, we are here to ask such questions. Indeed, they demonstrate the great value of the two-Chamber parliamentary system. Their lordships, to whom we defer in so many ways, have, in their wisdom, proposed the amendment. Our humble role as laymen—I exclude my right hon. Friend the Member for East Yorkshire, who is an expert—is to cast our eye over each provision and say, "Hold on a minute: is this too clever, does it go too far and would it work in practice?" In this case, we must consider whether the provision would simply be—if my right hon. Friend will forgive me—a lawyers' charter.

Mr. Redwood: I usually agree with my right hon. Friend, but I wonder whether he has misread the situation. There could be a hard case that is not covered in the original words, which deal merely with the bankrupt's home. We should remember that these issues are governed by the beginning of new section 283A to the Insolvency Act 1986, which deals with the bankrupt's home ceasing to form part of the estate. I read the amendment as a helpful one that tries to explain that there could be hard cases if properties relating to the bankrupt's spouse or a former spouse are not excluded. I understand his asking where that should stop, how far back it would be possible to go and what would happen if one had several former "spice" or spouses, or whatever the plural might be. It is reasonable to ask whether such provision could become unnecessarily complicated or lax, but I hope that he will consider the possibility that a hard case might arise that the amendment would take care of, but the rather odd alternative drafting might not.

Mr. Forth: I am grateful to my right hon. Friend, who is of course right. Will he not concede, however, that when we are trying to deal with one hard case, we often introduce at least as many difficulties, problems or even harder cases?

We touched earlier on the possibility of serial ex-spouses. I am not sure whether the amendment deals satisfactorily with that possibility. It refers to

"a former spouse of the bankrupt",

but what about the plural? With which former spouse does the provision deal? Is it the most recent spouse, the first one or all of them? The amendment allows reference to only one former spouse. Again, I accept that I am treading on delicate legal territory, but I wonder whether such provision is sufficient and whether the scope is adequate to deal with those issues, quite apart from problems of timing.

Mr. Knight: My concerns are different from those of my right hon. Friend. He seems to be anxious that the amendment is too loosely drafted and could encourage too many claimants. My concern is that, if there is any criticism to be made, it is that the amendment is too tightly drawn. What about the dependent relative of the bankrupt? The amendment contains no provision in that regard.

May I say en passant that, in view of your earlier ruling, Mr. Deputy Speaker, I doubt whether you will be receiving a Christmas card from the Dean Martin Appreciation Society?

Mr. Forth: May I suggest that the society might like to send a card to you, Mr. Deputy Speaker, in order to bring you round? A CD might help as well, perhaps including "Memories are Made of This" or something similar. I shall not pursue the matter any further.

I recognise that my right hon. Friend is trying to be helpful, but we need to focus and should not be drawn into seeking ways of over-complicating a matter that is already somewhat over-complicated. I am beginning to wonder whether the amendment is entirely appropriate. It strikes me that, even though it is a well-meaning attempt—their lordships could not have a motive that was anything other than well meaning—to solve one set of problems, we might be in danger of creating even more.

Mr. Djanogly: I appreciate that my right hon. Friend has already opined on polygamy, but I wonder whether he has considered legitimacy, which is often a problem in wills?

Mr. Forth: I do not know whether that is a problem with the provision that we are considering. It would be if we incorporated the suggestions that my right hon. Friend the Member for East Yorkshire made a moment ago. However, I suspect that the wording is sufficiently tight to obviate the problem because we are considering "the spouse" or "former spouse".

There is a problem with the former spouse; the serial ex presents a difficulty. However, the problem of definition is not that suggested by my hon. Friend the Member for Huntingdon (Mr. Djanogly) because a spouse is a spouse is a spouse.

I hope that we shall not unearth another problem; that would be too much. However, would a marriage conducted in another legal jurisdiction cause difficulties in the definition of "spouse"? I am happy to say that I was married in New Mexico, and it was a wonderful experience. I do not know whether there would be any difficulty in recognising the marriage in our United Kingdom jurisdiction. Perhaps my right hon. Friend the Member for East Yorkshire can help me.

The simple use of the word "spouse" is either legally sufficiently watertight to obviate any definition problems or in danger of introducing further difficulties.

Mr. Redwood: I cannot help with that point, but I am worried about an ambiguity on which my right hon. Friend may like to comment. It appears that we have to choose between "the bankrupt's spouse" and "a former spouse". That could be invidious, but whether paragraphs (a) and (b) or (a) and (c) of Lords amendment No. 167 can apply simultaneously is left ambiguous because "and" or "or" are not included after paragraph (a). Is the amendment therefore defective?

Mr. Forth: I believe that I can help my right hon. Friend. The potential conflict between paragraphs (b) and (c) or the existing spouse and the former spouse is obviated by the word "or" in paragraph (b). However, that introduces another problem. I presume that there is an order of priority, and one spouse must pre-empt the other. The existing spouse will probably take precedence over the former, or any number of former spouses, but perhaps the Minister will explain whether she is satisfied that the amendment is sufficiently clear and therefore immune from challenge.

Mr. Knight: I hope that my right hon. Friend will forgive me, but I believe that, uncharacteristically, he is making heavy weather of the matter. I appreciate that his friends will not recognise that description of his contribution, but he is labouring the issue. We are considering the provision that applies when

"property comprised in the bankrupt's estate consists of an interest in a dwelling-house".

If we are dealing with a former spouse of several years, surely the court, in the divorce proceedings, will have settled the property on the former spouse. It is therefore no longer in the amendment's ambit.

Mr. Forth: I am grateful to my right hon. Friend for helping us. I was about to consider the definition of the estate and whether there was potential difficulty in the probate stage that existed at the time of the bankruptcy. There are potential problems throughout the process in the time scales for various legal matters. Anyone who has experienced probate, divorce or any combination of those understands that they are inevitably lengthy and complex matters that must interplay in the circumstances that we are discussing. Even something as apparently simple as the concept of the bankrupt's estate must be open to doubt, because it would depend on any number of interrelationships, perhaps involving the bankrupt being the potential beneficiary of probate, on the one hand, or the other way round, if I can put it that way.

David Winnick (Walsall, North): Can the right hon. Gentleman satisfy my curiosity by telling me whether he has resigned from the Front Bench as shadow Leader of the House? If he has not, is his sitting on the Back Benches a new feature—and why not? It could all be part of modernisation—in which he doubles up, appearing on the Front Bench as a senior Member one day, and on the Back Benches the next? The other rumour is that all this is simply a ruse to keep the House going until 10 o'clock.

Mr. Forth: The hon. Gentleman is being uncharacteristically unfair.

Mr. Knight: Characteristically.

Mr. Forth: Well, I am going to be fair to the hon. Gentleman and I would not accuse him of being anything other than fair and a man of great integrity. It saddens me, therefore, that he seems to suggest that my motive is anything other than to seek the truth—after all, that is why we are all here—and examine the legislation, which I thought was also our job. As for his questioning my role, the modern Conservative party is flexible and progressive, and it allows a number of different roles to be played by right hon. and hon. Members.

I have taken an interest in this matter, and the view that I took, having listened to the Minister's brief introduction to the amendment, was that it was perhaps slightly inadequate. So I am simply playing my role as a seeker of truth and a legislator, and I shall give way to the hon. Member for Hemel Hempstead (Mr. McWalter), who, I suspect, comes into the same category.

Mr. McWalter: In my desire to get this matter curtailed, may I ask the right hon. Gentleman to bear it in mind that, if someone had loads of houses and loads of spouses, subsection (3) would come into play? The interests would be realised, people would get a share of the action, and out of that mess everything would eventually be settled. This provision involves a right that people would have in extremis. It is not designed to be—it could not be, because of subsection (3)—a way of liquidating all one's assets to try to ensure that one's creditors could not get at them.

Mr. Forth: I am grateful to the hon. Gentleman. This amendment will henceforward be known as the "houses

and spouses amendment", which will help to fix it in our memories. As for "in extremis", I am rarely accused of being in extremis in any context.

Mr. Knight: Will my right hon. Friend give way?

Mr. Forth: I will give way, but then I really must draw my remarks to a conclusion, because I want to give the Minister the maximum possible time. She might need all the time that is left to us to answer the questions that have been posed.

Mr. Knight: I am not sure that that last intervention was particularly helpful. What would happen in the case of a bankrupt who had three houses that formed part of his estate, if he lived in one of them, his spouse lived in another, and a former spouse lived in the third?

Mr. Forth: My right hon. Friend has made a valuable contribution in pointing out the difficulties that could arise from this no doubt well-meaning amendment.

Mr. Hoban: Will my right hon. Friend give way?

Mr. Forth: I will give way, but this really must be the last time.

Mr. Hoban: This has been an interesting debate on the terminology used in the amendment. The debate has confined itself to talking about legally recognised relationships. In our modern society, it is remarkable that there is no reference in the provisions to the position of cohabitees or former cohabitees. Does my right hon. Friend not agree that they, too, should be covered by the Bill?

Mr. Forth: I almost hesitate to get into that territory. My hon. Friend tempts me, but I shall resist the temptation except to say that he has illustrated that, if we look at this matter in a modern way—after all, we look at things in a modern way in the House, do we not?—it may seem to be taking an overly restrictive approach. We hear all sorts of talk these days about partners, and we ought perhaps to give some thought to whether unmarried people come into this. I have not even touched on the matter of gender, either. After all, we talk of people of this or that gender having this or that relationship. I wonder whether the amendment is sufficiently broadly drawn to satisfy those with a modern and progressive attitude on these matters, and whether the issue of gender should be dealt with in the legislation.

I am grateful to my hon. Friend the Member for Fareham (Mr. Hoban), because he has added yet another dimension to the considerations that are raised by the amendment, which at first blush seemed to be perfectly straightforward. It now seems that there are worrying complications, and I hope that the Minister, when she concludes this little debate, will satisfy the House that she has the answers to all these questions, so that we can decide whether to give the amendments our approval. I hope that that will be the case, and that my modest contribution has helped the House to focus on some of these questions.

9.30 pm

Mr. Redwood: I shall not detain the House long, but I think that my right hon. Friend has put his finger on some difficult issues raised by the amendment. The context is clear. The Bill provides for a new section 283A in the Insolvency Act 1986 when the bankrupt's home ceases to form part of the estate. It says:

> "This section applies where property comprised in the bankrupt's estate consists of an interest in a dwelling-house which at the date of the bankruptcy was the bankrupt's sole or principal residence."

The aim of amendment No. 167 is to amend and broaden that proposal.

In the light of my right hon. Friend's remarks and the study that I have made of this matter as he was speaking and before, I have worries that the amendment, while generous in intention by including spouse or former spouse, leaves ambiguities and difficulties that may make the legislation even less perfect than the original version. The thrust of the amendment may be sensible, but the drafting is not as felicitous as it might be.

My first worry is that it is by no means clear whether we are talking about the principal residence of the bankrupt and the bankrupt's spouse if they happen to have different residences, or whether we have to make a choice. Secondly, the draft clause is silent on how people in positions of responsibility should determine a case if they have to choose between the residence of the bankrupt's spouse or a former spouse. My right hon. Friend has made some reflections on that, but I think that the legislation, if it is to widen the provision in that way, should give more guidance on how these invidious choices may fall to be made.

The drafting is not as inclusive or modern as some Labour Members and others may like. I have no objection to the use of the word "spouse", but these days people often prefer the word "partner" because they want to cover a variety of relationships that could be important to the individual concerned. It is strange that the legislation should look backwards, especially under this Administration. My right hon. Friend the Member for East Yorkshire (Mr. Knight) asked whether it is right to single out a former spouse rather than some other dependent relative, because there could be more deserving cases. There could be difficult cases of people with important responsibilities who have become bankrupt. That has not been included in the amendment to this part of the revised bankruptcy legislation.

I hope that the Minister will deal with the detail when she replies to this vignette of a debate. It shows that the House has an important role to play in examining the words in detail, and that, when and if they are let loose in a court, there could be scope for intelligent, well-briefed and expensive lawyers to go round and round in the interests of the person they are defending and show that we the legislators have been sloppy or negligent by allowing these ambiguities and imprecisions to remain in the legislation.

Mr. Djanogly *rose—*

Mr. Redwood: I shall give way to my hon. Friend, but we are running out of time.

Mr. Djanogly: I note with interest the thought processes of my right hon. Friend in respect of changing

[Mr. Djanogly]

the word "spouse" to "partner". I should like to hear more of his views on that subject, because I am not sure that "partner" has the same meaning in law as "spouse", or, indeed, any meaning.

Mr. Redwood: I ought not to be drawn too far down this interesting byway, as there are others better qualified to comment. My hon. Friend may well be right to say that the word "partner" has a legal imprecision. I simply raise the issue for the Minister because it is one of concern for a Government who pride themselves on being modern and inclusive. I am particularly worried about the issue of substance that I raised: are there other people in relationships with the bankrupt apart from a spouse or a former spouse—in the latter case, the relationship might be far from close or friendly—who should be included in, or excluded from, this very important provision?

The legislation is complicated and leaves considerable discretion in the hands of those dealing with the bankruptcy issue. In certain cases, the clause that we seek to amend leaves the timing imprecise. A three-year period is mentioned, but the trigger time varies, depending on what information has been revealed, and on the circumstances of the individual bankruptcy. Of course, those called to adjudicate these matters have considerable powers of discretion as to how the bankruptcy estate should be handled and added up, and what element should cease to form part of it.

Mr. Greg Knight: Does my right hon. Friend accept that the discretion to which he refers does not extend to allowing any adjudicator to substitute words that are not included in the amendment? That is its weakness: it does not refer to partners or to a dependent relative. There would be no discretion whatsoever, therefore, in terms of taking care of a dependent relative or a long-term partner, because the drafting does not include that description or category of person.

Mr. Redwood: That is right—that is part of the twin criticism that I am making. People are excluded who might be more deserving than those who are included, but there is also a fundamental ambiguity in the phrases "spouse" and "former spouse". Moreover, there are other complications to which reference has been made at some length, and which I will not repeat. If the provision were to go through, it would not be good legislation. To be good legislation, it needs amending to make the intention absolutely clear. I join my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) in asking the Minister to think again about those who should be included.

This legislation is about people who have been through a miserable time. They may also have created misery for others—their creditors—who may not be satisfied. It is the job of good legislation to try to come up with a fair and judicious balance. Of course, we wish to be as generous as possible to the creditors, because they have been wronged. If we do not look after their interests, they, in turn, could get into financial difficulties, or their businesses could struggle. However, we also have a duty—as I hope my right hon. Friends the Members for Bromley and Chislehurst and for East Yorkshire agree—to think about the condition of the bankrupt. Some bankrupts have been through extremely difficult times; for example, they may have made a misjudgment, or simply been swallowed up by bad luck and unpredictable changes in the marketplace. They need to live and survive, and to have some reasonable basis on which to proceed with their own lives. I understand that this legislation is trying to strike some form of balance—

Mr. Deputy Speaker: Order. The right hon. Gentleman's remarks are becoming rather general. He ought to be a bit more precise.

Mr. Redwood: I quite agree, and I stand corrected, Mr. Deputy Speaker. I was trying to describe the context, but my crucial point is that the amendment has to get the right balance between the bankrupt and those dependent on him, and the creditors. My worry is that it does not. It does not answer the big issue as to why this limited group of people is included, but not others who may be in need. It is unclear whether subsection (a) applies with, or instead of, subsection (b), and it is also unclear how one would judge between subsections (b) and (c). A lot is therefore left to the courts, and it leaves open the question of how, ultimately, the balance is to be struck between the bankrupt's needs of his estate, and the creditor's obviously pressing needs. It is those points that I hope the Minister will clarify.

Miss Melanie Johnson: I am grateful to Opposition Members for their enormously discursive interest in this subject. I shall respond briefly to the points that have been made, because despite speaking at considerable length the right hon. and hon. Members have failed to convince me that the aspects that worried them are sufficiently worrying to require a detailed response. Indeed, it is not clear what some of those anxieties were, but I shall not take any interventions from Opposition Members during my remarks.

In relation to the comments by the right hon. Member for East Yorkshire (Mr. Knight), the Bill provides that the income payments agreements must be in writing and, therefore, we felt that it was appropriate to provide that a variation of that agreement should be in writing. The incomes payments agreement has the force of a court order and is not merely a contract, as he suggested; his points might have been relevant to a contract.

Lords amendment No. 167 attracted much heat but not much light. It provides valuable protection for a spouse or former spouse. The right hon. Member for Wokingham (Mr. Redwood) was right that it deals with a particular situation—if a bankrupt still has an interest in the property in which a spouse or former spouse resides, it provides protection against the threat of losing the home. Trustees will still be able to deal with the property. On unmarried partners, the amendment is

consistent with the protection provided for parties other than the bankrupt in the individual insolvency provisions of the Insolvency Act 1986.

Mr. Redwood: Will the Minister give way?

Miss Johnson: No, I regret that I will not give way.

Mr. Redwood: It is an important point.

Miss Johnson: It may be so. The mechanics of how the new provisions will operate have been, and continue to be, the subject of consultation with stakeholders and will be dealt with in the rules.

As I have emphasised, the amendments are the results of the work done by the colleagues of Opposition Members in the other place. I am amazed by the suspicion with which the amendments have been greeted, but I hope that Opposition Members have been reassured on those points.

Lords amendment agreed to.

Lords amendments Nos. 167 to 175 agreed to.

Lords amendments Nos. 176 to 186 disagreed to.

Lords amendments Nos. 187 to 208 agreed to.

Lords amendment No. 209 disagreed to

Government amendment (a) in lieu of Lords amendment No. 209 agreed to.

Lords amendments Nos. 210 to 264 agreed to.

9.45 pm

Schedule 24

TRANSITIONAL AND TRANSITORY PROVISIONS AND SAVINGS

Lords amendment: No. 265, in page 322, line 23, at end insert—

"(2) The Secretary of State may treat any consultation carried out with the President of the Competition Commission Appeal Tribunals (before the appointment of the President of the Competition Appeal Tribunal) as being as effective for the purposes of section 15(1) as if it had been carried out with the President of the Competition Appeal Tribunal."

Miss Melanie Johnson: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to take Lords amendments Nos. 266 to 366.

Miss Johnson: I hope that the House agrees to Lords amendment No. 265. The remaining amendments in the group, Nos. 266 to 326, are to the transitional, consequential and repeal schedules. The vast majority of them are consequential to various sectoral enactments such as the legislation covering gas, electricity and airports, and they follow the template of amendments made on Report to the legislation covering broadcasting and telecommunications. These sectoral enactments include a mechanism by which the licence modifications proposed by the relevant sectoral regulator but disputed by the licensee can be referred to the Competition Commission. Such references currently rely on procedural provisions in the Fair Trading Act 1973 and the Competition Act 1998 that are being modified or repealed by the Bill.

In addition, the amendments cover the merger and market transition provisions. I can give more detail on weights and measures if hon. Members so desire.

Mr. Forth: I hope this time that I can tease a little more information out of the Minister. It is not good enough that she should stand up and say that she is cross at being kept here so late, that she does not propose to take interventions or answer questions.

Miss Johnson: The right hon. Gentleman is generous enough to put into my mouth words that never crossed my lips, and meanings that never existed. I do not know where he gets his ideas from.

Mr. Forth: Perhaps we shall have to read *Hansard* tomorrow to see what was said, although the tone and sense will not come across on the cold page. However, I shall try a little harder to coax the Minister into giving us some more information. I always thought that the point of this exercise was that the Minister should reply to the debate.

Mr. Redwood: The Minister would not give way to me earlier when I wanted to raise a point of great interest outside the House. She did not seem to care about people whose interests need to be protected by the Bill. I think that my right hon. Friend is right.

Mr. Forth: I am grateful for my right hon. Friend's support. The record will show how charmingly and fully the Minister responded to the debate. I hope that we will build on that as we proceed.

This group of amendments, which the Minister has attempted to portray as innocuous and technical, covers 56 pages of text in the Bill and 60 clauses. I am always nervous when asked by a Minister to accept that material of that length and complexity, with all its attendant implications, should be nodded through because it deals with technicalities. Some of us have been here long enough to know that that is rarely the case.

I want to start with Lords amendment No. 265, the lead amendment in the group. I have tried hard to understand it, but so far I have failed. I invite the Minister to explain it, in her charming way, to the House. I shall read out the amendment, as I want it on the record, so that when the Minister comes to explain it we can relate its content with the way in which she has been prepared to help the House.

It reads:

"The Secretary of State may treat any consultation carried out with the President of the Competition Commission Appeal Tribunals (before the appointment of the President of the Competition Appeal Tribunal) as being as effective for the purposes of section 15(1) as if it had been carried out with the President of the Competition Appeal Tribunal."

I am not an entirely unintelligent individual. I have been here for a while and have read a number of such texts in my day, but that one has defeated me completely. There is probably a simple explanation. It probably has profound hidden meaning. In a case such as this, the Minister owes it to the House to give some explanation

[Mr. Forth]

of what the hell this is all about. Otherwise, I do not think that the House should be prepared simply to say, "Oh well, this is okay then." So, that is my first simple request to the Minister.

When we look at the 55 pages that follow that amendment we realise that references to some important matters, such as time limits and powers of investigation, are hidden in this complex text. When I see references to such powers, I am always more than a little nervous. Time and again when we consider such provisions and powers of investigation, when we read the details we find references to

"attendance of witnesses and production of documents ... enforcement of powers under section 106: general ... penalties ... appeals in relation to penalties ... recovery of penalties"

and so forth. The Minister says that this has all been dealt with in a different context, so we are importing it into the Bill and that will be okay. I am not sure that that is a sufficient explanation. It will not necessarily do. The Minister may have to say a little more about how she believes that that very complex wording relates to what has gone before. For example, is she going to tell us that the words on those 55 pages—about 60 clauses, by my reckoning—are identical to some provisions that have been in force for some time and are tried, tested and proven? Are they beyond doubt and dispute? Or, is she going to tell us that there is sufficient that is new in this text to require more scrutiny?

I do not know which is the case, because the Minister did not share that with us. She did not tell us the provenance of the wording. Therefore, we are in the dark as to whether we are being expected to accept something that is new, or something that is tried and tested, has been imported from other legislation and is deemed to be appropriate in this case. One could go through that text in some detail, but given the time limitations, sadly, that would be inappropriate.

Lords amendment No. 290 refers to new section

"46A Enforcement of notices under section 46".

Subsection (1) states:

"The High Court may, on an application by the OFT, enquire into whether any person ... has refused or otherwise failed, without reasonable excuse, to comply with a notice".

When one picks out such a phrase, almost at random, from this huge morass of words that we are expected virtually to nod through, one suspects that matters about which we are entitled to be uneasy or that certainly deserve further explanation are hidden within it.

Mr. Greg Knight: Will my right hon. Friend give way?

Mr. Forth: I was about to conclude, but I will give way just this once.

Mr. Knight: My right hon. Friend has made a valid point. Had the Minister spent a little more time explaining in her opening remarks the ambit of the provisions, it would have shortened rather than lengthened the debate. My right hon. Friend's concerns would have been answered and he might not have felt the need to raise these important matters.

I hesitate to say this, as it is a maxim among lawyers that free advice is worth what one pays for it, but these seem to be fairly minor matters that are consequential on other issues, so the volume of the amendments should not trouble my right hon. Friend too much.

Mr. Forth: I defer to the legal expertise of my right hon. Friend, who has obviously studied these matters much more closely than I have. If he is satisfied that these matters are relatively detailed—I will not say "trivial" as that would be the wrong term—and of limited impact, I am prepared to accept his advice and judgment.

However, I hope that my right hon. Friend agrees that the Minister owes the House an explanation of what she and the Government understand to be the importance of those words, so that, at the very least, we shall know in future whether we are being expected to accept something that is of relatively minor impact or whether the impact might be much wider.

Even with an eye to the clock, I hope that the Minister can be a little more fulsome than she felt able to be in respect of the last group and that she can give the House some reassurance as to where we are going with the large volume of material that falls within this group of amendments, described as "minor and consequential". We are always owed an explanation as to whether "minor and consequential" means what it says. One does not have to be too cynical, or too much of a disbeliever, to suspect that sometimes something greater and of more importance lies behind those words.

That is my humble request, Mr. Deputy Speaker. I hope that you agree that it is not unreasonable and I hope that the Minister can be a little more forthcoming on this group than she was on the last.

Mr. Knight: I shall speak briefly, as I want to hear the Minister's response. The amendments seem to be fairly minor and consequential, but I have a question about subsection (5) of Lords amendment No. 290, on page 57. It states:

"The High Court may punish the defaulter as it would have been able to punish him had he been guilty of contempt of court."

That is a draconian power. Will the Minister confirm that the subsection is a replacement or a redrafting of an existing provision? If it is, I am happy. However, if it is a new provision, she should certainly refer to it in her opening remarks and she should be prepared to revisit it if it causes difficulty or injustice in the future.

Miss Melanie Johnson: Amendment No. 265 is required to allow the Secretary of State to fulfil the consultation requirements imposed by clause 15, prior to making the rules of the Competition Appeal Tribunal. That is its purpose.

I hope that helps Opposition Members who had difficulty in understanding the wording. I am surprised at their difficulties because I know how expert the right hon. Member for Bromley and Chislehurst (Mr. Forth) is in reading legislation, but I accept his humble assurances as to the difficulties that he has set out to the House. I hope that he will agree that my explanation was fulsome and detailed and gave him all the information that he needs.

I commend the amendments to the House.

Lords amendment agreed to.

Lords amendments 266 to 326 agreed to.

Committee appointed to draw up Reasons to be assigned to the Lords for disagreeing to certain of their amendments to the Bill: Mrs. Anne Campbell, Mr. Mark Hoban, Miss Melanie Johnson, Mr. Jim Murphy and Mr. Andrew Robathan; Three to be the quorum of the Committee.—*[Mr. Woolas.]*

To withdraw immediately.

Reasons for disagreeing to certain Lords amendments reported, and agreed to; to be communicated to the Lords.

DELEGATED LEGISLATION

Mr. Deputy Speaker (Sir Michael Lord): With permission, I shall put together motions 7 and 8.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

NORTHERN IRELAND

That the Northern Ireland Act 2000 (Suspension of Devolved Government) Order 2002 (S.I., 2002, No. 2574), dated 14th October 2002, a copy of which was laid before this House on 15th October, be approved.

That the Northern Ireland Act 2000 (Modification) Order 2002 (S.I., 2002, No. 2587), dated 14th October 2002, a copy of which was laid before this House on 15th October, be approved.—*[Mr. Woolas.]*

Question agreed to.

Motion made,

JUSTICE AND CONSTITUTIONAL AFFAIRS COMMITTEE

That Standing Order No. 152 (Select Committees related to Government departments) be amended as follows:

In the Table

Item 7, column 2, leave out from 'Office;' to end of entry;

After Item 8 insert—

'Justice and Constitutional Affairs	Lord Chancellor's Department (including the work of staff provided for the administrative work of courts and tribunals, but excluding consideration of individual cases and appointments); and administration and expenditure of the Attorney General's Office, the Treasury Solicitor's Department, the Crown Prosecution Service and the Serious Fraud Office (but excluding individual cases and appointments and advice given within government by Law Officers)	11'.

—*[Mr. Woolas]*

Hon. Members: Object.

PETITIONS

Natural Health Products

10.1 pm

Mr. David Tredinnick (Bosworth): Before I present this petition about the threats to herbal remedies and vitamin supplements on behalf of my constituents, may I say that there are three main concerns? First, nutrients are missing from the list of permitted ingredients in the food supplements directive. Secondly, the setting of maximum levels for nutrients is unsatisfactory. There are very real worries that the products outside the scope of the traditional herbal medicinal products directive should be included. Member states need to be able to introduce their own national rules. There are also concerns about the cost of implementation.

Thirdly, the proposed ban on sales of kava kava products is based on questionable data. I draw the House's attention to early-day motion 183, in my name, which attracted 44 signatures just last night. We will all regret the fact that the proposed regulatory response is disproportionate.

The petition states:

The petition of Consumers for Health Choice and its supporters declares that consumers in the UK have for many years maintained good health by choosing to take safe vitamin and mineral supplements and herbal remedies; and fears that the European food supplements directive and the proposed European directive on traditional herbal medicinal products would severely restrict the number and range of such products on general retail sale in the future.

The Petitioners therefore request that the House of Commons requires that the Secretary of State for Health does all in his power to protect the rights of UK consumers by ensuring that such European legislation does not unnecessarily and unacceptably restrict the availability of natural health products.

And the Petitioners remain, etc.

To lie upon the Table.

Doorstep Recycling Schemes

10.4

Mr. Laurence Robertson (Tewkesbury): The petition of the residents of Tewkesbury and others declares:

That over 290 Members have signed Early Day Motion No. 186 on Doorstep Recycling Schemes, and that such schemes will encourage better use of resources which, in turn, will bring significant economic benefits; that recycling provides jobs, reduces the demand for raw materials, cuts emissions of greenhouse gases and reduces the pressure for unpopular and environmentally damaging new landfill sites and incinerators; that doorstep recycling to every home is key to the future of recycling and is both effective and inclusive: where recycling centres can be inaccessible for some areas of society such as the infirm, elderly or those without a car, everyone can take part in doorstep recycling, being as simple as putting out the rubbish.

The petitioners therefore request that the House of Commons urges the Government to ensure that all local authorities introduce doorstep recycling schemes.

And the Petitioners remain, etc.

To lie upon the Table.

Regulation of Care Homes

Motion made, and Question proposed, That this House do now adjourn.—*[Jim Fitzpatrick.]*

10.5 pm

Dr. Vincent Cable (Twickenham): I am grateful to have the opportunity to introduce an Adjournment debate on an issue that concerns many of us—the problems associated with residential care homes for the elderly. I was in the Members' Dining Room a few moments ago, and I noticed a headline in today's *Evening Standard*:

"Betrayal of the Helpless. Standard inquiry reveals appalling regime of neglect in private care home for elderly".

That did not relate to the home to which I shall refer, but it could have done. Despite the introduction of a regulatory system and the National Care Standards Commission, the problem is widespread.

The matter that I want to raise primarily concerns a home called Lynde House, in Twickenham, which is owned by Westminster Health Care. It differs significantly from the home described in the *Evening Standard* article, as it is owned by one of the largest groups in the country. It is a particularly luxurious home, which, none the less, has been subject to an independent investigation, which I instigated, and which has produced some damning conclusions. I want to describe to the House and the Minister the process through which we had to go to secure that inquiry and its aftermath. I also want to raise some of the wider policy issues in terms of how the National Care Standards Commission will manage its relations with very large private providers, and some of the unresolved questions about how standards will be defined and monitored under the National Care Standards Commission.

I shall start with a narrative of how this situation arose. I became a Member of Parliament in 1997, and, shortly afterwards, I was invited to another care home in my constituency called Brinsworth House, of which the Minister may have heard. It is a famous care home for the elderly, where many retired comedians, musicians and variety artists reside. Thora Hird is among its current residents, and Arthur Askey was a resident there. It is a wonderful institution. I was called in by the general manager, who pointed out a serious problem affecting his home—a care nurse had abused elderly patients, and he had taken steps to have the person dismissed. He had discovered, however, that that person had been hired by another care home down the road a few days later.

The general manager called me in for two reasons. First, he wanted me to note that appalling things were happening in the unregulated private sector, that people were being hired and rehired who were well below acceptable standards, and that it was very important that the Government grasped the need to regulate the sector properly. Secondly, he wanted me to go to the local press to publicise the fact that his home had had this problem and had dealt with it. I took that to heart, as it struck me as being an exemplary way in which providers of care for the elderly in the private sector should deal with problems: in an open, transparent and public way, with nothing to hide.

Having seen that experience and good practice, I was well prepared for the events as they unfolded in relation to Lynde House. I had been made aware throughout most of last year of a growing number of complaints from relatives of residents of the home who lived in my constituency. That came to a head in November when the Catholic priest in an area of Twickenham convened a public meeting—with the local Anglican priest—to draw attention to serious concerns among some of his parishioners about care in this home. I attended that meeting, at which I heard a horrifying succession of deeply felt, very emotional presentations by relatives about the experiences that their mothers and fathers had had.

There was a common thread to the reports. Despite paying extremely large fees—typically, £30,000 a year—the residents had experiences such as sitting for very long periods, being unable to attract attention after ringing bells, sitting in their own waste and being unable to attract any nursing or care attention in an understaffed environment. Perhaps most serious of all was the climate of bullying that existed. Examples were given of old people in their 80s or 90s being expelled or being threatened with expulsion because they had complained about the problems associated with care in the home.

What was worse was that the residents and their relatives told me that they had approached the local health authority—the regulatory body in this instance—and had not been able to attract a reply. They had been reassured that everything in the home was absolutely fine. My concerns developed in the wake of the meeting even further when I was approached by a judge, who asked to meet me anonymously. Despite his senior position in public life, he was clearly a frightened man. He said that he wanted to tell me some things that had happened in the home, but did not wish his name to be used. He was afraid that, if it were, there would be retaliation against his mother who was in her mid-90s. I also spoke to the local GP who told me similar stories about what had been going on. She expressed her concerns and told me that she had approached the health authority, but had been unable to attract a response. She was assured that the home had been inspected and that everything was absolutely fine.

I then wrote a letter to the chairman of the health authority, drawing these points to her attention. Somewhat to my surprise, a few days later I was contacted by the head of Westminster Health Care, Dr. Patel, the owner of the home. Without my knowledge, the health authority had copied to him my letters of complaint, so he said that he wished to set up a meeting with me. We met over breakfast, and that was very charming at one level. However, he threatened me with legal action because I, as the Member of Parliament, had written to the health authority asking for an investigation into conditions at the home. That brought home to me strongly the type of experience to which people at the home were subjected. There were threats of intimidation and legal action if perfectly legitimate points were brought into the public domain.

I then asked the chairman of the health authority, Councillor Julie Ray, to institute a full inquiry into the home and, much to her credit, she agreed. One of the positive elements of this case is the fact that the health service is publicly accountable. She acknowledged that

there was a problem, and agreed to set up an independent investigation under a well respected, independent person, Mary McLaren.

Although it was far from the end of the saga, the report was completed last December and January. It did not appear. I was informed that it was stuck because of objections made by Westminster Health Care lawyers. The matter went on and the report was refined. It was officially reported to have been finished by May, but it could still not be released because of objections from lawyers. A public report instituted by the health service and of wide public interest could not be released into the public domain because the company objected to its findings.

The report was eventually released, but I shall not test the Minister's patience by going through it in excruciating detail. However, I wish to report simply for the record some of the main conclusions. They were extremely hard hitting, and half a dozen or so of the main points will capture the flavour of what was found to have happened in the home. The report said that the home:

"Allowed insufficient levels of staff to operate on occasions which did not meet the high level of resident need...Allowed inadequately trained staff to undertake the care tasks and procedures required ... Allowed nursing staff to continue to undertake poor practice i.e Wound Care, Record Keeping, Drug Administration, Ear Syringing ...

Failed to ensure that housekeeping and cleanliness standards were maintained at all times as domestic staff only worked until 14:00 hours ... Allowed unacceptable levels of maintenance of hoists, wheelchairs and other equipment, which put the safety of residents at risk ... Allowed the unacceptable provision of equipment that did not meet Health and Safety Legislation ... Allowed an Internal Complaints Management system ... to continue that made access to ... Senior Managers seem impossible ... Allowed an apparent climate of fear and intimidation as perceived by some relatives and residents ... Allowed an apparent closed organisation that did not encourage 'whistleblowing' by staff when some were very unhappy with certain situations despite a written policy and in our discussions with some staff ... Undertook a recruitment process ... that allowed appointed care staff to undertake tasks without fully assessing their competence in a working knowledge of English."

That was in a home that charged fees of £30,000 a year.

The criticism did not end with the home. There were also strong criticisms of the national health service in its capacity of regulator. Two in particular merit comment. The first is that

"The Health Authority failed to implement a robust complaints system in relation to Lynde House which investigated in-depth, repeated concerns raised by relatives...when it was evident that according to the allegations the care was less than adequate".

The second criticism is that it

"Failed to recognise deficiencies during the team visits and inspections".

Subsequent to the report, the new strategic health authority for south-west London convened a public meeting. It is greatly to the credit of that body that its representative made a public apology on behalf of the NHS by admitting that it had failed in its supervisory responsibility, and apologies were expressed for the distress caused. However, no apology or regret has been expressed by the company. Indeed, it published a rebuttal of every criticism made.

We know from hearsay that Dr. Patel has left the company. I believe that he has also resigned from a series of Government working parties on which he was an adviser and from other charitable bodies. Some of the senior management associated with the home have been moved, or possibly dismissed, although that has never been explained. However, the company has made no public acknowledgment that it was at fault, and that remains the position to this day.

On the back of that, I want to pose a series of policy implications that arise from the events. How will the commission manage and supervise a system in which one of its largest private providers is in default of its obligations and refusing to accept any admission of failure? There is a distinction between a home that gives problems and a company that gives problems. The report makes that clear when it says that

"Under the registered homes act"

Westminster Health Care

"is a corporate organisation and the body corporate is the one registered and accountable."

We have to deal with how far the company as a whole is responsible for the deficiencies in one of its establishments.

Since the report was published—it received a great deal of publicity in the national press—I have been deluged with letters from people around the country, bringing my attention to abuses in other Westminster Health Care homes. I now have a substantial dossier of cases, some of which are very serious, relating to at least seven homes owned by the company. I intend to ask the commission if it will investigate the company as a whole.

Let me cite one problem. It is not in my constituency, so I cannot follow up the individual case, but it gives a flavour of the difficulty. A former nurse who worked at one of the homes in Southgate wrote to me. She said that she

"became seriously concerned about dangerously low standards of care and incompetent management, which eventually forced me to whistleblow to the Health Authority ... I was appalled that my grave concerns were ignored by WHC and the Health Authority. I was constructively dismissed ... and forced to pursue a new career ... Westminster Health Care use bullying and intimidatory tactics to silence anyone who questions and complains about the standards of care."

That is exactly the pattern of behaviour that we saw in Twickenham and has been reported across the country.

Many individual patients and their relatives and carers have written to me. One particularly distressing case concerns a former Labour MP, Michael English, who may be remembered, who was the victim of some of these difficulties. I intend to bring those cases to the attention of the commission.

How will the Government, through the commission, deal with such cases? If a company is in denial and is comprehensively mismanaging its collection of homes, the commission has only a nuclear option—it can withdraw the licence, which means that large numbers of residential care homes are taken out of use. Is it possible to have a graduated response? Are there any penalties or sanctions that can be applied to signal to a major private provider that its service is not acceptable and that it is behaving arrogantly in refusing to accept the judgments of independent inquiries appointed by the NHS? The point could then be made without closing down a share of the private sector.

My second set of questions relates to how standards are to be applied within the new regulations, and I am concerned about two or three in particular. It is clear

[Dr. Vincent Cable]

from the Lynde House experience that the contracts between the families and the home were not satisfactory. They provided insufficient protection and were insufficiently clear. Does the commission have it in mind to consider the nature of contracts in the private sector? Will it provide model contracts or explore how existing contracts can be improved?

Is it proposed that bigger companies, which clearly have more resources and are better able to meet standards than one-man, one-house companies, can be asked to operate at higher levels of performance? I am thinking particularly of training. The level of training in the company that I have mentioned was seriously deficient. Would not it be good practice to ask the company to have its own training institution? How can the commission advance that process?

My final question relates to staff and to a problems with staff who are unprofessional and who create serious disciplinary problems. Is there any system within the commission's approach to enable such people to be tracked, so that other homes that hire them have some cross-reference? At the moment, such staff seem to disappear into a void. Will there be a central register of staff so that issues pertaining to a lack of professional conduct can be addressed?

I want to pay tribute to those who have brought this matter to the attention of the public. Many are vulnerable people who have had a devastating personal experience, and they have been very brave. They were initially threatened with legal action and bullied, but they have come forward and made their case in public. I am bringing it to the House because it is part of the process of ensuring that they receive justice.

10.23 pm

The Parliamentary Under-Secretary of State for Health (Mr. David Lammy): I congratulate the hon. Member for Twickenham (Dr. Cable) on securing this debate, which is clearly topical and important. All hon. Members want the best for our older citizens, and their treatment is crucial in any civilised society. For that reason it is vital for people to be able to depend on the quality of care homes, and the best way to ensure that quality is through a sensible regulatory regime. I am therefore pleased to have the opportunity to discuss that regulation.

The hon. Gentleman began by bringing to the attention of the House the article on the front of today's *Evening Standard,* which claims to have carried out an investigation into a care home in Birmingham. The paper's reporter was in the Alexandra nursing home for three weeks, and alleges that she uncovered a catalogue of abuse and neglect.

I make it clear, on behalf of the Government, that care homes for older people look after some of the most vulnerable people in our society. That is why the Government set up the National Care Standards Commission. The commission has been given the power to ensure that poor standards are a thing of the past and together with it, we are committed to tackling the abuse and neglect which sadly still take place in some of our homes today. It is important to point out that we provided local authorities with £300 million, half of which has been used to support the care homes sector. More than £9 million of that money has been allocated to Birmingham city council.

I shall meet the hon. Gentleman on the historical point with which he began. In the 1980s there was a huge expansion in the number of care homes, when uncapped social security money was available for publicly funded people entering residential care. Money flowed from the public purse into the care home sector. Indeed, it was the Conservatives, then in power, who sought to limit severely that unplanned and uncontrolled growth. In those days, entry to a care home was not based on need or user choice, but was driven by providers in the independent sector, which led to the unnecessary and completely avoidable admission of many older people and others into institutional care.

Until 1993, the care home market was not strongly regulated. There were registration and inspection processes, but they were nothing like as robust as those which the Government have put in place. The system of standards introduced by this Government replaced a system in which care homes were regulated by about 250 local authorities and health authorities, each applying its own standards. The old regulatory system had been criticised for many years for lacking independence, consistency and coherence. In the absence of proper checks of individuals and homes, the most dreadful abuse was perpetrated. It was not by any means confined to the independent sector but was very significant in the public sector during the 1980s and 1990s. Indeed, independent providers themselves have been the strongest lobbyists before and after the introduction of the 1990 Act to remove regulation from local control and introduce a level playing field for independent and local authority provision. They have argued strongly for consistency through the use of national standards. It is this Government who have answered those concerns. We have gone one step further than our predecessors and created a regulation body wholly independent of local health and social care agencies.

The hon. Gentleman asked a number of questions about the National Care Standards Commission, which is rightly independent of the Government—it would be wrong for me to attempt to tie its hands at the Dispatch Box. I heard what the hon. Gentleman said about seeking a meeting with the commission to draw these matters to its attention, and I do not doubt that members of the commission will read *Hansard* tomorrow, and the issues that he has raised can be addressed. However, I am advised that the nature of the allegations mean that legal action may take place so I must be careful about what I say.

Under the Care Standards Act 2000, we made the National Care Standards Commission responsible from 1 April 2002 for regulating—registering and inspecting—all care homes. The commission is part of the Government's programme for modernising social care, particularly for improving quality and protection for people in care services. It is a major non-departmental public body, independent of government.

The commission's main aim, rightly, is to drive up the quality of services and improve the level of protection for vulnerable people in our society, by the regulation of social care and independent health care services.

BEST COPY AVAILABLE

The commission has taken over the regulatory responsibilities of local authorities and health authorities.

We believe that people's safety and well-being are paramount. The new standards will ensure that poor-quality care is a thing of the past. They give care home owners a clear idea of the standards that they have to meet to gain and maintain registration, and users and their carers know what they can expect as a minimum. At the outset, we were aware of concern shown by care home owners that they would struggle to meet some of the standards. That is why we decided that the more challenging standards need not be implemented until 2007, and providers will be given realistic timetables to meet them.

However, we went further than that—the Government also issued comprehensive statutory guidance to the commission setting out the supportive way in which the standards should be applied. The guidance indicates that the standards should be used to help guide care homes on action that they can take to improve their services. Most importantly, the guidance also states that the commission should consider whether care homes could fulfil the needs of service users without making environmental changes to meet the standards. The guidance particularly covers the issues of room size, lifts, baths and shared rooms and has been welcomed by the major associations representing care homes.

The hon. Gentleman spoke eloquently about the problems at the Lynde House care home. I have every sympathy with the concern of the relatives of the residents of Lynde House nursing home to ensure that their relatives are properly cared for, and that where failures in care are identified, those responsible are brought to account. However, I hope that the hon. Gentleman will understand that I am unable to comment in detail on complaints about the running of individual care homes, such as Lynde House. It is not that I intend to be unhelpful in this regard, but the responsibility for ensuring the quality of care provided by care homes lies clearly with the regulator, and proceedings against an individual for neglect or abuse is a matter for the courts.

Until April this year, nursing homes were regulated under the Registered Homes Act 1984 by the health authority in which they were located. Responsibility for considering complaints about nursing homes rested primarily with the relevant health authority as the regulator and the health services ombudsman. I understand that Lynde House was first registered with Kingston and Richmond health authority in 1996. Kingston and Richmond's regular inspections led to recommendations being made to the home owners, who complied with those recommendations.

As a result of on-going concerns expressed by relatives of the residents of Lynde House, Kingston and Richmond health authority commissioned an independent inquiry into the home. The McLaren report was published on 21 August. Kingston and Richmond health authority was dissolved in April 2002, and responsibility for the findings of the McLaren report falls to Richmond and Twickenham primary care trust and the South West London health authority.

How we care for vulnerable people is a matter that we consider to be very important. That is why we introduced the Care Standards Act 2000 to improve the regulation of social services, including care homes. Under the Act, the National Care Standards Commission now regulates all care homes in England. Although the commission has no jurisdiction over the McLaren report, it has completed its first inspection of Lynde House. The commission's inspection report was made available to the residents and relatives of Lynde House on 18 July at the regularly scheduled residents meeting. Action plans have been agreed with Lynde House to address the issues that have arisen out of the inspection, and time scales have been set for requirements to be met. That should ensure that residents receive appropriate good quality care that meets their needs.

The commission will, of course, be monitoring Lynde House on an on-going basis, and we would expect it to take swift action to deal with any failures by the home. I understand that the National Care Standards Commission, the local strategic health authority and primary care trust are also working together to ensure that lessons are learned from the events at Lynde House. I hope that this sorry episode can be brought to a satisfactory conclusion for all those involved.

In conclusion, I stress that we have ensured that the introduction of the standards will safeguard and maintain high quality care homes. The emphasis will be on ensuring people's safety and not on instantly de-registering—

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at twenty-five minutes to Eleven o'clock.

House of Commons

Thursday 31 October 2002

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

LONDON DEVELOPMENT AGENCY BILL

Ordered,

That so much of the Lords Message [29th October] as relates to the London Development Agency Bill be now considered.

That the promoters of the London Development Agency Bill shall have leave to suspend proceedings thereon in order to proceed with it, if they think fit, in the next session of Parliament, provided that notice of their intention to do so is lodged in the Private Bill Office not later than the day before the close of the present session and that all fees due up to that date have been paid;

That on the fifth sitting day in the next session the bill shall be presented to the House by deposit in the Private Bill Office;

That a declaration signed by the agent shall be annexed to the bill, stating that it is the same in every respect as the bill at the last stage of its proceedings in this House in the present session;

That on the next sitting day following presentation, the Clerk in the Private Bill Office shall lay the bill on the Table of the House and, when so laid, the bill shall be read the first, second and third time and shall be recorded in the Journal of the House as having been so read;

That no further fees shall be charged to such stages.—*[The Chairman of Ways and Means.]*

COMMITTEE OF SELECTION

Order read for resuming adjourned debate on Question [16 October].

That Mr. John Hayes be discharged from the Committee of Selection and Mr. Peter Luff be added to the Committee.—*[Mr. Jim Murphy.]*

Hon. Members: Object.

Oral Answers to Questions

TRADE AND INDUSTRY

The Secretary of State was asked—

Miners' Compensation

Huw Irranca-Davies (Ogmore): What additional measures (a) have been put in place and (b) are under consideration further to speed up the process of full and final payments to miners and their dependants to compensate for work-related illness. [76417]

The Minister for Industry and Energy (Mr. Brian Wilson): Significant progress has been made in processing claims by former miners and their families. Hon. Members will know that I announced earlier this week an extension of the vibration white finger cut-off date for posthumous claims. That will mean that the families of former miners who had not previously been made aware that they could submit claims for the injuries caused to their husbands or fathers will have a further three months in which to do that.

In addition, I announced last year that 50,000 full and final offers would be made this year for lung disease. We are on track to meet that challenging target.

Huw Irranca-Davies: Does my hon. Friend welcome the increase in pay-outs from March this year from £12 million to £22 million in Ogmore? Does he acknowledge that a most significant contribution to that is the employment of 90 additional staff in Cardiff? The National Association of Colliery Overmen, Deputies and Shotfirers and others opposed that measure. Will my hon. Friend make a commitment to extend the resources for the settlement of the miners' claims? I extend an invitation to him to return to my constituency and listen to the anxieties of former miners and their widows.

Mr. Wilson: My previous visit to my hon. Friend's constituency was valuable, as are all such visits to the coalfield communities. They inform our decisions, especially that to extend the vibration white finger cut-off date for posthumous claims. There is an awareness that the money is being given as rapidly as possible. Opening offices in Cardiff, Edinburgh and most recently, Manchester, facilitates that process. Matters are going well but there is no complacency, and we shall keep up the pressure and momentum until every claim is paid in full. I stress that every claim will be paid in full. The schemes are not capped. In cases where, unfortunately, the miner has died, the claim passes to the widow and then to the family.

Adam Price (East Carmarthen and Dinefwr): While I welcome the progress that has been made, I draw the Minister's attention to the appalling wait that workers in the private mines continue to endure. There is a case in my constituency of a 79-year-old miner who worked underground for 50 years, registered a claim in 1998 and has not yet had a medical examination. Will the Minister

urgently raise the plight of workers in the private mines with his officials, especially with IRISC, and consider bringing forward the results of the pilot programme?

Mr. Wilson: The schemes apply to former employees of the National Coal Board rather than those of private mines. We urge the owners of private mines to enter into the schemes in the same spirit as the Government. However, in many cases, the owners of the private mines have disappeared and the insurers are not rushing to accept the responsibilities. We do our best, and I appreciate that there is an anomaly for the miner who worked in a private rather than a state-owned mine and is less favourably treated. Sadly, as the Tories know, that is the history of private mines.

Jeff Ennis (Barnsley, East and Mexborough): There is no doubt that greater progress is being made, but will my hon. Friend update the House about the number of interim payments? How many are outstanding? There is no doubt that interim payments show good faith to miners who have not yet received a penny.

Mr. Wilson: That is true. As a rule of thumb, the ratio that has been paid in each constituency or nationally in full or final payments, is roughly 2:1. More than that has been paid in interim payments. We are doing our best on both fronts. The prime objective must be to get as many full and final settlements in the cases of the oldest and frailest miners and widows. Nothing must stand in the way of that. However, I agree that it is important to get something to as many people as possible as quickly as possible. Interim payments are therefore important and are far greater numerically than full and final settlements.

Mr. David Heath (Somerton and Frome): I thank the Minister for the attention paid to the former miners in my constituency and in the north Somerset coalfield. In view of the decision to which he referred earlier, will he ensure that the fullest possible publicity be given to this matter in areas that have long not had working mines? The networks are obviously less well established in those areas and it is much more difficult to get the message across not only to former miners but to their widows. In the Somerset coalfield, a little local publicity would certainly do a tremendous job in making sure that the message gets through.

Mr. Wilson: I thank the hon. Gentleman for his comments, and I agree with him 100 per cent. The specific difference with the widows' claims is that it has not been widely enough appreciated that a widow or a family has a claim when, sadly, a miner dies before having a medical examination to identify the condition of vibration white finger. That is quite a narrow point, but, in individual cases, a very important one. In that regard, we all have a part to play in our own communities and constituencies, through the network of clubs, pensioners' associations and so on, and we have three months in which to get that done. It is not as though no widows' claims have been received—there have been 11,000 such claims for vibration white finger—but it is because there are many more out there that have not been identified that I have given the extension. By using this kind of exchange for local publicity purposes, everyone in the Chamber can make a contribution towards achieving what we all want.

Mr. Tom Clarke (Coatbridge and Chryston): May I thank my hon. Friend the Minister for coming to the Moodiesburn retired miners' branch in my constituency, and, in particular, for pursuing the call for posthumous payments to widows? We welcome that very much. Does he now have the necessary medical support to speed up the process, and does he have a date in mind for its completion?

Mr. Wilson: I attend as many of these meetings as possible, because it is important to go into the coalfield communities to offer reassurance that the schemes are not capped, that the claims pass to the widow or the family and do not disappear, that the Government have no vested interest in anything other than paying out the money as fast as possible, and that the money is now getting out at the rapid rate of £1.5 million a day. Those are the key points that I try to get across in the meetings. Every available respiratory specialist in the country is working on this, and there is no blockage in most parts of the country.

My right hon. Friend also asked about bringing the schemes to an end. Apart from the posthumous claims, there is a cut-off for claims relating to vibration white finger. I do not think that anyone has questioned the principle of bringing the scheme to an end in that way, so that we can focus our resources on dealing with all the claims that are in. I am wary of setting a cut-off date for respiratory claims, because I do not want to deprive miners who develop these conditions from having the same treatment as those in whom the condition has already been identified. None the less, there eventually has to be a cut-off date, and I hope that that can be finalised in the same spirit of co-operation and openness.

Rural Post Offices

2. **Norman Lamb** (North Norfolk): How many rural post offices have had applications for grants under the Capital Subsidy Fund declined. [76418]

The Minister for E-Commerce and Competitiveness (Mr. Stephen Timms): I understand from Post Office Ltd that, by the end of last month, 168 applications had been received, and 110 grants to a value of £825,351 had been agreed. Thirty-two are still being considered, and 26 have been refused. So far, two applications from post offices in Norfolk have been agreed, and none refused.

Norman Lamb: I thank the Minister for that reply, but is not the reality that the amounts specifically allocated—let alone paid out—for rural sub-post offices is a pittance? There have been reports—in *The Sunday Telegraph*, I think—that £450 million is to be allocated over three years to help the transition to automated credit transfer. Will the Minister confirm how much will be paid out to those businesses now under a dark cloud,

how the money will go to support the remuneration of those businesses, and when they will be given the information necessary for them to plan ahead?

Mr. Timms: We have made it clear that we want there to be no avoidable closures of rural post offices between now and 2006. We will be making a significant announcement about funding to ensure that that pledge is kept, and the details of exactly how that will work will be made available very soon. We have made a clear commitment that we want to see a continuing thriving rural post office network, as well as a successful urban network. Successful rural post offices offer big benefits, and we are committed to ensuring that that is what every rural area enjoys.

Mr. Mark Todd (South Derbyshire): While I welcome any capital assistance that can be given to rural post offices, much the most important element of securing their future is ensuring that pensioners and benefit claimants can receive their benefits and pensions in cash at those post offices in future. What progress has been made to ensure that that is happening?

Mr. Timms: My hon. Friend is right that what is really important is that people should use rural post offices more. Certainly, people's ability to obtain their benefits in cash is part of that, although, increasingly, we shall want post offices to look for new products and services to attract new customers. Nevertheless, we have made it clear that anyone who wishes to receive their benefit in cash at a post office—weekly, if they so choose—should be able to do so. We have concluded agreements with all the banks on the provision of universal banking services from next year to ensure that that promise will be honoured.

Mr. Andrew Robathan (Blaby): Two days before we discussed the so-called urban reinvention programme on 15 October, the Government spin machine, with typical slickness and typical disingenuousness, announced this £450 million, of which we know nothing. Rural postmasters throughout the country still know nothing of the Government's plans, apart from some vague figure that they have been given by the newspapers. Will the Government explain their long-term policy for a sustainable future for the rural post office network and will the Minister now answer the National Federation of Sub-Postmasters, which demanded at its conference on 6 October that

"the government take immediate action to avert the collapse of the nationwide network of post offices"?

Is that true or is it just scaremongering?

Mr. Timms: There certainly has been a degree of scaremongering on this subject. There has been no announcement on funding for the rural network, but we have made it clear that we have a commitment to ensure that there will be no avoidable rural post office closures between now and at least 2006. We shall announce the funding to make a reality of that commitment, although we have done a great deal on support for the rural network. We have invested nearly half a billion pounds, for example, in automating post offices in the urban and rural networks. The Post Office has also appointed a network of 31 rural support officers to ensure that, where the closure of a post office in a rural area is threatened, someone is on hand to try to ensure that the post office is replaced, a new postmaster is recruited or the service is maintained in some other way. We have a strong commitment, and we are taking all the steps needed to implement it. The announcement on funding will be made very shortly.

Energy Efficiency

3. **Ms Julia Drown** (South Swindon): What assessment she has made of the prospect of improving energy efficiency by 20 per cent. by 2010 without building new nuclear power stations. [76419]

The Minister for Industry and Energy (Mr. Brian Wilson): The Government are carrying out a review of future energy policy with a view to issuing a White Paper in the new year. The role of energy efficiency and nuclear power are issues that will be included in the White Paper.

Ms Drown: The Energy Saving Trust calculates that energy efficiency in households could produce six times the amount of energy that nuclear power stations provide to households. Does the Minister agree that investing in energy efficiency, renewables and combined heat and power could deliver a low-carbon economy without the need for new nuclear power stations?

Mr. Wilson: I am in favour of all these things, and I certainly agree with my hon. Friend's comments on energy efficiency, which has never been taken half seriously enough in this country. I hope that we can use the White Paper as a mechanism to stimulate a different approach to that, but I do not see them as being in conflict with nuclear power. I do not think that we need additional nuclear power, but whether taking action in respect of our one significant low-carbon contributor at precisely this point is the cleverest thing to do when our objective is to create a much lower carbon energy mix is a question for the White Paper.

Dr. Vincent Cable (Twickenham): Can the Minister confirm that the Secretary of State will make a statement, at or before the end of November, on British Energy and the fate of the £650 million of public money that stands behind the company? Pursuing the Minister's answer to that excellent main question, does he accept the evidence that there is a significantly higher rate of return on investments in energy saving relative to new generation and that if that were to be at the heart rather than the edge of Government policy, it would be good news for everybody except the energy producing companies that are so aggressively lobbying his Department?

Mr. Wilson: The answer to the first question is a straightforward yes: there will be a statement before 29 November.

I am well aware of the potential for greater energy efficiency, and I assure the hon. Gentleman that it will be at the heart of the White Paper. We have been aware of the potential for energy efficiency for a long time, but have not made a huge amount of progress in realising that potential, especially in the domestic sector.

The difference between six times greater energy efficiency and a 25 per cent. contribution to our electricity mix from nuclear power is this: one remains hypothetical and desirable, while the other actually exists.

Alan Simpson (Nottingham, South): As I am sure my hon. Friend recalls, Aneurin Bevan said that there was no point in willing the ends if we did not also will the means. I look forward to reading the White Paper, which I hope will address the means, allowing us to focus on renewable energy and energy efficiency.

Will my hon. Friend bear in mind that the amount of public money put into British Energy is five times the amount that the Government said they could not afford to spend on supporting the Warm Homes Bill, which fell last year? In considering the balance of resources, will my hon. Friend ensure that there is a shift in favour of what is renewable and what is sustainable?

Mr. Wilson: Let me gently point out that there would have been an awful lot of very cold homes if we had not supported British Energy during the crisis. We obtain 25 per cent. of our electricity from nuclear power, and the one thing that we cannot responsibly do is turn the key and walk away.

We gave a loan to British Energy for two reasons: to ensure security of supply, which is a responsibility of any Government, and to ensure the safe operation of our nuclear power stations. I am sure that, on reflection, my hon. Friend will agree with me—just as I agree with him about energy efficiency—about the desirability of those two objectives.

Richard Ottaway (Croydon, South): I am sure the Minister agrees that nuclear energy and energy efficiency can go hand in hand. The real challenge is how to make nuclear energy economically viable. Is not the best way of achieving that to end Britain's uneconomic generating capacity, allow electricity prices to rise to a sustainable level, and encourage inward investment in the industry through rising prices in all sectors—coal, gas, oil and nuclear energy?

Mr. Wilson: The hon. Gentleman makes a good point. The spin-off consequences of driving down the wholesale cost of electricity to the lowest possible point have been a mixed blessing, to say the least. It is an absolute certainty that once capacity starts coming out, prices will start to rise again. What I do not want is for that capacity to be clean in terms of our environmental objectives, while the low price creates an incentive to bring back dirty generation. That would be perverse, both in terms of our environmental policies and in the name of joined-up government.

Mr. Dennis Skinner (Bolsover): Is the Minister aware that there is another way of looking at the problem? The energy crisis is probably one of the most important that the Government will face over the next two or three years. Not only has British Energy been bailed out, and will probably have to be bailed out again; PowerGen is also in trouble, and UK Coal is sacking people left, right and centre. The problem cannot be solved by putting a few windmills here, there and everywhere. I am not against the idea, but even 3,000 windmills around Highgrove would not make much of a difference.

I hope my hon. Friend will respond to this. Privatisation is now a dirty word in the energy industry. It has passed its sell-by date. Unless the Government reverse their attitude to public ownership and deal with coal and other energy sources in that context, the problem will remain unsolved for a long time.

Mr. Wilson: The one thing on which we can agree is that there will not be 3,000 windmills around Highgrove. I also have a lot of sympathy with my hon. Friend's wider point—*[Interruption.]* I do have a lot of sympathy with his point. I think we should be past the day when anyone believed that dogma-based solutions, whether applied to the public or the private sector, to ultra-liberalisation or to the ultra-state sector, provided the basket of remedies that we all seek. Conservative Members cannot have it both ways. They cannot subscribe to the extremely reasonable points that the hon. Member for Croydon, South (Richard Ottaway) made about the deficiencies of an ultra-liberalised market and at the same time dismiss entirely the comments that my hon. Friend made.

Mr. Tim Yeo (South Suffolk): Does the Minister agree that it would be possible to promote energy efficiency and to take decisions about the future of nuclear power more rationally if the true environmental cost of different forms of power generation were reflected in the price, and that to achieve that it is time that the Government scrapped the climate change levy, which has nothing to do with climate change, and replaced it with an emissions trading system compatible with the rest of Europe that allowed environmental costs to be reflected in the prices charged to consumers?

Mr. Wilson: No, I do not believe that. The rationale for the climate change levy is justified in terms of our environmental objectives. The fact that it is revenue neutral is testimony to the fact that its objectives are primarily environmental, but I agree about transparency. There should be transparency in all these things. Decisions must be made in the light of that. As far as I know, no one is arguing against the renewables obligation. It is transparently obvious that if we are to have a renewables industry we have to tilt the playing field in favour of renewables. Once we have all the information and transparency on costs, we will have to ask, "Do we want to tilt the playing field in other directions as well?" These are decisions we must make in the context of the White Paper.

Mr. Yeo: Does the Minister agree that the most basic measure of energy efficiency for consumers is whether they have a supply and that for thousands of consumers in Suffolk and other parts of the country to be without a supply for five days is absolutely disgraceful? Will he join me in condemning the failure of power companies to reconnect supplies promptly, to man helplines properly and to confirm that compensation will be payable to those consumers who have been damaged?

Mr. Wilson: That is an interesting question. The hon. Gentleman may have more in common with my hon.

Friend the Member for Bolsover (Mr. Skinner) than he was prepared to admit. Unlike the hon. Gentleman, I am not prepared to make such allegations against the privatised companies, but I have instigated an inquiry to find whether the privatised companies have performed in a manner that is satisfactory, against reasonable expectations. Let us see the answer to that.

The point that the hon. Gentleman makes about compensation is extremely interesting. I do not recall the Tories ever saying when in government that the electricity companies should pay compensation, whether or not they were responsible for the power cuts. The regulation is that they should pay compensation after 18 hours but only if they are responsible. By calling for blanket compensation, he is saying that the privatised companies are responsible. Excellent.

GATS Initiative

4. **Mr. Colin Challen** (Morley and Rothwell): What assessment she has made of the impact the general agreement on trade in services initiative will have on public services. [76420]

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): Public services are excluded from the scope of the GATS, provided they are not supplied on a commercial or competitive basis. The Government have made it clear that we have no intention of making commitments under GATS that would call into question our ability to continue providing public services such as health and education.

Mr. Challen: Despite that, a lot of people fear that the liberalisation of trade in services will lead to the liberalisation of trade in public services. For example, only 10 days ago the principal of the university of Strathclyde said:

"There hasn't even been the beginning of serious thinking about the implications of this. It could change the character of higher education dramatically and a lot of universities in the UK would sink."

Does my right hon. Friend know of the examples of Leeds and Bradford, where the education authorities are run by private companies? Will she strengthen her unequivocal commitment to preventing the liberalisation of trade in public services and commit herself to publishing the full responses to all the requests for liberalisation during her consultation?

Ms Hewitt: My hon. Friend makes an important point. Unfortunately there has been a great deal of misleading information, particularly from some of the non-governmental organisations about the impact of GATS. Let me make it quite clear to the House again that GATS cannot force this or any other Government to privatise public services. We have already published an extensive consultation document which is on the DTI website about requests that have been made to the United Kingdom under GATS. That document is currently out to consultation. Of course we shall publish responses to the consultation, if the respondents are happy with that and our own decisions in the light of that consultation.

Mr. Jonathan Djanogly (Huntingdon): Is not the whole point that under GATS the west should be able to sell its services to developing countries in return for which the developing countries want the abolition of production subsidies, particularly for foods, in the UK and Europe? Is it not the case, therefore, that the Prime Minister's failure to secure the ending of production subsidies in Brussels means that everyone will lose out and that Doha has been delayed?

Ms Hewitt: The hon. Gentleman is absolutely wrong. Had he listened to what my right hon. Friend the Prime Minister said in his statement on Monday, he would understand that at the summit over the weekend, we succeeded first in ensuring that after 2006 there will be a reduction in real terms in the total amount of subsidies going out through the common agricultural policy. Secondly, and even more importantly, the mid-term review of the common agricultural policy remains on track and remains a matter for the Agriculture Council subject to qualified majority voting. In other words, no country has a veto on it. We are absolutely clear that reform of the common agricultural policy is essential, not only for Europe's farmers and consumers, but above all for the people of the developing countries, and we will continue pressing in the Agriculture Council for radical reform of the CAP.

5. **Lawrie Quinn** (Scarborough and Whitby): Whether Governments will be required to privatise companies under the GATS initiative; and if she will make a statement. [76421]

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): As I have just explained, the GATS cannot force any Government to privatise services. The requests submitted to other World Trade Organisation member countries by the European Union make clear that the EU is not seeking the dismantling of public services, nor the privatisation of state-owned companies in developing countries. Where other Governments decide in their own interests to open services to private sector supply, we are asking in those negotiations for non-discriminatory access to those markets.

Lawrie Quinn: I thank my right hon. Friend and welcome her response. In the light of the recent summit in Johannesburg on sustainable development and the recent experience of liberalisation of markets in Russia and Asia, should not the so-called developing world be allowed to develop through partnership and a more sustainable approach? Above all, British companies should offer a helping hand to enable those countries to fulfil their opportunities in the trade round and their opportunities for future prosperity.

Ms Hewitt: I entirely agree with my hon. Friend. As we saw in the Asian crisis, if developing countries open some of their markets—for instance in financial services—too quickly without having adequate regulation in place, that can have most unfortunate

consequences. However, provided that the sequencing is right and, where appropriate, there is proper regulation by the domestic Governments, I have no doubt at all that increased foreign investment and trade is the best way out of poverty for developing countries. That is why we are so strongly committed to the Doha developing countries round and why my right hon. Friend the Secretary of State for International Development has led the way by committed £30 million to helping developing countries participate fully in those negotiations.

Fireworks

6. **Mr. David Crausby** (Bolton, North-East): What steps she is taking to improve firework safety. [76422]

The Parliamentary Under-Secretary of State for Trade and Industry (Miss Melanie Johnson): On 15 October I announced a package of measures to address the problems caused by fireworks. The measures are designed to cut down on the problems of noise and nuisance as well as to reduce accidents.

Mr. Crausby: I thank my hon. Friend for that reply. Does she agree that the menace caused by fireworks increases year on year, and will she consider legislation, not voluntary codes, to restrict severely the retail sale of fireworks, which causes so much distress, particularly to the elderly?

Miss Johnson: It was, and is, because I recognised the problems caused in communities by the illegal use of fireworks on the streets, often by teenagers, that I announced this package of measures. We need to see how effective the measures are in reducing problems. We are making air bombs illegal, introducing fixed-penalty notices, tackling the co-ordination of intelligence and encouraging councils to take steps. Many people thoroughly enjoy fireworks each year, and we need to strike the right balance to be effective.

David Burnside (South Antrim): Will the Minister take account of the fireworks directive that the Northern Ireland Office introduced in the spring and evaluate its impact before taking any measures on the mainland? The directive imposed a £30 application fee for private firework displays; that has almost wiped out the use of private fireworks, yet the use of illegal fireworks in Northern Ireland has massively increased. Will the Minister please consider the evidence of getting involved, with good intentions, in measures that have a counterproductive impact, as has happened in Northern Ireland?

Miss Johnson: I am grateful to the hon. Gentleman for his remarks. Of course, we always stay in contact with colleagues elsewhere in government to share their experience. We will indeed watch the situation in Northern Ireland with interest.

David Wright (Telford): Will my hon. Friend consider regulating to shift the sale of fireworks to mail order? That would have the benefits of removing fireworks from shops and ensuring that only people with credit or debit cards could purchase them.

Miss Johnson: I do not entirely share my hon. Friend's enthusiasm for that method of purchasing fireworks, because I believe that that may be a cause of some of the difficulties. Although it is true that unregulated sales of fireworks to teenagers through unregulated outlets is often the problem, I am not sure that the remedy that my hon. Friend suggests would help. I would prefer that we clamp down on the use of fireworks in the streets and on the routes by which young people acquire them illegally. It is illegal to sell a firework to anyone under 18.

Credit Cards

7. **Mr. James Plaskitt** (Warwick and Leamington): What assessment she has made of the effectiveness of consumer and competition legislation in respect of credit cards. [76423]

The Parliamentary Under-Secretary of State for Trade and Industry (Nigel Griffiths): Our legislation offers many safeguards. However, we are examining the present financial limits on credit card transactions, the number of exemptions, the activities of loan sharks, the advertising regulations and a number of other areas of concern. The consultation period lasts for another month and we welcome the contribution of all hon. Members.

Mr. Plaskitt: I am pleased to have my hon. Friend's reassurance on that matter. Does he share my concern about the misleading information issued by credit card companies? We looked at this in the Treasury Committee and found disturbing evidence. It is possible, for example, to have three different credit cards, all on the same annual percentage rate, borrow the same amount of money on each for the same length of time, yet the credit payment varies by up to 38 per cent. Is it time to look again at consumer and competition legislation and see if we can strengthen it to force the credit card companies to reveal the true cost of credit, whether it is used for the purchase of fireworks or anything else?

Nigel Griffiths: I read my hon. Friend's trenchant questioning on 1 May in the Treasury Committee, when he went into this matter in some detail. I am concerned that credit card providers are interpreting the regulations in different ways and that that is not helping credit card users. We want to be able to compare what is on offer and allow consumers to choose the best product for them. We will consult on this and on other changes in advertising requirements shortly.

Mr. Richard Allan (Sheffield, Hallam): Does the Minister accept that, although the United Kingdom credit card market is highly competitive, there are valid concerns about the level of security in a system that, unlike those used in other countries, does not require the use of a personal identification number or other form of identification at the point of sale? Does he believe that credit card security can be left entirely to the market

when the very fact of that competition may discourage credit card companies from imposing new, more onerous security requirements; or are the Government taking active steps to improve security, as credit cards increasingly become part of our daily lives?

Nigel Griffiths: Obviously, with billions of credit card transactions in Britain, the rest of Europe and the world, security is a very important issue for consumers, the credit companies themselves and the retailers, so I concur with the hon. Gentleman. We take the issue very seriously.

Mr. Peter Pike (Burnley): But at a time when we have low inflation and a low interest rate nationally, does my hon. Friend believe that, instead of being bombarded with good, attractive short-term introductory offers through the post, at every motorway service station and every shop, those people who use credit cards should be given lower long-term interest rates and a fairer deal?

Nigel Griffiths: My hon. Friend makes a powerful point. The Treasury Committee highlighted those concerns and was particularly critical of the practice of inducing people to take out new credit cards at what appear to be artificially low rates of interest and then ratcheting up those rates. I am reliably informed that the present examples that credit card suppliers use for their own comparisons of APR are not based on the actual usage of cards; they are not the best tools for making comparisons, and I understand that the Office of Fair Trading is examining a number of those matters at the moment.

Electricity Supply Industry

8. **Mr. John Grogan** (Selby): If she will make a statement on the electricity supply industry. [76425]

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): Since 1998, electricity prices have fallen by between 20 and 25 per cent. for commercial consumers and domestic prices are down by 8 per cent.—the fall is greater for those who have switched suppliers. As my hon. Friend the Minister for Energy and Construction said earlier, we are currently reviewing energy policy and will publish a White Paper in the new year.

Mr. Grogan: Does my right hon. Friend agree that in the context of rapidly falling wholesale prices, electricity companies with strong retail and distribution arms tend to be doing better than the pure generators, such as British Energy and AES Drax? Does she agree that in intervening in the market it would be wrong for the Government to favour one generator over another and that one way forward may be to take excess capacity out of the market and close the ageing Magnox reactors, which lost £200 million last year, sooner than planned?

Ms Hewitt: As I have said before in relation to British Energy, we are not interested in favouring or, indeed, necessarily saving a particular company; we are interested in securing energy and electricity supplies for the British people. As for the Magnox stations, that is a commercial matter for BNFL, which has a closure programme for those stations, the last of which will be decommissioned in 2010. Of course we have whole issue of the electricity supply markets under review and we will make further statements about it, not only in relation to British Energy, but, above all, in the White Paper.

Mr. Crispin Blunt (Reigate): Gas provides the largest and a rising share of our electricity supply needs. There are now strong indications that BP is about to begin a massive disinvestment from the North sea, following the Chancellor's tax hike in the last Budget. That will accelerate our dependence on imported gas and oil. What is the DTI's view of that contribution by the Chancellor to energy policy? Will the right hon. Lady confirm that she had not more than 24 hours' notice of that catastrophic measure?

Ms Hewitt: My right hon. Friend the Chancellor has been reviewing North sea oil taxation for some years, so the idea of there being only a few hours' notice of the measure is absolute nonsense. I also understand that BP has been reviewing its entire global operation. One of the problems that we have in the current electricity supply market is an over-supply of gas-generated electricity. That is, frankly, the direct result of the pool, which the Conservative Government supported, which artificially drove up prices and which led directly to the dash for gas. We will consider the place of gas and other sources of electricity generation in the White Paper.

Mr. Martin O'Neill (Ochil): Does my right hon. Friend agree that not only do we need a White Paper but legislation, particularly in relation to the nuclear liabilities authority, to straighten out at long last the historical costs from the current ones that the nuclear industry must face? Equally, the shortcomings in the new electricity trading arrangements and our worries about the incentives for longer-term investment might be addressed by legislation to afford the introduction of the British electricity trading arrangements, which will incorporate the Scottish stations, of which two are British Energy's nuclear stations. I know that her Department is always far down the list in terms of bidding for such legislative opportunities, but could we not have a miscellaneous provisions electricity Bill, as we had under the old Scottish Office, in which all the different elements could be put together to get the necessary legislation through in an appropriate time scale?

Ms Hewitt: I am grateful to my hon. Friend for that suggestion, of which I am sure my right hon. Friend the Leader of the House will take note. I cannot, of course, anticipate what will be in the Queen's Speech. Let me make it clear, however, that we are proceeding as rapidly as possible with our plans for the Liabilities Management Authority, which will require legislation, just as we are proceeding with our proposals for legislation to extend proper electricity trading arrangements to Scotland to ensure that energy generated there—which includes much of our renewables energy potential capacity—is available not only to Scotland but to the whole United Kingdom.

Mr. Nick Gibb (Bognor Regis and Littlehampton): Given that, over the next 10 to 15 years, CO_2 emissions

will continue to rise unless new nuclear power stations are built, which does the Secretary of State think is the greater environmental risk: nuclear waste or CO_2 emissions?

Ms Hewitt: Those important issues will be considered in the White Paper. I made a statement to the House last year about the arrangements that we propose to make for historic nuclear waste, which is an enormous problem that has to be dealt with properly, regardless of whether new nuclear plant is built. We are dealing with that as we have outlined, most recently in the White Paper on the Liabilities Management Authority. Our commitments not only to the Kyoto targets but, well beyond that, to far more challenging targets for a reduction in greenhouse gases are absolutely essential. We will spell out in the White Paper how we propose to meet those commitments and how we respond to the recommendations of the royal commission on environmental pollution. I should stress that we will have to use a variety of measures to meet future challenging commitments on CO_2 reduction, including far more radical steps on energy efficiency, and far more effective investment in renewables, as well as other sources of electricity generation. All that will be set out in the White Paper.

Mr. Kevin Hughes (Doncaster, North): Only a few weeks ago, the Minister had to bail out British Energy with a loan of £650 million. On top of that, the UK business of TXU, the United States energy giant, hit the rocks and the Yorkshire coal industry fast suffered serious consequences. Is it not time that the Government properly underpinned the British deep-mine coal industry, British Energy and renewable sources to give us a guaranteed, diverse and reliable base supply of energy, which would provide us with the comfort of knowing that our lights would not go out at the whim or financial misfortune of some of these foreign companies?

Ms Hewitt: TXU did get into difficulties, and, as my hon. Friend is aware, its UK operation has been sold with no disruption to continuity of supply for its customers. We have demonstrated our commitment to the UK coal industry through the UK coal operating aid scheme, in which we have invested more than £150 million to help secure the future of pits that have deep-mine reserves. We are now in the process of consulting on an investment aid scheme that might be possible under the new European rules on state aid to the coal industry. I take seriously my hon. Friend's point about the need to step up investment in clean-coal technology to contribute not only to security of supply but to our environmental objectives.

Mr. Andrew Lansley (South Cambridgeshire): Is the Secretary of State aware that as of yesterday afternoon 17,000 people in East Anglia still had not been reconnected to the power supply after the gales on Sunday? That has caused distress and inconvenience to my constituents who contacted me from Barton, Caxton, Eltisley and Swavesey, and they continue to have problems. In conducting an inquiry, will the Secretary of State ensure that either her Department or Ofgem pursue not only the general robustness of the system but, in that particular case, the problems associated with call centres, which made it difficult for people to notify faults, why the companies were unable to provide specific information about when they could reconnect the power supply, which left people with no knowledge, and why so many low-voltage faults continue to occur across my constituency?

Ms Hewitt: I entirely understand the enormous distress and disruption caused to the hon. Gentleman's constituents and many others around the country as a result of the power cuts. As my hon. Friend the Minister for Energy and Construction said, he has commissioned a review of what happened and the lessons to be learned from it. That follows a special study earlier this year, which considered the resilience of the electricity infrastructure and whether power companies would be able to cope in extreme conditions like those last weekend. The review's conclusions were generally, but not universally, positive. The new review is considering what happened in practice, what mistakes were made and whether there were simple inadequacies. The call centre business is an important part of that review. It appears that the inability in some cases of the companies to communicate with their consumers was at least as much part of the problem as the original disruption to the supply.

MINISTER FOR WOMEN

The Minister was asked—

Women Entrepreneurs

32. **Mr. Huw Edwards** (Monmouth): What she is doing to increase the number of women setting up their own businesses. [76452]

The Minister for Women (Ms Patricia Hewitt): The cross-cutting review of Government services for small businesses, published earlier this month, reinforced our commitment to encourage more women entrepreneurs. Yesterday I had the pleasure of attending the launch of Prowess, an organisation that promotes women's enterprise around the country that we support through the Government's phoenix fund.

Mr. Edwards: I welcome my right hon. Friend's reply. Does she agree that in Wales women are particularly under-represented in the small business sector? Will she join me in commending the work of the Welsh Development Agency and its entrepreneurship action plan, which gives practical business support to women and other under-represented groups? May I just mention the success of one local woman entrepreneur in my constituency, Simone Price, who has a very successful fitness centre and was recently awarded fitness trainer of the year?

Ms Hewitt: I am delighted to join my hon. Friend in congratulating his constituent and the Welsh Development Agency on their work. Increasing the number of women entrepreneurs in Wales is integral to

the business birthrate strategy. I very much welcome the work of the WDA with Chwarae Teg on a Welsh women's enterprise programme.

Sue Doughty (Guildford): Although the number of self-employed females has increased in the past few years, it is a different story in the boardroom. The number of women directors in the top 100 FTSE companies decreased over the past three years despite the fact that the most successful companies have women directors. What are the Government doing to address that?

Ms Hewitt: The hon. Lady is right to draw attention to the woeful lack of women at the top of our major corporations. My right hon. and learned Friend the Solicitor-General has done a great deal of work with the FTSE female index to draw attention to that problem. We are challenging corporations, their shareholders and their management to do better. The larger issue is the need to encourage more women to start up a business. I welcome, as I am sure the hon. Lady does, the findings of last year's Barclay's bank survey in which nine out of 10 women said that it is now easier to start a business. We will continue to encourage women to set up their own business and to go much higher in large businesses.

Ms Diane Abbott (Hackney, North and Stoke Newington): Is the Minister aware of the large numbers of black and minority ethnic women going into business, many in traditional areas such as hairdressing and catering but also increasingly into non-traditional areas? What is she doing to help, encourage and support black and minority ethnic business women?

Ms Hewitt: One of those very successful black woman entrepreneurs, Yvonne Thompson, chairs the ethnic minority business forum, which I set up when I was Minister for Small Business and E-Commerce to advise the Government on how we can more effectively support black entrepreneurs. I am delighted to say that we are supporting, again through the phoenix fund, a number of programmes throughout the country that direct support specifically to black entrepreneurs and black women entrepreneurs in particular.

Mrs. Caroline Spelman (Meriden): I am glad that the Minister mentioned the banks. I wonder if she is aware that the Association of Chartered Certified Accountants says that inequality in access to finance is holding back female entrepreneurs, who on average receive only a third of the capital obtained by their male counterparts. What does the Minister see as the main barriers acting against women who want to receive finance from the banks? What are the Government doing to address that?

Ms Hewitt: The hon. Lady raises an extremely important point. Access to finance, which is the No. 1 issue for every entrepreneur, is undoubtedly a particular barrier for women. That is partly because women, on average, have less access to personal security that they can offer to the banks, but I am afraid that it is also because some bank managers clearly do not think that women can succeed in business. We are working with the British Bankers Association on that, and through Prowess and its network of women's business support organisations we are directly supporting loan funds that target their operations on women entrepreneurs.

Barbara Follett (Stevenage): Is my right hon. Friend aware that new businesses started by women are far less likely to fail than those started by men? That is put down to our natural caution and our ability to do more than one thing at once. Given that women have those attributes, will the Minister do all that she can to encourage girls to take up a career in management?

Ms Hewitt: My hon. Friend is absolutely right. It is a very striking fact that whereas in Britain fewer than a third of businesses are started by women, in America more than four in 10 new businesses are started by women, and businesses owned by black women there are growing at twice the rate of all the women-owned businesses and at four times the rate of all American firms. There is enormous entrepreneurial potential among our women that we seek to encourage. I am not surprised that the global entrepreneurship monitor report, which I know my hon. Friend is aware of, noted last year that one of the best ways for Britain to increase its levels of entrepreneurship would be to support and encourage more women into business, and that is exactly what we are doing.

Gender Pay Gap

33. **Michael Fabricant** (Lichfield): What proportion of her time was spent over the last month on the pay gap between the sexes. [76453]

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): In the last month I have launched the public consultation on the new equal pay questionnaire. This week, the Minister for Social Exclusion and Deputy Minister for Women and I hosted the first annual Castle awards ceremony, which recognised steps taken by employers to address pay inequality. I am also working with the Under-Secretary of State for Education and Skills, my noble Friend Baroness Ashton of Upholland, and other colleagues to develop child care policies that will also help to close the pay gap.

Michael Fabricant: The Secretary of State did not answer my question about what proportion of her time was spent on the pay gap. I am tempted, Mr. Speaker, to ask her question 10, which I had hoped to ask her a little earlier, but I suppose that would be out of order.

Is the Minister aware that there is now a 17 per cent. pay gap between men and women as early as age 24? How does she intend to narrow that gap, given that under this Administration so many gaps have widened, including, as the Rowntree Foundation pointed out, the gap between rich and poor in this country?

Ms Hewitt: I would be delighted to welcome the hon. Gentleman to the league of equal pay champions whom we are appointing. We are doing a great deal to try to close this extremely stubborn pay gap. Every Department and public sector agency is carrying out an audit of its pay system to uncover the causes of the gap.

Those are on track for the target date next April, and of course they will be followed by action plans to sort out the problems that they reveal.

We have also, in the Employment Act 2002, strengthened the Equal Pay Act 1970 by introducing the questionnaire procedure to which I referred. Through the fair pay champions and the Castle awards we seek to do far more to spread good practice in the private sector so that the pay gap, which has been narrowing over the years but has not been eliminated, continues to decrease and ultimately to disappear.

Race and Employment Directives

34. **Joan Ruddock** (Lewisham, Deptford): If she will make a statement on the implementation of the Article 13 Directives on Race and Employment and the feasibility study on a single equality body. [76454]

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): Last week the Minister for Social Exclusion and Deputy Minister for Women) published a summary paper setting out the Government's plans to implement the race and employment directives, and a consultation paper on creating the right framework to support equality legislation.

Joan Ruddock: I thank my right hon. Friend for her reply. I received a letter from a female constituent who said:

"The thought that my partner may be prevented from seeing me in hospital because she is not my next of kin is incredibly upsetting and frustrating."

Inheritance tax, housing rights and pension benefits are just some of the inequalities that thousands of people in Britain face today. Does she anticipate that the changes in the legislation that she proposes will help my constituent?

Ms Hewitt: My hon. Friend raises an important point. The draft regulations to implement the directive on which we are consulting provide that where, for instance, a pension scheme provides benefits to unmarried partners, it will need to do so whether the partner is of the same sex or the opposite sex. We will also outlaw direct discrimination against same-sex couples. We are examining civil partnership registration and the associated rights and responsibilities, which as my hon. Friend knows, raise a number of complex issues. We are taking on board her concerns and those of her constituent.

Business of the House

12.32 pm

Mr. Eric Forth (Bromley and Chislehurst): Will the Leader of the House give the business for next week?

The Leader of the House of Commons (Mr. Robin Cook): The business for next week will be as follows:

MONDAY 4 NOVEMBER—Consideration of Lords amendments to the Adoption and Children Bill.

TUESDAY 5 NOVEMBER—Consideration of Lords amendments to the Nationality, Immigration and Asylum Bill.

WEDNESDAY 6 NOVEMBER—Consideration of Lords amendments to the Animal Health Bill.

THURSDAY 7 NOVEMBER—The House will be asked to consider any Lords amendments which may be received and have not been debated on a preceding day of the week.

The House will be prorogued when Royal Assent to all Acts has been signified.

The House will be aware that we will reconvene on Wednesday 13 November to hear the Queen's Speech and the next business statement will be on Thursday 14 November.

I am pleased that following the motion that was carried on Tuesday—

Michael Fabricant (Lichfield): Only just—seven votes.

Mr. Cook: It was carried to acclamation, may I tell the hon. Gentleman, with a just majority that any of us would settle for. I am now announcing for the first time a Commons calendar for a whole year. [HON. MEMBERS: "Hear, hear."] I am grateful for support on both sides of the House.

We plan to rise for the Christmas recess on Thursday 19 December and return on Tuesday 7 January. For the half-term week, the House will rise on Thursday 13 February and return on Monday 24 February. I am grateful for the attention of the House; I do not usually encounter such silence when I address it—*[Laughter.]* For Easter, we will rise on Thursday 10 April, and that will be combined with the constituency week, with the House returning on Monday 28 April. For Whitsun, we will rise on Thursday 22 May and return on Tuesday 3 June. For the summer recess, the House will rise on Thursday 17 July and return on Monday 8 September. Finally, for the conference recess, the House will rise on Thursday 18 September and return on Tuesday 14 October. I must repeat the health warning that while we on this side will use our best endeavours to meet those dates, our success in doing so will depend on the progress of business.

Mr. Forth: We are grateful to the Leader of the House for giving us the business for next week, and are particularly grateful that he has honoured his undertaking to tell us the dates for the year ahead—we all very much welcome that. In that context, something has just occurred to me. Does he anticipate that each of these Thursdays on which he has announced the House will rise will be normal business Thursdays, and that there will be a business statement? That would help me and the House generally.

While the right hon. Gentleman is in this looking-ahead mode, can he say anything about the pre-Budget report? Last year, we had quite a lot of notice of it. It is an important event that we all anticipate eagerly. If he cannot tell us now when it might be, perhaps he can undertake that we shall be given full and adequate notice of the report so that appropriate dispositions can be made.

Representations have been made to me about an overlap or conflict in business that appears in today's Order Paper. In the Chamber this afternoon, we are debating defence matters. Simultaneously, in Westminster Hall, there is a debate touching on matters related to terrorism and foreign policy. A number of my right hon. and hon. Friends—I suspect that this applies to Members throughout the House—have a great interest in both debates. It is especially unfortunate, therefore, that business of a similar nature has been scheduled in both the Chamber and Westminster Hall which will require many Members to make a difficult choice.

I make this plea to the Leader of the House: will he use his best endeavours to ensure that such overlap or conflict will not arise in future? Whatever our views about Westminster Hall may be—I suppose that even I must accept that it is now a permanent feature of our lives—please let it not become a negative rather than a positive in terms of what Members can do on the same day.

The Nationality, Immigration and Asylum Bill is in another place and, as the Leader of the House announced, it is about to head in our direction next week. The Bill has been hugely changed. I think that it is fair to say that it is now in a bit of mess. As a result, I gather that one of the measures that has been inserted in it is what we used to call in the trade a Henry VIII provision, although I understand that it goes even further than that. In other words, such a mess has been made of the Bill that the Government had to insert in it something to this effect: "If we discover that it is unworkable in future, we can change it at will without having to return to the House."

Given those factors, will the Leader of the House give me an undertaking that we shall have enough time fully to scrutinise the changes that were made in another place and to deal with the very broad provision that has been inserted in the Bill? I hope that he can, and that we will not, even at this late stage in the Session, be forced to truncate or restrict our scrutiny of the Bill, important as it is in its own right but even more so because of the provisions that have been inserted in another place.

The changes that we voted for the other day will be new to us all, especially the 11.30 am start and the 7 pm finish. I ask the Leader of the House to give a guarantee to the House that we shall always have Secretaries of State in the Chamber for departmental questions and other related business at 11.30 am each day, and that we shall not start in any circumstances to have excuses being made such as, "Well, it was a bit inconvenient" or, "The Secretary of State had to be elsewhere" or, "There was something else happening", particularly if it happened to be in a media studio or something of that

[Mr. Forth]

kind. I think that I am making a reasonable request to the right hon. Gentleman that he instruct his fellow members of the Cabinet that they will be in the Chamber at 11.30 am every day to answer to the House, with no backsliding.

Mr. Cook: I am grateful to the right hon. Gentleman for his welcome for the annual calendar that we have brought in. I believe that it will enable right hon. and hon. Members on both sides of the House to plan more effectively for the use of their time in their constituencies. In the spirit of amity, I was much distressed to see in today's edition of the *Daily Mail* that he was described as dressing

"like a Victorian undertaker out for a day at the races".

I thought that grossly unfair to the right hon. Gentleman, who brings colour to our lives. I urge him to pay no attention either to that or any of the other points in the *Daily Mail*.

On the pre-Budget report, I anticipate that it will take place at roughly the same time this year as it has done in previous years. Plainly, it is important that the official Opposition and other parties get good notice of it. If it is not possible for me to do that through the business statement, we will certainly ensure that it is done through other channels.

The debate in Westminster Hall is, strictly speaking, on international terrorism; the debate in the Chamber is on domestic defence. I am conscious, though, of the point that the right hon. Gentleman makes. We are obligated to have the debate in the Chamber today because, under the present agreement, we are obligated to have five days for defence debates in the House each Session, and we must get it in this week if we are to meet that obligation. We will try to avoid such a coincidence in future. I warmly welcome the fact that his observation on Westminster Hall is the kindest that he has yet brought himself to make about it. *[Interruption.]* I would not wish to hear that the right hon. Gentleman was mellowing. That would be a great disappointment to all of us.

On the Nationality, Immigration and Asylum Bill, the House will have a full day to debate those matters next week, and I take the right hon. Gentleman's point about the importance of making sure that the time is available for that. There is a big set of issues before us that day, to which the Government attach the greatest importance. I hope that Opposition Members who have spent the past year demanding vigorous action from the Government on asylum will not undermine their own statements by failing to support the Government in the vigorous action that is contained in the Bill.

Lastly, the right hon. Gentleman invited me to make an instruction to my colleagues in the Cabinet. If he will forgive me, I shall try to find more emollient, less challenging language. Of course, I totally endorse his view that the first call on any Secretary of State must be to be in the House to answer questions here, and I think that that will remain the case. I cannot exclude the possibility that, from time to time, there may be occasions when the House would recognise that there may be other competing calls—for instance, the necessity sometimes to represent Britain's case in European Council meetings. [HON. MEMBERS: "Ah!"] Opposition Members would be the first to criticise us if any of my colleagues let the British case go unstated on such important occasions. With those very few limited exceptions, yes, of course the first call on any Secretary of State will be to be in the Chamber for Question Time, and I do not anticipate that the change in time will make any difference to that.

Mr. Paul Tyler (North Cornwall): The Leader of the House has given us details of the debates on the Queen's Speech. May I draw his attention to an apparent anomaly? Although we debate at great length the contents of the Queen's Speech, it seems that we are not permitted to be given the Government's views on the status and format of that speech. Will he comment on the report in *The Times* yesterday headlined "Courtiers move to let the Queen speak her mind"? Is there any intention for future years, if not for this year, to disentangle the Government's declaration of their intentions from the direct statement from the sovereign?

On the modernisation package that was approved by the House on Tuesday evening, will the Leader of the House correct the impression given, perhaps inadvertently, by the Conservative spokesman that business will end at 7 pm? Does he accept that the motion that we passed refers to the moment of interruption, and that it would be possible, for example, to have private Member's business after 7.30 pm or whenever the Adjournment has taken place, or before the Adjournment? There are possibilities there.

Has the right hon. Gentleman's attention been drawn to *Hansard*'s report of the proceedings last night, when the right hon. Members for Bromley and Chislehurst (Mr. Forth) and for East Yorkshire (Mr. Knight), speaking from the Back Benches, gave a lively performance? I do not know whose hospitality fuelled it, but it was certainly lively. Has the Leader of the House subsequently seen in *The Daily Telegraph* this morning that the right hon. Member for Bromley and Chislehurst is described by one of his senior colleagues as being "out of control"? Will he deprecate any statement that any right hon. or hon. Member should be under anybody's control, let alone the right hon. Member for Bromley and Chislehurst, who is famous for his independence of mind, and let alone under the control of his leader?

Mr. Cook: I can well understand why the right hon. Gentleman's leader might wish to bring him back under control. I read in my copy of *The Daily Telegraph* this morning over breakfast—always the first paper to which I turn—that he has been saying that he has 80 Conservatives ready to sign a motion of no confidence in his leader. If true, that would certainly worry his leader, as I understand that it would take only 90 votes to carry such a motion. However, it is not for me to pry into that interesting and mysterious relationship.

On the Queen's Speech, I also read the article to which the hon. Gentleman referred and I was, frankly, rather mystified by it. We have no plans to change the nature of the Queen's Speech and I am not aware of any proposal from the palace that it be changed. The speech will continue within the broad parameters that it has, by convention, followed for a long time.

The hon. Gentleman was right in his observations about what happens at 7 pm. I tried to draw attention to the issue in my winding-up speech on Tuesday night. We

have moved forward by three hours the start and close of the proceedings of the House. I deprecate newspaper reports suggesting that we have cut our hours. We have not done so; the hours of debate remain constant. What we have moved forward is the time at which the main business comes to a close, when there is a moment of interruption before any other business may begin. During this Session, we have become accustomed to not taking other business after the moment of interruption, but as I said on Tuesday, I cannot guarantee that that will always happen. However, I am conscious that the House voted on Tuesday for an earlier start and finish and I caution hon. Members against already starting to unpick that only two days later.

Fiona Mactaggart (Slough): On the decisions that we made on Tuesday, will the Leader of the House commit to having the widest possible consultation with hon. Members about the practical mechanisms for implementing them? People are not clear and they have views. The widest possible discussion will enable those new arrangements to work well.

Mr. Cook: I am grateful to my hon. Friend, but before I deal with her point, may I return to an issue raised by the right hon. Member for Bromley and Chislehurst (Mr. Forth), which I regret having overlooked? It would be my intention to have business statements on the Thursdays to which he referred. If that should change for any reason, we will ensure that he is informed. The reason why we will have no business statement next Thursday is not that the House is adjourning, but that it is the last day of the Session, so technically, I have no other business to announce for the Session. However, since the dates that I announced will all fall in the same Session, I anticipate that a business statement would normally be made.

My hon. Friend the Member for Slough (Fiona Mactaggart) made an important point. I intend to write to all hon. Members setting out the implications of Tuesday's decisions, how we will proceed with them and when they will come into effect. Of course, I am happy to consult Members and staff to ensure that their introduction is as smooth as possible and also as consensual as possible, consistent with the fact that the House reached a decision. I hope that, over the next year, we can arrive at a situation in which all Members believe that they voted for the changes, even if they did not do so.

Miss Anne McIntosh (Vale of York): Is the Leader of the House aware that the air travel trust fund operated by the Civil Aviation Authority is £9 million in debt, and that, in reply to a question that I asked about the issue, one of his right hon. Friends offered to find space in parliamentary time for the introduction of primary legislation enabling the application of a levy to the industry to make good the debt? Is he further aware that no such time has been made available? If a major charter company went bankrupt, there would be severe difficulties in returning affected passengers to this country. Will he therefore enlighten the House as to whether there will be space in the Queen's Speech and time in the next legislative Session for that primary legislation to be put before the House?

Mr. Cook: As the hon. Lady knows, we are about to reconvene for the Queen's Speech and hear a full list of the primary legislation that may be introduced. I can assure the House that we are in for a very full and busy Session. On the specific point that she raises, I would be happy to draw her comments to the attention of the colleague to whom she referred and ensure that it is discussed directly with her.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): Is the Leader of the House aware that I am deeply disturbed—*[Laughter.]* Is he aware that I am deeply concerned about the reports to which he referred, in today's *Daily Mail* and in *The Daily Telegraph*, about a right hon. Member who looks like a Victorian undertaker? In view of that concern, will he consider arranging a debate, preferably next week, which he and his shadow would lead, on the importance to parliamentary democracy of effective opposition?

Mr. Cook: My right hon. Friend is being mischievous, albeit very entertainingly so. Of course, it is for the Opposition to decide on proceedings in the days for debate on the Queen's Speech—we will have six days' full debate—and it would be immensely welcome if they were to have the courage to initiate a debate along the lines that he suggests.

Mr. Christopher Chope (Christchurch): Is it by design that the Government have announced that on 17 February next year, when congestion charging is introduced in London, Members of Parliament will not be here to experience the suffering?

Will the Leader of the House deal with the serious anxieties of those who have fleet vehicles and are subject to the fourth EU insurance directive? Regulations under that directive have to come into effect on 20 January next year, which has enormous implications. I understand that they have not yet been drafted. When will they be laid before the House? Will there be an opportunity for proper debate and consultation with the people affected before 20 January?

Mr. Cook: I assure hon. Members that congestion charges were not uppermost in our minds when we chose the dates for the recess. Hon. Members will, of course, return afterwards when they are in place. I shall take up the other matter that the hon. Gentleman raised with the relevant Department and ensure that we try to get the text deposited with the House as soon as possible. We have always tried to make sure that we have the text of European documents and legislation as early as possible. Sometimes the reason for the delay does not lie on this side of the channel, but I will pursue the matter so that hon. Members can consider the directive as soon as possible.

Kevin Brennan (Cardiff, West): Will the Leader of the House get the Secretary of State for Health to make a statement on national health service consultants' rejection this morning of the wicked Government's terrible offer? It would have required them to work a 40-hour week and sometimes to work at weekends. It would have stuffed their mouths with gold by expecting them to accept a 20 per cent. increase in their pay. Is not that shocking treatment of NHS workers? What other group of workers would be expected to accept such an offer?

[Kevin Brennan]

Will my right hon. Friend ensure that the Secretary of State comes to the House today to defend his treatment of NHS consultants?

Mr. Cook: I am happy to remind hon. Members that consultants in Scotland voted for the contract. I share my hon. Friend's regret that consultants in Wales did not. He is right that the offer constituted an increase of 15 per cent. over consultants' careers. They have rejected a fair deal, which offered more time for NHS patients in return for more money. It had been negotiated with consultants' representatives and was recommended to them by the consultants' committee that negotiated the agreement. I regret that the profession has rejected it. The Government will look to work with consultants who want to work with us to improve patient care.

As my right hon. Friend the Secretary of State for Health made clear, there can be no renegotiation of the package, there will be no more resources beyond the 15 per cent. already on the table, and we must not allow any veto on NHS reform in the interests of patients.

Mr. Alex Salmond (Banff and Buchan): When will a statement be made on the crisis in the fishing industry, given the overwhelming interest in the coastal communities and the thousands of jobs that are at stake? Perhaps the Leader of the House knows that the Scottish Minister in the Scots Parliament made a statement yesterday. As we speak, an SNP debate is taking place in the Scots Parliament.

Does the right hon. Gentleman recall signing a document in 1998 that provided that the Scots Minister should lead UK delegations to Europe and the Council of Ministers when appropriate? When could that be more appropriate than when 80 per cent. of the jobs at stake are in Scotland? Yet we are met with obvious indifference; the UK Government will not even make a statement.

Mr. Cook: I acquit the Government of indifference about the matter. The concordat to which the hon. Gentleman referred has worked well—

Mr. Salmond: Answer.

Mr. Cook: The hon. Gentleman asked me a question; he must bear with the answer even if he does not agree with it. The Scottish Executive would make no complaint of their involvement in work in Brussels. Their representatives work closely with the British embassy there.

I understand the importance of the issue to the hon. Gentleman's constituents and other fishing communities in Scotland. However, we must take account of scientific reality. In 30 years, cod landing has reduced from 741 tonnes to 41 tonnes a year. The scientific community tells us that we are in danger of the cod stocks disappearing. The issue is not whether we have some restraint or no restraint, but whether we have it now, when we can save the cod, or total restraint when we have finished off the cod for ever.

Paul Goggins (Wythenshawe and Sale, East): My right hon. Friend will be aware that 14 million people in southern Africa face an acute food shortage. Will he arrange for the Secretary of State for International Development to make a statement to update the House on what action she is taking to assist those people? Will he also arrange for the House to be told what preparations are in hand in relation to Eritrea and Ethiopia, where I am told that a similar crisis is looming?

Mr. Cook: I am pleased to remind my hon. Friend that my right hon. Friend the Secretary of State for International Development will be answering questions on Wednesday, and I am sure that we shall have an opportunity to discuss those points, among others, then. I remind the House that the Government have an excellent record on providing aid and assistance to Africa. Over the lifetime of this Government, we are increasing that aid by 50 per cent. That is a substantial help to many rural communities there, and is well ahead of the performance of any other major donor nation.

Sir George Young (North-West Hampshire): Can the Leader of the House say anything about the likely business when the House returns? Given that there is to be no business statement next week and that we have just voted for more certainty in our affairs, is it not perverse that, when we return, we shall not know the business for the second week back? Will he also confirm that the Chancellor of the Exchequer is not exempt from this new regime for certainty, and that there will be an early announcement of the date of the pre-Budget statement?

Mr. Cook: I am happy to remove any doubt that the right hon. Gentleman and his colleagues may have about the week after the Queen's Speech. That week will be dominated by the Queen's Speech. I have just referred to the fact that there will be six days of full debate on that matter, which takes us up to and includes the Wednesday of the next week. The topics for those debates are a matter on which he can address his Front-Bench colleagues, because the topics will be their call.

I have said already that I anticipate that the pre-Budget report will be given at broadly the same time this year as last year. Should it require any approach other than by me, I am sure that that will be made. We would not want such an important statement of the Government's success in having a sound economy to take place without adequate warning to the House.

David Winnick (Walsall, North): The Leader of the Opposition should be left alone. He has a very difficult job.

Following the decision taken on Tuesday, will my right hon. Friend reaffirm that the House of Commons section of the Palace of Westminster will remain open in the late evenings for meetings? It would be totally unacceptable if those facilities, which are used by many outside organisations—some in the Labour movement, obviously, and many outside it—were closed when the House is no longer sitting. I hope that all those facilities for meetings will remain open as they do at present.

Mr. Cook: I am pleased to be able to give my hon. Friend that assurance. Indeed, I have stressed throughout that facilities in the House will continue to

remain open even though the House may not be sitting. That includes the Library, refreshment facilities and, certainly, rooms for meetings. Indeed, if we adjust our hours in the way for which we voted on Tuesday, there may be even greater convenience and ease for meetings to take place on the premises when we do not require them ourselves.

Matthew Green (Ludlow): Will the Leader of the House arrange either a ministerial statement or a debate on the loss of power that many households in my constituency and many others—such as that of my hon. Friend the Member for North Norfolk (Norman Lamb)—have suffered following the gales at the weekend? Almost a thousand households in my constituency still had no power yesterday, and some were still being reconnected this morning. I understand that the power companies are saying that they should not pay compensation because this is an act beyond their means. Many homes in my constituency have also been without water for three or four days because there has been no power supply for the generators. The water companies are saying that they should not pay compensation because it was not their fault, but the fault of the electricity companies. Can we debate this matter at the earliest opportunity?

Mr. Dennis Skinner (Bolsover): Get rid of privatisation.

Mr. Cook: I would say to my hon. Friend the Member for Bolsover (Mr. Skinner) that not even he could blame the recent gales on privatisation. While I share his robust defence of our philosophy, we cannot on this occasion blame these circumstances on capitalism.

I fully sympathise with the distress and difficulty caused to the constituents of the hon. Member for Ludlow (Matthew Green) who have been deprived of their electrical supply. He underlines the extent to which, in modern society, so much of what we rely on depends on power being available. When that power supply is shut down, the effect is much more dramatic than it might have been in previous decades. If he will forgive me, I will not be drawn on the difficult legal question as to who is liable and who might be sued. That is a matter for lawyers, not politicians. I can assure him, however, that we are in close contact with the power authorities seeking to get restoration, and the information that I received this morning is that they anticipate that most of those who were still disconnected yesterday will be reconnected during the course of today.

Mr. Tom Harris (Glasgow, Cathcart): On Monday, my right hon. Friend and I took part in a debate on alleged abuses of the House of Commons by those Members who have not yet taken their seats. The charge was led by the shadow Leader of the House. Does my right hon. Friend share my concern at media reports this morning that abuses of House facilities—namely, the Members' Tea Room—have indeed been taking place this week, involving none other than the shadow Leader of the House, for nefarious party political purposes?

Mr. Cook: I am shocked to hear that the Tea Room is used for party political purposes. This is a very serious allegation, which I shall of course immediately discuss with the Chairman of the Standards and Privileges Committee to consider whether we should pursue it.

Mr. Mark Prisk (Hertford and Stortford): Is the Leader of the House aware of the growing problems affecting the Government's consultation on airport policy? Of the documents involved, six remain unavailable to Members and those that have been published contain serious factual errors. On Saturday, a new exhibition will take place in my constituency, because of previous mistakes, and I understand that some of my constituents are seeking a judicial review of the consultation process. Given that, will he look carefully at early-day motion 1792?

[That this House notes with concern the consultation period of four months and that this equates to just seven parliamentary weeks; and calls upon the Government to extend the period of consultation to the end of February 2003 to give more people a chance to respond.]

It seeks a short extension and is supported by Members on both sides of the House.

Will the Leader of the House arrange for the Secretary of State for Transport to come to the House early next week to explain what has gone wrong with the process and whether the Government will extend the consultation? I must tell the Leader of the House that this is a matter of rising concern among Members across the House, and I hope that he deals with it appropriately.

Mr. Cook: I understand the importance of the points that the hon. Gentleman raises, and I shall certainly communicate with the Department for Transport on the importance of making available any documents that remain unavailable to the House. The consultation lasts four months, which, of course, exceeds the normal 12 weeks. The points that he raises underline the importance of consulting widely before moving to a decision, but whether there is room for any further delay would depend on how quickly we needed to reach that decision, and I suggest that it might not necessarily help all the communities affected if uncertainty were prolonged unnecessarily.

Mr. Harry Barnes (North-East Derbyshire): The first Adjournment debate that I was ever granted in the House by Speaker Weatherill was about an underground fire in my constituency. Appropriately, it was granted on 5 November. May we have a debate, perhaps on that date, on the misuse of fireworks? Although we have had a debate in Westminster Hall, the matter is very serious and the arrangements for the manufacture, sale, distribution and use of fireworks have got seriously out of hand. Can the debate be broad enough to allow us to discuss fireworks advertisements, such as one which states:

"Start off your display with a 'noisy firework'. This could be a rocket or perhaps an air bomb battery."?

It ends:

"Make sure that the finale is a spectacular setting of 2-3 of the loudest fireworks at once."

Considerable misuse is taking place and it needs to be squeezed out.

Mr. Cook: On 5 November, the House is committed to debating the Nationality, Immigration and Asylum

[Mr. Cook]

Bill, on which I anticipate there may be some harmless pyrotechnics in the Chamber. My hon. Friend raises a serious issue, however, and hon. Members in many constituencies will have seen its damaging effects on constituents when things go wrong. That is why the Government have launched a major publicity campaign to try to reduce the mischievous and irresponsible use of fireworks, and why we have already committed ourselves to taking the necessary powers next year to ensure that the most harmful fireworks and those that are most misused are not available on general sale. He makes an important point, which I am sure will continue to be at the forefront of the House's deliberations, not just this year, but in future years.

Mr. John Wilkinson (Ruislip-Northwood): Further to the question of my hon. Friend the Member for Hertford and Stortford (Mr. Prisk), the airports policy consultation document offers a pro forma reply at the end, but does not Parliament need to be consulted on matters of such crucial significance to our constituents' welfare? As the right hon. Gentleman has rightly announced the outline of the parliamentary year ahead, can he give us any commitment to a full debate on airports policy before the end of the consultation on 29 November?

Mr. Cook: I do not think I can commit myself to a debate on any subject by 29 November. That would be within a week of the Queen's Speech, and as I said, we have a busy year ahead of us. I fully appreciate, however, that airports policy is a major issue, especially for constituencies that are directly affected. It is inconceivable that we could proceed without giving Parliament a full opportunity to question the relevant Minister and express its views.

Mr. Mark Todd (South Derbyshire): Like many other constituencies, South Derbyshire is troubled by the problem of illegal camping on public and private property, and the nuisance and dumping of waste that it often causes. In July the Government announced that they were considering measures to strengthen controls on this antisocial activity. Apparently the matter has been passed to the Home Office. Could my right hon. Friend persuade a Home Office Minister to come here and tell us what progress the Department has made?

Mr. Cook: I realise the enormous distress that is caused to many communities by illegal camping. As my hon. Friend will know, the Government recognise that what often concerns our constituents most is low-level antisocial behaviour which, while it may not necessarily grab the headlines, can have a serious impact on local communities' quality of life. I will draw my hon. Friend's comments to the attention of my colleagues in the Home Office, and ensure that they contact him about the progress they have made since the announcement.

Mr. Roy Beggs (East Antrim): According to the published results of a Department of Education household consultation in Northern Ireland, only in the 50 most deprived of a total of 566 wards was there agreement that academic selection should end. Will the Leader of the House make time for the Northern Ireland Minister responsible for education to come and explain why, in a written answer given to me this week, she said the predominant view was that academic selection should be done away with? Surely that was misleading the House, and an apology should be made.

Mr. Cook: I confess that I am not familiar with the details, but I will certainly draw the hon. Gentleman's question to the attention of the relevant Minister and invite him to write to the hon. Gentleman.

Mr. Tony McWalter (Hemel Hempstead): Knowing that my right hon. Friend would welcome a question about top-up fees, I thought I might give him one. Does he agree that the universities in the most financial difficulty are those with a high proportion of science and engineering students? It appears that the resources allocated to those courses are insufficient. My local university, the university of Hertfordshire, is about to close its physics department, having already closed its chemistry and civil engineering departments. Does my right hon. Friend agree that the matter is urgent, and that the House should have an opportunity to debate it fully as soon as possible?

Mr. Cook: I am obliged to my hon. Friend for his suggested reply, and look forward to an occasion when an education Minister may be able to respond to his question.

The Government are proud of having provided an extra £1,700 million for higher education. That represents a remarkable change from the policy of retention pursued by the last Government. We want to ensure that we have the best—world-class—higher education, with universities that can hold their own in the face of what is increasingly global competition. The purpose of the review that will be published shortly is to examine how we can ensure that universities have the necessary resources while also ensuring that even the poorest citizen can go to university.

Mr. Andrew Mitchell (Sutton Coldfield): Will the Leader of the House consider organising a statement by the Deputy Prime Minister early next week on urban policy, following the meeting that he is holding today? I am particularly concerned about the knock-on effects of urban policy on greenbelt issues. We in Sutton Coldfield have been very suspicious of the Deputy Prime Minister's views on the green belt since his outrageous overturning of an independent inspector's report on Peddimore in my constituency, which would have protected the green belt.

Mr. Cook: I do not want to pursue the hon. Gentleman down an individual planning decision. I fear that I would quickly end up in difficulty on what is proper and on what may be appropriate for the local community to comment on, but on the generality of the principle that he raises I remind him that this Government have increased the green belt rather than reduced it and that the thrust of the policy of the Deputy Prime Minister is to ensure that as much building as possible takes place on brownfield land, not on green land. We will continue to pursue that policy.

John Cryer (Hornchurch): Further to the question asked by the hon. Member for North Norfolk (Norman

Lamb), after the storms at the weekend a number of my constituents experienced power cuts. When they tried to contact the power supply companies, they were treated to a series of electronic voices followed by silence. I was under the impression that after the Tories pushed through privatisation attention to customer problems would be the top priority—in the marvellous new world of liberalisation, all that would be attended to. When will the Minister for Energy and Construction come to the House to tell us when the power industry will be renationalised and taken back into public hands—without compensation—or failing that, can we have a debate on the problems experienced in the supply of power to constituents such as mine?

Mr. Cook: I do not anticipate such a statement next week.

Of course, it is important that customers experiencing severe disruption to their supply should be able to get guidance, satisfaction and reassurance from the power authorities. I know that the Minister for Energy and Construction has been pursuing the power authorities to ensure that they respond well. Possibly after this week, when power has been restored to all consumers, it will be important that we sit down and learn the lessons of how the system operated this time.

Mr. Alistair Carmichael (Orkney and Shetland): May I ask the Leader of the House to make time available soon for a debate on the recent spate of job losses in the offshore oil and gas industry? In my constituency there have already been job losses at Sullom Voe oil terminal, and more are threatened. Those losses are all part of a process that started with the tax changes that the Chancellor of the Exchequer made in the Budget, without any warning to the industry. It is surely right and proper that he should come to the House to explain away the fruits of his labours.

Mr. Cook: To be fair, the Chancellor answers questions in the House regularly and there will be an opportunity for extended questioning to him on the pre-Budget report. Indeed, I anticipate that some of those issues will be relevant to whatever topics are nominated by the Opposition for debate following the Queen's Speech. There will be a number of opportunities for the hon. Gentleman to pursue those matters.

I deeply sympathise with the distress that will be caused to the constituents of any hon. Member who face redundancy and change. However, we must view that in the context of the fact that, in Britain, 1.5 million more people are at work than when we came to office.

Alan Simpson (Nottingham, South): May I ask for an early statement or debate on the increasing problems of violence in cities? If the Leader of the House saw last week's television programme about violence in Nottingham, he will have been as struck as I was by the incidence of violent crime that is alcohol related and the incredible problems that both licensing justices and local authorities now have in managing social movements of people around watering hole establishments; it is on a scale and density that they no longer have the power to refuse. Can the House and the Government take the opportunity to look again at the powers that we need to restore to local authorities and licensing justices just to be able to say no to some of these developments?

Mr. Cook: My hon. Friend raises the issue of the link between violence and alcohol which is clear and borne out by the evidence and statistics. The House will have the opportunity to explore those matters in the event of legislation on alcohol licensing in the next Session. The important considerations that my hon. Friend has outlined need to be heard in those debates.

My own local authority has made substantial progress in reducing violence from alcohol, not so much by controlling the licences of outlets of alcohol but by ensuring that the fast food outlets shut at the same time as the pubs, a move which has dramatically reduced the number of fights in the fast food outlets.

Dr. Julian Lewis (New Forest, East): May we have a statement from the Secretary of State for Culture, Media and Sport on the role and terms of reference of what is now known as the British Board of Film Classification? I would then have the opportunity to question her about an important article by the veteran film commentator and analyst, Christopher Tookey, in the *Daily Mail* on 24 October, when he pointed out that

"the Board's director of communications, Sue Clark, has announced that the BBFC is reluctant to censor any other films in the future. Its role, she said, is one of classification, not censorship."

This change of role appears to mean that no violence or violent pornography, no matter how extreme, can ever be stopped or censored, but merely graded and classified. I should say, by way of declaring an interest, that when Chris Tookey, as he then was, was president of the Oxford Union some 30 years ago, he gave me my first paper speech to that assembly, so he could hardly be accused of being afraid to inflict gruesome and traumatic experiences on an unwary audience.

Mr. Cook: The mind boggles at what the hon. Gentleman hints at and I fear that anything I say will be an understatement. I will of course report his remarks to the Department for Culture, Media and Sport and arrange to have a clarification of the point he raised sent to him.

David Burnside (South Antrim): You will correct me if I am wrong, Mr. Speaker, but I believe that Prime Minister's Question Time yesterday was the first occasion since I was elected to the House last June when you did not call an elected Member from Northern Ireland. That follows—

Mr. Speaker: Order. The hon. Gentleman will not discuss what I do or do not do at Prime Minister's Question Time.

David Burnside *rose—*

Mr. Speaker: The hon. Gentleman must resume his seat. *[Interruption.]* It is not for the Leader of the House to decide whom I call at Prime Minister's Question Time.

John Barrett (Edinburgh, West): Tomorrow the consultation process on the future of air transport enters

[John Barrett]

its final month. For the consultation to be meaningful, there has to be a large number of responses. Many consultation documents have gone out, but very few have been returned. Will the Leader of the House raise the issue with the Secretary of State for Transport to encourage as much response as possible in the final month of the consultation?

Mr. Cook: I will certainly raise with my right hon. Friend the interest that has been expressed in the consultation on airports policy. On the hon. Gentleman's point about the number of responses, I am not in a position to confirm or deny what he says, but it is a frequent experience during consultation periods that many responses are received as the rush of the deadline approaches.

Richard Younger-Ross (Teignbridge): The Leader of the House may be aware that tonight is Halloween. If he has any doubt, and if he looks through the papers today, he will see the witches looking into their cauldron and predicting the death of a Duncan. Will he ask the Home Secretary to make a statement next week, reviewing any extra police activity tonight, particularly to do with trick or treating? An extra police burden is created by children who terrorise older people by ringing their doorbells and throwing eggs. There is also a risk to young children who wander round the streets knocking on the doors of strangers. Will the Home Secretary look at Government policy on that? What advice is given to the police and to schools?

Hon. Members: Answer!

Mr. Cook: I must confess that it had slipped my mind that tonight was Halloween, or I would have worked it into a reply earlier on. Halloween is an opportunity for hundreds of thousands of children up and down the country to indulge in innocent and friendly behaviour—*[Interruption.]* Perhaps even more innocent than the Whips. I would very much deprecate the action of a small number of children who, by behaving in an irresponsible and intimidating way, bring everybody under suspicion and make a wonderful occasion for children to enjoy into one of suspicion and anxiety in future years. I would appeal to all those going out tonight to enjoy themselves in such a way that those on whose doors they knock can enjoy the experience too.

Michael Fabricant (Lichfield): May we have a debate entitled "The Enemy Within" and address it to political parties? Does the Leader of the House agree with early-day motion 1835?

[That this House notes with concern the recent publication by Britain in Europe which equates opposition to the euro with opposition to Labour; notes that Britain in Europe is itself a multi-party organisation which contains opponents of a Labour Government; further notes that the use of the term 'enemies' to describe opponents of either Labour or the euro is extreme, likely to discourage reasonable debate and is a reversion to the tribalism so often condemned by the Prime Minister; further notes, with pleasure, the establishment of Labour Against the Euro as a growing group of Labour parliamentarians who are opposed to Britain seeking to join the euro before the General Election, recognises that LATE represents the views of the majority of Labour voters and a growing number of Party members and trade unionists; further notes, with concern, that this Britain in Europe publication was circulated to all Labour Party members by the Labour Party itself; believes that allowing an outside organisation which contains known and prominent opponents to attack members of the Labour Party in a Labour Party mailing is a novel method of encouraging internal discussion; and further believes that if the House is to have a debate on the euro then it should have argument, passion and humour but no distortion, personal abuse or dubious pamphlets from Britain in Europe.]

Will he join his right hon. and hon. Friends who signed early-day motion 1835, pointing out the schisms in the Labour party?

Mr. Cook: In the light of this morning's press about the Conservative party, the hon. Gentleman has made a bold attempt to find schisms within the Labour party. May I assure him that there will be no need for us to have a specific debate on the enemy within? I hope that every week we will be able to discuss and debate the activities of the right hon. Gentleman who leads for the Opposition on these occasions.

Mr. Alan Reid (Argyll and Bute): Earlier, the hon. Member for Banff and Buchan (Mr. Salmond) referred to the report of the International Council for the Exploration of the Seas, which recommends the banning of trawling in the North and Irish seas, and off the west coast of Scotland. In his answer, the Leader of the House appeared to accept the report's accuracy. However, there is scientific opinion that contradicts the report and believes that the complete ban on trawling is unnecessary. In view of that divergence of views, will the Leader of the House arrange an urgent debate on the Floor of the House as soon as possible so that we can discuss the report and decide how best to convince the council that its ban on trawling, which would put 20,000 people out of work, is unnecessary?

Mr. Cook: It is a fact of any scientific proposal that someone in the scientific community will always have an alternative view. However, there is not much room for any doubt about the central proposition, which is that cod stocks are dwindling and that without action to retain them, the hon. Gentleman's constituents will, at some future time, face an outcome in which neither they nor their children will ever be able to resume fishing. If he really wants to look after the long-term interests of his constituents, I urge him to accept the need to ensure the conservation of fishing stocks.

Points of Order

1.22 pm

Mr. Andrew Robathan (Blaby): On a point of order, Mr. Speaker. Last night we debated the Enterprise Bill. Amendment No. 1 dealt with the desire for a separation of powers between the chairman and chief executive of the new Office of Fair Trading. We divided the House shortly after 6 o'clock on the important matter of the two roles. During the debate, at about 5.57 pm, the Parliamentary Under-Secretary of State for Trade and Industry, the hon. Member for Welwyn Hatfield (Miss Johnson), referred to

"Sir John Vickers, the current occupant of the role, who I expect to occupy both roles in future."

The hon. Lady said that slowly and the whole House heard it. I intervened on her on that specific point about occupying both new roles. It was therefore with some surprise that I read the *Official Report* today and discovered that that comment does not appear in column 910. I checked the tape just now, and it certainly was said.

Could you speak to the Editor of the *Official Report* on behalf of the House, Mr. Speaker, to discover whether it was a genuine error—which I doubt, given the excellent stenographers—or whether a Minister or official from the Department of Trade and Industry went to get it expunged from the record?

Mr. Speaker: I suggest that the hon. Gentleman see the Editor of *Hansard*. If he is still dissatisfied, I will look into the matter. That is the best advice that I can give him.

Mr. Alex Salmond (Banff and Buchan): On a point of order, Mr. Speaker. May I ask for your sage advice regarding the Leader of the House? The right hon. Gentleman is leaving his place now but a few moments ago he may inadvertently have misled the House. It was the Minister for Environment and Rural Development in Scotland who told Members of the Scottish Parliament yesterday that he could lead a delegation to the European Council of Ministers, the Minister responsible for fisheries here who said that he cannot, and the Leader of the House, in a previous role, who said that on occasion he should. I see that the Leader of the House is still here—perhaps he would clarify that it is not true, as he said, that all members of the Scottish Executive are happy with the current arrangements.

Mr. Speaker: Order. The Leader of the House's time is up, and we have moved on. *[Interruption.]* Just for today. Perhaps the hon. Gentleman could get involved in a conversation with the Leader of the House, because I am not responsible for the replies that the right hon. Gentleman makes.

Mr. Christopher Chope (Christchurch): On a point of order, Mr. Speaker. This issue, which I have raised with you in correspondence, relates to the freedom of access for Members through the main Corridors in the parliamentary estate. This week, access between Norman Shaw North and the Chamber is being blocked during sitting hours and even during Divisions. On Monday evening, a point of order was made relating to the issue, and Madam Deputy Speaker said:

"I remind hon. Members that they are required to carry their passes with them at all times.—[*Official Report*, 28 October 2002; Vol. 391, c. 604.]

I asked you in the letter—I have yet to receive a reply—when that requirement was laid down and by whom, and what is the sanction for non-compliance.

I have been able to find out from the Journal Office that an order was made in 1974 stating that Members should be issued with passes, but there has never been any resolution of the House, as far as I can find out, stating that Members must carry them at all times. Even if there were such a resolution, how could you possibly require Members to ensure that the automatic card readers were working at the time the card was presented? That is the real issue. Surely the best form of security in the Palace of Westminster is to have good perimeter security and freedom of movement within it.

Mr. Speaker: The hon. Gentleman reminds me of some of my constituents who ask me, "Have you got a reply ready for that letter?" When I ask, "When did you send it?", they say, "I sent it yesterday." I think that the hon. Gentleman sent the letter on Monday or Tuesday. He should wait until I can look at his correspondence, along with correspondence from other hon. Members.

I will look into this matter, but the House should bear in mind that we live in dangerous times and security must be a lot tighter than it used to be. There is a responsibility on hon. Members to ensure that they co-operate as much as they can with our security staff, who look after not only hon. Members, but all those who work in the House and who visit it. However, I will look at the hon. Gentleman's correspondence and reply to him.

Michael Fabricant (Lichfield): Further to that point of order, Mr. Speaker. Of course I endorse everything that you have just said, but may I ask that, when you look into this matter, you perhaps speak to the Parliamentary Works Directorate to ensure that all card readers are working at all times? Those of us who try to carry our identity cards with us can find it immensely frustrating if we then find that certain card readers are not operating properly and we cannot gain access.

Mr. Speaker: I will look into the matter.

Defence in the United Kingdom

[Relevant Documents: Sixth Report from the Defence Committee, Session 2001–02, on Defence and Security in the United Kingdom, HC 518, and the Government's response thereto, HC 1230.]

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Kemp.]*

1.28 pm

The Minister of State for Defence (Mr. Adam Ingram): This is the last of the Session's five themed debates on defence. Two weeks ago, on 17 October, we debated defence in the world. Today, we consider defence in the United Kingdom.

As earlier debates have amply demonstrated, the United Kingdom's armed forces play a role in global peace and security that is second to none. They do so in defence of this country from attack by conventional and terrorist forces and as a force for good in the world, but they also play an important role here at home. The armed forces have a presence throughout the United Kingdom, from south-west England to Scotland, and from East Anglia to Northern Ireland. They serve the people of the whole United Kingdom as part of the wider community and the economy, and in conjunction with many other agencies organisations and emergency services.

I am therefore glad that the House has before it an excellent report from the Select Committee on Defence, entitled "Defence and Security in the UK", and the recently published Government response. Those documents will help us to address the issues today.

The context of the debate, like so much of the Ministry of Defence's activity in the past 12 months, is the aftermath and implications of the appalling terrorist attacks in the United States of America on 11 September 2001. Those attacks demanded two immediate tasks of us. First, we needed to respond urgently to the direct threat facing the United Kingdom and its interests. Secondly, we needed to re-examine our policies and planning to deal with al-Qaeda and other international terrorist organisations. Those responses were both international and domestic. They involved not just the United Kingdom but our friends and allies around the world; and not just the Ministry of Defence but the Foreign and Commonwealth Office, the Home Office, the Department for Transport, the Cabinet Office and other Departments, including the devolved Administrations in Scotland, Wales and Northern Ireland.

In the House on 16 October last year, my right hon. Friend the Foreign Secretary set out both the immediate campaign aims and the longer-term objectives of our wider counter-terrorist strategy: to bring the leaders of al-Qaeda to justice; to prevent that group from posing a continuing threat; and to deny it a base in Afghanistan. More widely, we sought, and continue to seek, to do everything possible to eliminate the threat posed by international terrorism from whichever direction it comes. That is a challenge that faces all responsible countries, and it is a challenge to which the response must be more than a military one alone.

After 11 September, the Secretary of State immediately commissioned work within the Ministry of Defence to address the policy challenges and to look at our defence posture and plans in the light of the potential terrorist power demonstrated so starkly on that day. That work took as its basis the Government's defence policy developed and put in place through the strategic defence review carried out in 1997 and 1998. Our approach at that time was widely recognised and welcomed as being the correct one.

As the House will be aware, the new chapter was a re-examination not of the fundamentals of the strategic defence review but of the impact on it arising from the emergence of strategic and international terrorism. The new chapter should therefore be viewed as a development of part of a whole, and not as a stand-alone strategy on defence. We published two discussion documents as part of a wide and open consultation, which produced many contributions from individuals and organisations, including Members of both Houses of Parliament. The result was the publication of the new chapter on 18 July.

That document analysed how military force could be applied in response to the asymmetric threat that international terrorism poses. We face a different sort of enemy now—one whose strategic interests, infrastructure and will to fight are different from those of a conventional nation state, but who has identified and acquired the means by which to achieve strategic and profound international effects by their actions.

Clearly, part of the response is home defence and security, to which I shall refer in a moment, but another key part of it is the "away" game: in effect, taking the fight to the enemy consistent with our obligations and rights under international law.

Mr. Michael Portillo (Kensington and Chelsea): The Minister referred to the co-operation between Departments on this issue, which I applaud. Has he had discussions with the Department for International Development about whether funds for overseas development might in future be channelled more towards promoting good governance in some of the countries where terrorism arises? Could some of that funding be transferred towards schooling, because it seems that in places where public schooling has collapsed, militant organisations provide schools that educate the possible terrorists of the future?

Mr. Ingram: That is a good point, and it highlights the close inter-relationships that exist in taking forward the Government's strategy across a range of issues. That is why I said that our response must not be a military one alone. When we engage internationally, in any part of the world, we must look at how we ensure that we do so with the approach of trying to create a healthy society when that society may have been damaged or flawed. Afghanistan is a good example of that. Substantial aid is pouring into the country in relation to a range of measures, much of which is led by the Department for International Development and its overseas development strategy. I have visited one of the schools that was reopened in the early days post our engagement in Afghanistan. As a result of the Army being in place, that facility was rebuilt, and that kind of measure must be sustained. There are many good examples in many countries of us delivering on that basis. I am sure that that process will develop internationally. However, the

right hon. Gentleman might want to pursue that directly with my right hon. Friend the Secretary of State for International Development, with whom I speak often on such matters.

Mr. Tam Dalyell (Linlithgow): I do not want to interrupt my right hon. Friend's flow, but I have a question on security—although it may well be partly an issue for the Home Office. If, heaven help us, we were to go to war with Iraq, what would happen to the 300,000 Iraqis living in this country? Would measures be taken of an enemy alien nature? What plans do the Government have in mind? I do not expect my right hon. Friend to answer off the top of his head, but I put down a marker that that is a real problem.

Mr. Ingram: My hon. Friend will not be surprised to learn that I cannot give an answer off the top of my head. He is right that it is not a matter for the Ministry of Defence. If the problem were to be dealt with in the way he suggests, it would be the responsibility of the Home Office. I shall touch on the way in which Departments inter-relate and take the lead on a wide range of issues.

The new chapter showed that the SDR's emphasis on expeditionary operations with allies was correct. However, it also identified how to develop it by better exploiting what is known as network-centric capability. What that means in essence is that there is a need, to ensure first that our knowledge base is as deep and wide as possible and, secondly, that data are placed quickly in the hands of those decision makers who direct the response, through weapons platforms and other means, targeting the threat, however fleeting the opportunity may be. We envisage future capability being measured not by the simple number of men or weapons platforms in the overall order of battle, but by the effectiveness with which such power can be applied to hit the right target hard, fast and effectively. It is about best intelligence and best resources best used to best effect.

Whatever our objectives, however, the fact is that we live in the real world. We must recognise that the terrorist has the advantage of surprise and attacks will come according to their choice of time, place and intended effect. It will not always be possible to prevent, deter or disrupt attacks overseas. However, against that background, we have taken important steps for the protection of the United Kingdom from terrorism and for its preparedness to respond to attacks. Let me outline some of those approaches.

We have addressed attacks by renegade aircraft, which were used on 11 September. The Select Committee endorsed our general approach to that very difficult issue, and we may hear more from its members in the debate. We have taken steps that are delivering progressive improvements in our radar systems and have decided on investment that will allow quick reaction interceptors to operate from additional bases at RAF Marham in Norfolk, RAF St. Mawgan in Cornwall and RNAS Yeovilton in Somerset. Those will give air defence commanders better information and more flexibility.

In the same way as we have had the ability to intercept aircraft for many years, we have a capability to deal with renegade shipping, which is another avenue of terrorist attack. The MV Nisha incident at the end of last year showed how we can mount such operations successfully, and I pay tribute to the forces deployed and the civilian personnel involved. As a result of the new chapter, we are considering a number of ways to improve that capability further.

Harry Cohen (Leyton and Wanstead): My right hon. Friend said that we are in the process of dramatically improving radar. He will know of extensive reports that wind energy resources, to which the Government are committed as a major policy, are not being supported by the Ministry of Defence, which is blocking them on the basis of the implications for radar. Which one is the Government's priority? Surely the majority of the British people would support wind energy.

Mr. Ingram: My hon. Friend could have mentioned any large structure that interferes with radar. Of course, such interference may not only cause problems for any possible military response; it may affect civil aircraft. The Government's responsibility to ensure the integrity of the system need not be wholly inconsistent with the aims of our energy policy. We are pushing forward a progressive programme for the establishment of wind farms and wind turbines, but in that, as in any other planning approach, all environmental aspects have to be taken into account.

I am surprised that my hon. Friend does not understand that equation. Safety is as important as environmental issues of energy production. These matters are difficult to balance, but those who plan the construction and installation of wind generators need to know where and how they may affect radar coverage and what other environmental impacts they may have.

Chris Grayling (Epsom and Ewell): On preventive measures, will the Minister tackle the security hazards associated with light aircraft and airfields that are not part of the mainstream commercial industry but sometimes deal with substantial aircraft? Will he reassure the House that that element of our aviation industry is on his radar? Will he reassure us also that the same attention is paid to the threat that comes not only from large ships but from smaller vessels entering UK harbours?

Mr. Ingram: There was always a risk that I would be asked questions outwith my remit. One of the issues raised by the hon. Gentleman may be a matter for the Department for Transport and the other may be a matter for the Home Office. I suggest that he takes up those issues directly with the Departments responsible.

Our response is in aid of civil powers. We stand ready to respond to any request for aid, and that is the matter that the Select Committee examined. I assure the hon. Gentleman that all those sensitive areas are being examined, but that does not mean that there is an easy solution. Any solution may have a big impact, on, among other things, cost, leisure or the economy. As I said in response to the previous intervention, we have to work out complicated equations, trying to find the best solution while maintaining normalcy in society; otherwise the terrorists have effectively won, and that, I am sure, is not the message that the hon. Gentleman

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would want to send. I take note of his concerns, and I will ensure that they are passed on to the appropriate Departments.

We have also made refinements to the well-established defence capabilities that respond to specific types of terrorist incident, including CBRN threats, which are those involving chemical, biological, radiological or nuclear devices. The House will appreciate that in all those areas, renegade aircraft and shipping and CBRN threats, it is not always advisable to be too specific about what our response would be. The more we publicly define, the more the terrorist knows and the more sophisticated the threat becomes.

Let me now turn to the new chapter and the issue of reserves. We suggested in the new chapter how we might make new use of reserve forces in this country. We published a discussion paper on that topic, and I am pleased that our proposals were broadly welcomed by the emergency services, the public and the volunteer reserves themselves. I can announce the details of their full implementation today. The volunteer reserves of the three services are a capable, integrated and usable part of our capability for military operations of all types at home and overseas. The measures that we are now implementing represent a highly effective way to build a valuable new capability to meet some of the home defence risks that 11 September highlighted. They do not, however, involve changes to existing operational roles or unit structures in the reserve forces.

At the heart of the new arrangements is the establishment of a capability to provide planned assistance to the civil authorities at their request on a regional basis in the event of a home defence incident. There will be 14 civil contingency reaction forces or CCRFs, each comprising some 500 volunteers drawn from existing volunteer reservists. Each will be based on a Territorial Army infantry battalion, and 29 new reserve posts will be established in each battalion to support the CCRF role directly.

Annabelle Ewing (Perth): We are talking about recruitment. Is the Minister worried about the impact on recruitment of young people to the Army as a result of increasing public concern about circumstances surrounding the deaths of four young soldiers at the Deepcut Army barracks, including that of James Collinson, whose family live in my constituency? *[Interruption.]* Members may ask how that is relevant, but there is an issue about public confidence in the Army. Is the Minister not concerned that that will have an impact on future recruitment? We need to ensure that all the good things that he is talking about can be properly implemented. Will the Minister comment on that? Perhaps the way forward—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order—*[Interruption.]* The hon. Lady must resume her seat immediately when I am on my feet. She has stretched her intervention to extremes.

Mr. Ingram: I well understand the hon. Lady's point. Any death in the armed services in a non-combatant role is always to be regretted. There has been a sizeable number of such deaths, almost 50 per cent. of which are caused by road traffic accidents. That is not to minimise the impact of any of the deaths, including suicides—those that have been officially declared suicides. As for the case raised by the hon. Lady, she is a lawyer, so she should know that I am constrained by a current police investigation. She may have supported the reopening of that investigation by Surrey police and, if so, I am surprised that she is asking me to comment while it is under way. We await the outcome of that robust, in-depth analysis, which I understand will be published early in the new year, although that depends on Surrey police. It is worth pointing out to the House that Surrey police said in a press statement on 30 April:

"No further information will be released until the enquiries are completed for fear of prejudicing any possible proceedings."

Hopefully, the hon. Lady appreciates the way in which that constrains any comment on those cases.

Mr. Nick Hawkins (Surrey Heath) *rose—*

Mr. Ingram: May I just finish dealing with the intervention by the hon. Lady, who linked the issue to problems in recruitment? People are rushing to judgment who should know better—they should wait to find out what the police say. Some months ago, I asked the Army to take a health check on all the ways in which it delivers initial training. On top of that, I made an announcement in the House on 17 October, mindful of wider concerns that we conduct an in-depth appraisal of training of non-officer recruits in all three services. That work is being conducted independently of service commands, and I intend to make its findings public. I have already announced that to the House.

In addition, the Select Committee on Defence is due to carry out its own inquiry. I understand that it will wait until the police investigations have been completed and reported on. We must establish the facts before we come to conclusions.

I understand the sensitivity of the matter and the grief within individual families, which may become collective. Before I took up my present job, I was the Minister with responsibility for victims. I set up a range of victim responses in Northern Ireland. I am only too well aware of the problems associated with these matters. My hon. Friend the Under-Secretary of State for Defence met one of the families earlier this year. We do our best to try to take on the depth of feeling. I hope that the hon. Lady now understands the way in which we are constrained.

Even with all the publicity, we are doing exceptionally well in recruiting terms, to such an extent as to put pressure on our training pipeline. There is no relationship between the two at present. However, the more the hon. Lady raises concerns without establishing the facts, the more she may work against the recruitment strategy. There is an onus on all right hon. and hon. Members first to establish and examine the facts and then come to judgment. We must not come to a rushed judgment. It is always difficult to strip out the emotion. We must try to find what is best for the families, for the armed forces, and for the defence of this country.

Mr. Hawkins: As the constituency Member for Deepcut, I associate myself with everything that the Minister has said about this matter. May I pay tribute to both Ministers for the way in which they have

responded to the concerns that I have raised? While sharing the grief of the families, I hope that the Minister will agree with me that both the current commanding officer at Deepcut and his colleagues and Surrey police are approaching the matter in a responsible way.

As the Minister was aware, I was waiting for a more relevant part of his speech before intervening. However, as the matter has been raised, I ask him to join me in condemning some rather sensationalist and irresponsible journalism. I understand that many tabloid newspapers are having reporters permanently stationed in local pubs in my constituency to try to pick up any little tittle-tattle or scuttle-butt that they can then have blazoned in the largest headlines available to them. That is certainly not helping the defence interests of this country, nor is it helping the understandable grief of the families involved. I ask the Minister to continue his responsible and restrained approach and wait for the report of the Surrey police.

Mr. Ingram: I am grateful for that intervention. I share the view expressed about the commanding officer and the Surrey police. They have had to take all the criticisms and speculation in the media, which are not solely made up by the media because sometimes people are speaking to representatives of the media. They then expand upon what has been said and maximise the headline impact. It does everyone who is trying to deliver an important service a great disservice when the matter is tackled in that way. I share the hon. Gentleman's concerns. I hope that those who are trying to exploit what are undoubtedly matters of deep grief will step back for a moment. I hope that the media, like right hon. and hon. Members will show a measure of responsibility.

Mr. Dalyell: Before I ask the Minister of State a general question on policy, may I thank the Under-Secretary of State for the care that he and his office have shown in respect of one of my constituents, who will be known to him?

It has hitherto been axiomatic that any problems were dealt with within the military, within the Army. What is the Government's attitude to bringing in the police from outside? That is rather a new development. It might be interesting for the House to know what the thinking was, in general terms, on bringing in the civilian police.

Mr. Ingram: I am grateful to my hon. Friend for his opening compliments to my ministerial colleague. There is a big misunderstanding, promulgated by the press in its reporting of the matter. The police have always had primacy in such incidents. They pass on their findings to the internal branch of the Ministry of Defence police, who are as professional as the civilian police and equally committed to establishing the truth. A board of inquiry follows. If the board sets out matters that need to be addressed, we seek to address them. That happened in the case of two of the earlier suicides at Deepcut, as they were then described. The board of inquiry made recommendations, which were progressively developed and rolled out by the previous Administration. In addition, the findings of a board of inquiry are made available to the families, if they so wish.

Mr. Kevan Jones (North Durham): I fully support the view that we should await the outcome of the police investigation, and I do not think that some of the more sensationalist headlines have been helpful to the debate about what is going on at Deepcut, or to the families. But does my right hon. Friend recognise that the hon. Member for Perth (Annabelle Ewing) raised an important point? If four people have died, possibly as a result of suicide, something is seriously wrong, and that could affect recruitment.

Mr. Ingram: I knew that there was a big "but" in that question. My hon. Friend said that he accepts the way in which I answered the hon. Lady.

Mr. Jones: I did not say that.

Mr. Ingram: So my hon. Friend does not accept that I am constrained while waiting for the outcome of the police investigation. I thought that he accepted that that was the correct approach. *[Interruption.]* I can deal with heckling. If my hon. Friend wants to intervene again and correct any misunderstanding on my part, he should do so. My understanding was that he accepted that I was constrained. He goes on to draw a conclusion. He does not know what the police will say, but he says that something is deeply worrying and something needs to be done, so we should get on with it. That is how I interpret his comments.

I tried to make it clear that we entirely understand the depth of the grief of individual families, and the collective grief. We are trying to work our way through the matter. I pointed out that it has not had an impact on recruitment. I do not want to make too much of that, because the situation could be changing as we consider it. The more the lurid headlines and sensationalist arguments are raised by those who may not have a direct interest as a constituency Member of Parliament, the more likely it is that there will be a deleterious effect on recruitment. We need caution and careful thinking. We must wait for the facts, get them marshalled, and then make judgments. That is the way we approach such matters in the Ministry of Defence. To do otherwise would serve no one, least of all the families or the bigger issue of the defence of this country.

The new arrangements on which I was commenting complement and improve our existing practices for using the armed forces at the request of emergency services and local authorities in support of civil contingencies. They add a new capability, but they do not mean that we will use only volunteer reserves in this role. In future, as now, in the event of an incident, the regional commander will be able to judge which of the units at his disposal best match the needs of the authorities seeking support. Precisely what units are employed in a given situation will, as ever, depend on what we are asked to do and what we have available in the time scale required.

There will be some 280 new reserve posts in Army division and brigade headquarters to provide regional planning, liaison and command and control for such

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operations. These brigade reaction teams will work with the emergency services and local authorities to develop specific plans for the use of CCRFs in their areas. Regional planning will also consider where other formed units, including those in the reserve forces of all three services, have capabilities that can be incorporated into planned incident responses. In the event of an incident, the brigade teams will be capable of providing a 24-hours-a-day, seven-days-a-week command structure.

Individuals volunteering for CCRF duties will receive additional training of five days a year, and we intend to provide additional training of two days a year for all the volunteer reserves in the three services in support of civil contingencies activity generally.

2 (National Communications) Signal Brigade will be assigned the role of providing the communications infrastructure to support the regional command chain. We have started the procurement process to give it new communications equipment compatible with that being adopted by the emergency services. That is a key part of ensuring that the military response can be employed effectively alongside those primarily responsible for dealing with civil contingencies. 2 Signal Brigade will provide an interim military capability from the end of this year, although the achievement of a full national communications capability depends on the emergency services own communications improvement programme and will not be complete before 2006.

In total, there will be an addition of some 700 new volunteer reserve posts, and some 130,000 man training days to the volunteer reserves in order to create that new capability.

We expect to have an initial operating capability in place by the end of the year. We plan a regional full operating capability by 31 December next year, which will include all new posts recruited and filled, and all regional plans fully in place and tested. The complete capability will not be in place until 2006 when the new national communications infrastructure is fully deployed.

Mr. Paul Keetch (Hereford): I thank the Secretary of State, through the Minister, for the advance notice that he gave me and, I am sure, others of that announcement. Will those recruited to the CCRFs be from those already in the Territorial Army? I suspect that many civilians will have relevant specialties, so will the Minister ensure that the message is distributed as widely as possible, not just to existing members of the TA but to others, and that there will be a mechanism for them to join the TA so that they can contribute to this good initiative?

Mr. Ingram: That is a good point. The hon. Gentleman may want to become a recruiting sergeant for the TA and assist us in achieving that objective. People have to be in the TA to participate, and the more who show willingness to participate in this aspect of public service, the better it is for the country. Therefore, my answer is most certainly yes.

The Select Committee made some comments about the Government machinery for responding to the terrorist threat. Not all those comments were entirely fair. It suggested that there were signs of complacency. I can assure the House, just as the Government in their response to the report assured the Committee, to which I gave evidence, that there is no complacency, nor will the Government tolerate complacency.

Mr. Kevan Jones: That is reassuring.

Mr. Ingram: I am glad that I have convinced my hon. Friend of the merits of my argument.

The Committee suggested that there was room for improvement in the Government machinery designed to co-ordinate the response to the terrorist threat. My right hon. Friend the Home Secretary has lead responsibility for counter-terrorist policy and plays a leading role in co-ordinating the issues and measures being taken to strengthen the UK's ability to respond to the terrorist threat. The police have, perhaps, the largest role to play and, as we know, they do so with courage and skill. But many other agencies contribute. The armed forces make an important contribution to the response, contributing their specialist skills and capabilities. The counter-terrorist threat contingency plans are tried and tested and designed to respond to a wide range of terrorist threats.

There is always room for improvement. Plans are tried and tested so that lessons can be learned and improvements made, and to ensure that the response can be adapted to new threats and new forms of threat.

Dr. Julian Lewis (New Forest, East): The Minister has had strong support from the official Opposition in the measures that have been taken to counteract the effects of organised terrorist groups, but I take his mind back to the period immediately after 11 September when we had the anthrax scare in the United States and the copycat element of the sending of harmless white powder by individuals who clearly were not organised terrorist groups but opportunist disrupters. Has attention been given to that copycat element of the individual malcontent as opposed to the penetration of organised groups, which I am sure the security services are doing their best to undertake?

Mr. Ingram: It is always difficult to reassure hon. Members about that issue, because the range of the threat is huge. It is almost impossible to apply a common definition, although the hon. Gentleman tried to set out his particular one. Even organised groups choose a time and place and an intended effect. As to individuals, as I am sure he recognises, if they are not in a loop of understanding and are not connected to a group or network, they are very difficult to detect.

All that we can seek to do is ensure maximum public co-operation at all times and encourage people to report anything of a suspicious nature. Clearly, the civil authorities have to put in resources, but they cannot tackle every threat in every month of every year. That is simply not possible. There are not enough resources to be thrown in. If we invested more in one area, a threat might then come from a different direction and a different individual. We must recognise the sort of world in which we now exist, as well as the nature of our domestic and civil society. To some extent, the incidents in the United States involving hoax threats, which also

had some impact here, showed up some fragility in our response, but we learned from that and put in place mechanisms to deal with it. We learned something from exactly what happened. Indeed, we are currently on an enormous learning curve and all of us have to give our best attention to that.

Mr. Mark Francois (Rayleigh): I thank the Minister for his courtesy in giving way. Does he accept that we need not only additional resources, but much greater clarity in the command and control involved in dealing with some of the threats? That is the case not only within the military, where such clarity tends to be good, but in its relationships with local authorities, for example. I know that this is not his primary area of responsibility, but can he give the House some indication of whether serious consideration is being given to including an emergency planning Bill in the Queen's Speech? Many of the people involved believe that such a measure is vital for our defence.

Mr. Ingram: The hon. Gentleman should have asked that question of the Leader of the House, who would probably have given him the same answer: we do not comment about what will be contained in a Queen's Speech. Indeed, I would not even comment on Bills with which the Ministry was specifically concerned unless they had been previously declared as a part of future Government action. None the less, he makes a serious point. There must be joined-up government, and from the perspective of the Ministry of Defence, we must be certain that when we are asked to do something, we can use a coherent and well-brigaded command structure, as that will make our response much better. Clearly, discussions in that regard are under way at all times in government.

The whole question of learning from experience was already inculcated into the Government's mind before the attacks on the United States, because we had already begun to review and improve the contingency planning for managing a disaster. That included the consequences of a terrorist attack in the United Kingdom. We drew experience from the fuel protest, the floods of winter 2000 and the outbreak of foot and mouth disease, which led to the formation of the Civil Contingencies Secretariat in the Cabinet Office to draw together and co-ordinate the different strands of Government activity that come into play in handling such complex and demanding events. I sit on a number of the committees that deal with such matters. There is a clearly focused dynamic in looking for new ways forward, and the process is about bringing together the strands into a clear, well-focused and well-delivered Government response under the Home Secretary's control.

Mr. Ian Liddell-Grainger (Bridgwater): On the brigades system, will the brigades be responsible for co-ordination in their regions between the police and other emergency strands or will such co-ordination come under the control of the Ministry of Defence as part of an overall package? In other words, will the brigades be responsible for the day-to-day running of operations?

Mr. Ingram: They are a resource; they do not decide that they will be used. If a request is presented, a decision will be made about how best to use them. They could be on their own or alongside regulars as part of another MOD response. It depends on the circumstances. However, a request must be made; the brigades are not self-activating but, like the regular forces, they stand ready to serve the civil powers.

Of course, there are other aspects of defence in the United Kingdom apart from the threat from global terrorism. Although there is a greater hope for a lasting peace in Northern Ireland now than for much of the past 30 years, the need to deploy the armed forces continues. Some 14,000 personnel are currently deployed to the Province and act in support of the police. They continue to face a threat from dissident terrorist organisations and the violence on the streets of Belfast that marred so much of the past year. As well as providing the police with additional resources to secure law and order, they have helped them to carry out wider duties by giving protection and support in the search for and capture of terrorists, their weapons and equipment.

In Northern Ireland, as in the rest of the United Kingdom, members of explosive ordnance disposal teams continue to support the police and protect the lives of the citizens of this country by carrying out their dangerous but essential service of disposing of old unexploded ordnance and dealing with terrorist bomb threats.

The armed forces are called upon to undertake another category of civil contingency operation from time to time. Today, many armed forces personnel from all three services stand ready to provide firefighting support to the community in case of industrial action by members of the Fire Brigades Union. They are working closely with the police, the ambulance service and many others, including non-striking firefighters throughout the country, to mitigate the effects of any strike.

Jim Knight (South Dorset): Does not the firefighters dispute raise an anxiety about the way in which our armed forces are configured for expeditionary activity, and the extent to which they are being used around the world? Do we have the capacity to respond with military aid to the civilian power? Is my right hon. Friend worried, like me, about the effect of a possible firefighters' dispute on morale through, for example, loss of leave?

Mr. Ingram: The possibility of a strike puts a significant strain on our armed forces. If the strike continued for some time, it would greatly curtail many activities in which we are currently involved. We must also bear in mind that we do not know what future deployment may be required. There are therefore serious issues to consider. However, the response to the dispute, the numbers that we have been able to commit and the preparedness of men and women of the armed forces to take on an onerous task is a tremendous tribute to them. There is a personal cost, not only to them but to their families. I hope that those who are considering industrial action will hear that message.

Mike Gapes (Ilford, South): Will the Minister give way?

Mr. Ingram: I am conscious that I have spoken for a long time. The last time I opened a debate, I spoke for

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72 minutes and the shadow Leader of the House condemned me the next day. I spoke for such a long time then because so few Opposition spokespersons were present to keep the debate going. I want to make some progress.

The armed forces cannot fully replace the broad spectrum of capability that the emergency services provide, and they cannot be party to the dispute that we are considering. Although I am sure that hon. Members will join me in hoping that the dispute is resolved as quickly as possible, we have implemented a contingency plan to provide a service that will minimise as much as possible the danger to human life during any action. The 19,000 personnel who would undertake the tasks are disciplined, capable, well organised and led. They have been trained to perform the tasks that they would be expected to undertake to the best standard possible in the time available.

Hon. Members can be confident that the armed forces are able to rise to the occasion with enthusiasm and determination, should they be asked to do that.

Mr. Gerald Howarth (Aldershot): The hon. Member for South Dorset (Jim Knight) made a specific point about the cancellation of leave. In a debate in Westminster Hall earlier this week, I raised the great concerns of the Welsh Guards whose families have lost deposits for cancelled holidays and have not been reimbursed. The Under-Secretary rightly said:

> "I should think that if people are losing deposits because of unforeseen operational commitments, I would expect them to be reimbursed."—[*Official Report, Westminster Hall*, 29 October 2002; Vol. 391, c. 228WH.]

Will the Minister tell us whether the MOD has resolved that problem so that we can convey the message to the Welsh Guards and others throughout the country?

Mr. Ingram: I noted the response to the debate, and my hon. Friend the Under-Secretary and I asked questions. My hon. Friend may want to deal with the matter later. There are standard practices for tackling such matters against which we have to set applications for compensation. The best information available is that something is likely to be done because that would be consistent with the procedures. However, that does not apply across the board because people can insure against potential loss, for example, if something is planned and we fail to deliver. When the tempo demands short-notice deployment, which militates against everything else, we must deal with the matter properly and sympathetically.

Existing operational demands on the armed forces remain. Although there may be a need to maintain emergency fire cover if the dispute continues, the impact on their primary duties of defence of the UK interests and acting as a force for good will remain under review and be balanced against other commitments.

Providing emergency cover can be undertaken only at some expense. That means not only the financial cost but, as we said earlier, a cost to service personnel. We will do everything necessary to mitigate the impact on personnel of providing cover. We have done our best to ensure that the burden is shared. For example, there are several specialist groups in the three services that, because of their specific skills, are more susceptible to overseas deployment. Whenever possible, those "force enablers" will not be deployed on firefighting operations. However, it is unavoidable that many armed forces personnel who may be involved in firefighting duties will be inconvenienced, through postponed leave and disrupted training.

All the operational capabilities that I mentioned depend especially on the men and women of the three services. The demands on them are considerable. Availability of suitably trained and motivated personnel is vital to operational success. A vital element of the strategic defence review was the "Policy for People" recognition that our defence depends on our armed forces personnel and their families, and the civil servants who work with them. The armed forces overarching personnel strategy ensures that people remain at the centre of our plans.

Hon. Members have mentioned recruitment in interventions. It is one of our highest priorities. The services are engaged in a fierce competition for talent; they need approximately 24,000 individuals every year. They undertake many varied initiatives to find and recruit those young men and women.

Let me comment on the MOD's status as an employer. It complies fully with the responsibilities required of any employer unless there are strict operational reasons for not doing that. Often, we provide far more than many other employers because of what we demand.

We are not into making people, but breaking people. Our training develops thousands of highly motivated, highly qualified and highly professional service men and women whose performance and record of success are second to none. If serious institutional problems existed, we could not provide what we do. As I said earlier, we take on 24,000 people each year. The vast majority become regular service men and women. It is worth noting that between 17,000 and 18,000 service men and women leave the services each year, and society is the better for them.

We are not complacent, and I am not saying that problems do not exist. Given the numbers involved at any one time in our training pipeline, it would be wrong to claim that we were perfect. I would ask that we be judged on our high level of success, against the background that I have just set out. Nevertheless, we must keep a constant and critical eye on what we do, and if lessons need to be learned we will learn them. That is why progressive changes to personnel policy have been made over the years, designed to ensure the high quality of our outputs. Once recruited, it is important that we keep these highly trained assets.

As with recruitment, there is no single approach that will address retention. Our approach to that issue embraces a balanced and layered mix of measures, some dealing with broad issues such as pay, pensions, training, families, accommodation and diversity, and others addressing issues of concern to particular high value groups such as air crew, medical personnel and engineers.

I want to move on to defence industrial policy. Of course, we must ensure that the armed forces are well equipped to do their job. We are committed to a strong

and globally competitive UK defence industry. We all benefit from its high value, high technology skill base. Over the last 18 months, with the help of the National Defence Industries Council, we have reviewed our defence industrial policy with a view to making the UK defence industry more competitive and better able to provide the armed forces with the equipment that they need, at best value for money for the taxpayer.

My right hon. Friend the Secretary of State launched this new policy on 14 October. We have identified three main priorities to take forward: getting best value from our acquisition decisions; improving market access; and investing in research and technology. Competition remains at the heart of our acquisition system. We use it to place some 70 per cent. of our equipment orders by value, and it remains the best means of delivering value for money, innovation and efficiency. But let me repeat the Secretary of State's promise that, for this Government, competition will always be a tool, not a dogma. Our goal is best value for money. If competition does not offer the greatest advantage for a project, we will not use it. However, value for money needs to be considered in a wider context than discrete project decisions. Often, decisions that we take now will shape defence decisions in the future, when, for example, they may impinge on the preservation of competition. So we look across projects and into the future to take into account all the factors that enable us to get best economic value for the United Kingdom.

I began by saying that the context of the past year had been the atrocities committed by international terrorists in the USA last year. Of course, there have been other terrorist attacks since then, including the vicious attack in Bali on 13 October. I set out to make two things clear, in opening this debate. The first is that the Government as a whole are committed to ensuring that the security of the United Kingdom is maintained and enhanced. The second is that the Ministry of Defence is both ready and able to play its important role in that essential work. As well as being a force for good internationally, we are a vital source of comfort and security at home. Post-11 September, we face enormous challenges. We have the trained personnel ready to meet those challenges and we are increasingly equipping them with the equipment and resources to help them to carry out their task. We have also put in place the response machinery at the heart of government to ensure that we stand ready, no matter from where, or when, the next threat comes.

2.23 pm

Mr. Keith Simpson (Mid-Norfolk): I do not regard this debate on the defence of the United Kingdom as separate—in its own box—from our debate on defence in the world, and I do not think that the Minister does either. All hon. Members realise that, even before 11 September, the threats at home and abroad overlapped. It is unfortunate that, owing to parliamentary timetabling, there is a clash between this debate and one that is about to begin in Westminster Hall on the Foreign Affairs Select Committee report on the foreign policy aspects of the war against terrorism. A number of hon. Members were rather torn between attending that debate and this one.

I shall begin by extending our congratulations to the members of the Special Air Service and the Special Boat Service, and the Royal Air Force crews on the gallantry awards made to them for their role in Afghanistan. They get a lot of publicity, some of which is perhaps unfortunate, but the nature of the operations that they undertake often makes it difficult for them to get proper public recognition. I am conscious that discussing operational or training matters in relation to our special forces is not something in which we should indulge, but we should all recognise that, although those forces are high quality, they are limited in numbers and used on an extensive scale. That means that the time available to them for reorganisation, retraining and recuperation is often very limited. We should be aware that they have to put even more into those activities than members of the regular armed forces, of which they are, of course, a part. Unlike the special forces in some countries, ours are directly recruited from our mainline armed forces. They do not just have a label attached to them because they happened to join the service directly from civilian life.

The death of service men from non-combat injuries has been mentioned. The Minister rightly said that he could not comment on the incidents at Deepcut barracks, and I do not intend to draw him on that matter, or to comment on it myself. I obtained the information from a recent parliamentary question that there had been some 445 recorded suicides between January 1984 and 31 December 2001. Any one of those suicides is a tragedy, not least for the family concerned. That number of suicides may be the same as, or smaller or greater than, the number that occurred in civil society in that period. We should bear that in mind.

I want to draw on what the Minister said about the important review of how young recruits are treated and trained. Obviously, the Army, the Royal Navy and the Royal Air Force want to get this right. Will the Minister tell us whether the fact that many of our young recruits fail or leave the services is a problem specific to the United Kingdom, or whether it is mirrored in other NATO countries? Furthermore, is it a problem specific to the Army, as against the Royal Navy and the Royal Air Force?

Ms Julia Drown (South Swindon): Is the hon. Gentleman aware that only Britain and Belgium recruit children into the Army? Given that some of the suicides that have been mentioned involved children, does he think that we should learn lessons from other NATO countries on the recruitment and deployment of children in our armed forces?

Mr. Simpson: The word "children" immediately conjures up an image of people aged 11 or 12, rather than 17 or 18. The Government have already made some progress on this matter, but there are people in the Chamber who have served in the armed forces who know only too well that the recruitment of what used to be called "boy soldiers" was a superb way of recruiting long-service men and women for the armed forces. We are talking here about volunteer armed forces, not conscripts. I believe that the Government are taking serious measures on this matter in relation to the Army. All that I am trying to do is ask a series of specific questions.

There is a difficulty—particularly in the Army; less so in the Navy and the Air Force—in determining how we strike the right balance between producing a training

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mechanism that merely goes through the motions of preparing for military life, and one that actually prepares for combat. At the end of the day, we would all expect any form of bullying or training that puts young people's lives in danger to be ruled out. However, training has to be robust and realistic, not least because we may expect those young men and women, perhaps within a matter of months, to go into an environment that will be far more robust and realistic than any British training establishment. There is a fine balance to be struck, and I suppose that the old Army motto—"Sweat saves blood"—is very much in the minds of those on the training establishment. I hope that the Army produces a report and that it is published. Perhaps we shall have the opportunity to debate it.

I must discuss the strength of the armed forces. As of 1 April 2002, the Army, the Navy and the Royal Air Force had a manpower shortfall. I shall not go into the minutiae of that, which we could debate, although I believe that the issue is important. It was highlighted in the debate on overstretch in Westminster Hall this week by my hon. Friend the Member for East Devon (Mr. Swire) and the hon. Member for South Dorset (Jim Knight). I am raising it in the context of not only UK defence, but defence in the world.

All the problems involving shortfall and its impact on training and operations as well as the difficulties of retention and family issues will be made worse by the continuing challenge represented by not only homeland defence and achieving expeditionary force capability, but the fact that falling below a numerical critical mass will make it incredibly difficult for the armed forces to fulfil a number of functions. I genuinely believe that, and I recall that, 12 years ago, General Sir Richard Vincent, Vice-Chief of the Defence Staff, argued to Ministers that if the Army fell below about 100,000 men and women, it would be difficult to maintain a raft of capabilities. I am sure that Ministers are aware of that, and the position is similar for the Royal Navy and the Royal Air Force.

On that point, will the Minister clarify press reports that some 30 per cent. of the Royal Navy's type 42 destroyers and type 23 frigates are out of action because their crews are ashore preparing for firefighting duties and other responsibilities? If that is the case, it is obviously a considerable challenge to the Royal Navy and it shows the tight operational conditions in which the armed forces are working. If they have such concurrent responsibilities, I suggest that that means that their overall effectiveness is incredibly limited.

During the Westminster Hall debate, the Parliamentary Under-Secretary of State for Defence, the hon. Member for Kirkcaldy (Dr. Moonie) made the point that the armed forces can cope with all that because they have a can-do mentality. Indeed, in a strange way, the armed forces are their own worst enemy. They often say that they are short of manpower and do not have the right equipment, and then go on to carry out Government policy they deliver on it. I suspect that, not Ministers, but the Treasury, then says, "There you are. The armed forces were crying wolf, because they delivered."

I fear that the real issue could be sustainability. Any lengthy, full-scale operational war-fighting commitment, which most of us would rather not think about, would test the system to breaking point. There is little spare capacity, and Ministers are only too well aware that, in the event of us participating in a United Nations or other operation against Iraq that is not a quick fix, like those in Kosovo and Afghanistan, there will be major problems for the armed forces across the board.

May I ask the Minister to comment in his winding-up speech on the National Audit Office report that half the Army's Apache helicopters will have to be taken out of service for up to four years because the private finance initiative training programme is three years behind schedule?

Mr. Ingram: It was started by the Conservatives.

Mr. Simpson: From a sedentary position, the Minister does what the Liberals usually do—blame the last Conservative Government. Indeed, we might blame the last Labour Government, but the good thing is that we cannot blame the last Liberal Government, as they were in office so long ago. Of course, I recall that the 1915 shell shortage brought down the Liberal Government.

There is a serious point here: such failure to deliver on the Army's key programme—Apache helicopter capability—represents not only a defence procurement scandal, but an undermining of the morale of our armed forces. The Minister needs to consider that, not least because we were promised under the strategic defence review that smart procurement would resolve all the procurement bottleneck problems faced by all previous Governments. So far, I have seen little evidence of that.

Mr. Kevan Jones: I accept that it is the Opposition's role to look for opportunities to criticise a Government, but do the hon. Gentleman and his party accept no responsibility for the state of affairs relating to the Apache helicopter? Some of the decisions were taken by the previous Government.

Mr. Simpson: I hope that, in speaking from the Dispatch Box on defence issues, I have accepted that there is a continuity of decision making that sometimes goes back 15 or 20 years. I am proud of the fact that a Conservative Government decided to go ahead with the Apache, but if we are getting into this knockabout stuff, I have to say that I do not recall all Labour Members being in favour of it. The Labour party was arguing for larger cuts. The real issue today, which is all that service men and the public are interested in, is how we resolve the issue. There is a major shortfall and we could be sending some of our armed forces abroad to what might be a serious war with a capability that could be reduced.

Mr. Jones: I appreciate the hon. Gentleman's point, but it is not the point that the shadow Secretary of State for Defence made this morning on the "Today" programme. He tried to blame this Government for the

problems with the Apache. Does the hon. Gentleman accept some responsibility for the situation in which we find ourselves—yes or no?

Mr. Simpson: No, because the problem clearly involves the training package and the simulator, not the fact that the Apache was ordered. The hon. Gentleman has got the wrong end of the stick.

Mr. Menzies Campbell (North-East Fife): We on these Benches had little option but to support the Apache, not least because it was being built by Westland. The then leader of the Liberal Democrats, who represented Yeovil, made his views pretty clear, although the project was well worth supporting for its own intrinsic merit.

Is there not a curiosity here? In the past, we had men but no equipment. Now we have equipment but no men. Exactly what is the hon. Gentleman's assessment of the detraction from capability that putting those helicopters to one side for a period will have on the Army's ability, for example, to conduct campaigns such as that envisaged, at least by some, in Iraq?

Mr. Simpson: The right hon. and learned Gentleman makes an important point, and achieving such modern war-fighting capability as the Ministry of Defence wants will be extremely difficult. As I said in the debate on defence in the world, there is an additional problem over procurement in that the communications package that, it is hoped, the Apache will receive may have to be upgraded quickly to enable it to continue to communicate with the armed forces of the United States of America. The problem facing the MOD is challenging to say the least.

Mr. Francois: Is not the whole concept of air manoeuvre, to which the Apache is integral, very important to 21st-century warfare and, in particular, to the Army? There is not much point in preaching the concept of air manoeuvre, however, if half those helicopters sit in hangars because we have not been able to train pilots to fly them.

Mr. Simpson: Absolutely. The Government originally, and rightly, put at the centre of the strategic defence review the prospect of an Apache helicopter force that would be able to carry out the operations to which they would commit the Army.

Mr. Dalyell: Language is often very revealing in the House. The hon. Gentleman used the words "a serious war". May I gently ask him to urge some caution—along with a number of his distinguished Conservative colleagues—on the Leader of the Opposition in regard to the language he uses in egging on those who are thinking of a serious war?

Mr. Simpson: I am always very careful about giving leaders any advice. I feel—the Minister probably feels the same—that those who go to see a leader are rather like the grand vizier who used to go to see the sultan and, when he left, used to shake his head to make certain that it was still on.

Harry Cohen: Will the hon. Gentleman give way?

Mr. Simpson: How can I resist the hon. Gentleman?

Harry Cohen: My hon. Friend the Member for Linlithgow (Mr. Dalyell) said that language was important. Just before he started talking about the Apaches, the hon. Gentleman said that we might become involved in a UN-led war or a war led by others in Iraq. Surely the Opposition would not favour a war that was against international law—would they?

Mr. Simpson: I was speaking academically. I am not a Minister, unfortunately; the hon. Gentleman would do better to put his question to the Minister who is present. I was merely reflecting speculation that has taken place in the media.

As the Minister pointed out, the armed forces are not just our first but our last line of defence. That "can do" mentality means a number of things. More than a year ago, the forces were brought in to resolve the logistical problems caused by foot and mouth. Brigadier Birtwistle arrived with virtually no knowledge of the problem. He scribbled on the back of an envelope, and made certain that things were done while others in public service found the circumstances frustrating or almost impossible to deal with.

As the Minister said, some 19,000 service personnel have been training to undertake defensive firefighting in the event of a firemen's strike. I am sure the whole House hopes that the use of those personnel will not be necessary. I was lucky enough to visit the Army barracks at Swanton Morley in my constituency last Friday, 25 October. RAF personnel from Marham and Coltishall are deployed throughout Norfolk in contingency training; some 170 have been taken away from specific tasks until 24 December, with no roulement and no leave. I watched an exercise involving Green Goddesses, specialists from the RAF and defence fire service rescue units. I join the Minister in paying tribute to Squadron Leader MacIntosh and the men and women under his command, who are preparing for an eventuality that will put great stress and strain on them.

There is no doubt, despite the excellent work being done, that the Green Goddesses are slow. They have small water tanks. These Green Goddesses were using hoses from the 1950s, and their operational area in my constituency will extend as far as the north Norfolk coast. The personnel concerned took their training seriously, and showed considerable enthusiasm; but, with the best will in the world—this is not really an issue for the Minister, but he might pass it on to the Deputy Prime Minister—those fire tenders are very old. I suspect that when they were called out in the 1970s, many of us assumed that that was their last hurrah. We may well have to think about a future requirement—particularly in terms of homeland defence—for a reserve capability that is slightly more realistic.

When I left Swanton Morley I had with me my 11-year-old son, who had sat in the car watching the demonstration. I had told him what it was all about. As

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we drove away he said that he had found it very enjoyable and interesting, but were the fire engines now going back to the museum? The Government should think carefully about the effectiveness of those machines should they ever be used again.

The Minister spoke of the new SDR chapter. The Government's 1998 SDR, written at the end of the cold war, said:

"there is . . . no direct military threat to the United Kingdom or Western Europe."

Within three years that had moved sideways, and the Government have admitted that they

"did not fully cater for threats on the scale which materialised on 11 September, and we therefore looked again at our defence posture and plans."

When we discussed defence in the world, the Secretary of State made a welcome announcement to which the Minister did not allude. He announced that the British Government would carry out a series of studies of requirements for ballistic missile defence. That is an important subject, not least because of defence from missile attack against the United Kingdom, but also because ballistic missile defence might well be the other side of the strategic coin with the Government's willingness to consider a pre-emptive strategy.

Perhaps the Minister will comment on the fact that, following the Secretary of State's announcement, the French Government appear reluctant that NATO should fund studies on ballistic missile defence. Most of us probably regard ballistic missile defence as being not unique to the defence of the UK homeland, but relevant to the wider European mainland.

The Select Committee produced an excellent report on defence and security in the United Kingdom. The Minister said that it had been extremely critical about a number of matters. I will not go into the details because I know that they will be raised by others, but, having listened to the Minister, I am concerned about the crucial issue of who is ultimately responsible for homeland defence. It must ultimately be the Prime Minister. Sir David Omand in the Cabinet Office is the co-ordinator of activity, but I must say this, with the best will in the world—I suspect the Minister is aware of it—when I listened, at a tactical level, to his explanation of the role of reserve forces, I perceived a certain amount of blurring around the edges in terms of lines of communication, command and control, and who was ultimately responsible, not least because so many Government and local government agencies are involved.

We all know that "co-ordination" frequently means moving pieces around the chessboard, rather than action. I suggest to the right hon. Member for Walsall, South (Mr. George) that it might be an idea for his Defence Select Committee, the Select Committee on Home Affairs and the Intelligence and Security Committee to consider a joint study of homeland defence, giving specific consideration to co-ordination. At present it seems unlikely that, in the event of a major terrorist incident in the United Kingdom, we would witness a seamless reaction by the Government. It seems unlikely that there would be someone in overall command and control, and that that would be arranged quickly. I think that the Ministry of Defence would react quickly. However, I am concerned about the co-ordination across Whitehall. I urge Ministers to press the rest of Whitehall strongly on that.

I thank the Minister for his statement on the role of the reserve forces, not least because it justifies all the hon. Members on both sides of the House who said in the Chamber when the strategic defence review was moving like a stately galleon that the cuts announced by the Government in the reserve forces were too great. To be fair, the Secretary of State has admitted that, in the light of circumstances, many of us were correct on that. Welcome as that is—a number of my hon. Friend the Member for Rayleigh (Mr. Francois), have mentioned this—there is still a number of questions about how effective the reserve forces will be.

The Minister talked about the fact that there would be additional training of five days a year. What sort of training will the reserve forces have as formed units? What sort of training will they have with the emergency services?

A crucial issue will be the sort of equipment that the reserve forces will be allocated. We all know that for financial reasons they tend to get what the regular forces have left over. If we are taking the threat, which Ministers have rightly flagged up, to homeland defence seriously, that question will have to be seriously addressed. With regard to command and control in the MOD, particularly on the military side, the reserve forces should not just be an add-on, something at the bottom end of the list for brigade and divisional commanders.

Defence policy, budget and the armed forces depend crucially on the support of the public. In my county of Norfolk, we have been in the front line for 60 years. We had the largest fixed-wing aircraft carrier in western Europe, first during the second world war and then during the cold war, with the Royal Air Force and the United States Air Force stationed in large numbers.

Other parliamentary colleagues have raised this question. Since the end of the cold war the MOD has disposed of hundreds of barracks, stations, dockyards, stores and married quarters. The specific question of the disposal of married quarters is causing some disquiet in Norfolk. Recently, in south-west Norfolk, the public were upset to discover that married quarters were being sold in blocks of three creating a suspicion that buyers were speculators rather than people needing a home.

Bob Russell (Colchester): Will the hon. Gentleman give way?

Mr. Simpson: I will in a minute.

The Under-Secretary will be aware that some 200 former RAF quarters are standing empty and neglected at West Raynham just outside my constituency, which could be used for local housing. I know that the hon. Member for North Norfolk (Norman Lamb) has spoken with the Under-Secretary, who said that he would look at the issue but that it was dependent on the review of forthcoming RAF bases nationwide. Perhaps the Under-Secretary can tell us when we can expect the review to be completed and when a decision may be made.

I heard a faint mewing from my left.

Bob Russell *rose—*

Mr. Simpson: How very aptly from my left.

Bob Russell: Will the hon. Gentleman remind the House which Government sold off all the Army married quarters?

Mr. Simpson: That is a classic Liberal Democrat attack. The package for married quarters was introduced by the last Conservative Government. There is no secret. I do not know where the hon. Gentleman has been—I know where he was before he became a Liberal Democrat: he was in the Labour party, so I suppose his policies will have changed—*[Interruption.]* I am afraid to say that he was.

Many hon. Members on both sides of the House have MOD establishments in their constituencies that are awaiting disposal. Rightly, the Treasury is looking at the best value that it can get for those properties. Rightly as well, the MOD is looking at ways in which it can use them, but when married quarters are lying empty and being vandalised, it is a wasting asset.

In this debate on defence in the UK, the Minister has raised a number of issues relating to the role of the armed forces, the part that they play in the community, their strength, their deployment as part of an expeditionary force capability and their newly resurrected role in home defence. All of us support what the Minister said about the vital role that the armed forces play, but Conservative Members are conscious of the fact that the armed forces are being asked to take on new roles, that even with the resources that the Government say they are giving to the armed forces, there are still serious shortfalls and that in the event of more than one concurrent activity, the ability of the armed forces to provide long-term sustainability will be incredibly difficult.

The armed forces always rise to the challenge, but I think that all hon. Members know that in the past year many members of the armed forces have realised just how much they are now being asked to do. Our task is to make certain that they are given the support and resources that they need for the policy that the Government commit them to.

2.56 pm

Mr. Bruce George (Walsall, South): I am sure that the signal was sent to the Conservative party, "Simpson is back" to help a deeply demoralised party facing a major crisis. When the hon. Member for Mid-Norfolk (Mr. Simpson) referred to who is in charge, I must confess—no, I should not say it. [HON. MEMBERS: "Go on."] No, I will not. The hon. Gentleman knows exactly what I was going to say.

The hon. Gentleman was talking about the civil contingencies secretariat and leadership in response to a crisis in this country, a concern that the Defence Committee shares. I thank him and the Minister for their kind comments. As he will know, a symbiotic relationship exists between the Defence Committee and the Opposition Front-Bench team. We must co-ordinate a little more consistently over the months so that he remains in his position, otherwise when his leader reads his speech perhaps his head will be metaphorically chopped off and he will fully deserve it.

That is the extent of my bipartisanship for the moment. If provoked, I will go further and talk about jumping on bandwagons. As an observer of procurement failures over the past 25 years, I only wish that the delays had been for two years and eight months. This programme is on target in terms of budget and the quality of the helicopter, which is first rate. It is a great shame that some people wish to denigrate what is an excellent piece of equipment.

There has been a mistake, or mistakes, in the procurement of equipment for training; that is clear to all concerned. The company will pay for it. The delay of under three years, while it may appear to be a disaster, when set against the background of past procurement failures, is of about the same earthquake potential as the Dudley earthquake a few months ago, which measured I think 4.5 on the Richter scale. Apart from frightening my wife into thinking that I was snoring more loudly than normal, it caused little damage.

I understand that the Deputy Chairman of the Defence Committee wishes to intervene. I willingly give way.

Mr. Gerald Howarth: I am grateful to the right hon. Gentleman, the Chairman of the Defence Committee. Conservative Members have no intention whatever of denigrating the Apache; we were the party responsible for procuring it. At the time, I happened to be involved in supporting another bid, which was unsuccessful. The Apache is a first-class machine, but there is criticism of the incapability of the simulator to provide pilot training. The National Audit Office, not the Conservative party, drew attention to that problem.

Mr. George: I am grateful to the hon. Gentleman for that intervention. I think that the first criticism is on page 24 of the Select Committee report. If people are prepared to look at the situation in the round, they will see that it is not a disaster. It is not for me to defend the procurement process, but I am concerned that we should not jump on too many bandwagons.

I am pleased that the Government and the Opposition received our report favourably. I am proud of the way in which the Select Committee operates and although the report ruffled a few feathers, it is an example of the Select Committee system at its best. It has been suggested that several Select Committees produce a joint report. I have tried that, and as a consequence the Defence Committee published its own report, which has not suffered as a result of being produced by just one Select Committee.

It is not for the Defence Committee to beat the drum for the armed forces or the Ministry of Defence, so we looked not simply at how to avoid a crisis by meeting the threat as far away as possible, but at how to minimise risk, what to do if all else fails and at how good we are as a nation at trying to clear up as swiftly and successfully as possible if—or when—we are attacked. The whole system will be called into question if such an attack succeeds and we have to depend on the three blue-light emergency services. I hope to God that an attack does not take place when one of the three is not fully operational, as the consequences would be

[Mr. George]

horrendous and fingers would be pointed in many directions. I know in which direction my index finger would point.

I am pleased that the Government have recognised the work of the Defence Committee and our

"important contribution to the continuing effort to strengthen the UK's defence and security against the terrorist threat."

That must be our common aim. The issue is arguably the most pressing that we face. We all know what terrorists can do and that, despite recent military and policing successes in dealing with terrorism, many terrorists are still out there, closer than we imagine.

David Veness, whose experience in fighting terrorism is unrivalled, told the Defence Committee that terrorists would strike. I share that fear. Defence in the UK covers more than defence against the terrorist threat, which is the most immediate issue covered by the Select Committee report. I am delighted that this debate comes just one week after the Government published their response to our report. Defence does not involve only the armed forces. The defence of the United Kingdom also looks to the police, voluntary services, the private security industry and architects of high-rise buildings.

During the summer, I spoke to some 25 heads of security in large corporations, mainly in London. I asked them what they were doing. Most of them were taking the threat seriously, but the Select Committee found that more than half of the largest companies in the UK have no business continuity plans. If companies plan to rely on the insurance industry to rescue them, they are making a great mistake. If there is a major crisis or attack, public services may be overwhelmed, so ultimately it may be up to the companies to use their own resources to minimise the consequences. An attack on the City of London or Canary wharf will have not just immediate disastrous consequences for individual companies, but for the whole economy.

The current threat is similar to the one that we faced during the cold war of having our entire society disrupted and large chunks of it destroyed. The difference is that during the cold war many people thought that the only chance of catastrophic attack was if there was a mistake, but from now on, a successful attack on the UK is likely to be deliberate and the consequences could easily be comparable with the worst fears during the cold war.

Harry Cohen: Given the context of this part of my right hon. Friend's speech about a possible terrorist attack on parts of Britain, what does he think of a policy that relies on nuclear power stations?

Mr. George: No doubt my hon. Friend spent the recess attending to his constituency duties as diligently as he always does. As I said, I spent much of the recess studying and that included preparing a paper for an international conference on the very subject that he raises. Rather than spending time on it now, I would be delighted to send him a copy of my report. If I could reach, I would hand it over now. It is a matter that causes me considerable concern. I shall not write to my hon. Friend but give him a copy of the paper.

Mr. David Chaytor (Bury, North): I am grateful to my right hon. Friend. Now that he has had time to get the paper that he prepared, does it refer not only to the issue of nuclear power stations within the UK, but to implications for terrorist threat of the international plutonium trade between the UK and Japan?

Mr. George: It covers everything. I shall hand my hon. Friend a copy and test him on it later. However, I shall not make light of what is a serious issue.

I shall focus on a couple of issues in the Defence Committee report. I have referred to our methodology and how comprehensive it was. The problem with a Select Committee report is that if 30 per cent. of it is critical of the Government, they are quite happy with it. The report does not spend much time saying how wonderful the Government are, but concentrates on critical evaluation. Although much has been done that has been absolutely correct, the Select Committee, at no political risk to itself, pointed out where we were going wrong. We had every right to do that and I am pleased that the Government are taking it in the constructive spirit in which it was written.

In our strategic defence review monitoring exercise, the Defence Committee did not criticise the Government for stating:

"there is today no direct military threat to the United Kingdom or Western Europe".

That may have been true in 1998, but today it is a historical approach. Military home defence appears in the SDR as a military task in the section on regional conflict inside the NATO area. No forces were specifically committed to it and the Ministry of Defence told us at the start of our inquiry that the security and defence of the UK continues to rest on our membership of NATO and our willingness and ability to participate in operations and tasks abroad with partner countries in mutual self-defence. Conversely, terrorist activity within the UK, whatever its source, is seen as criminal activity and in most cases the operational lead rests with the police.

Dr. Julian Lewis: Has the right hon. Gentleman any idea from his studies of the time why, at the time of the strategic defence review, so little attention was given to the possibility of an extremist Islamist terrorist threat, when I think that we are all aware of the fact that, from quite early in the 1990s, the security service and the secret intelligence service recognised it as the next possible threat over the horizon? Where does he think the breakdown of communication between Government agencies occurred?

Mr. George: It probably took place about 1991, when the cold war was seen to end and the eyes of the intelligence services were taken off the range of threats. They looked at substitutes for the Soviets, who were not seen as the threat that they had been. They looked at crime, and I suspect that they did not look internationally and domestically at where other threats might exist. In fairness, the blame—if there is to be blame—goes back 10 or 12 years, and now they will spend another 10 or 12 years in making up for the fact that they averted their eyes to threats of political and religious extremism, wherever those threats exist.

Dr. Lewis: I am sorry to intervene again, but I think that the right hon. Gentleman has rather missed my point. As I understood it, the security and intelligence services did appreciate the upcoming Islamist extremist threat from the early to mid-1990s onwards. My concern is that that appreciation by the intelligence services, which turned out to be accurate, does not appear to have been taken on board by those people who drew up the SDR in the Ministry of Defence.

Mr. George: I honestly cannot say. The hon. Gentleman was closer to the then Government than I was in those days. I look forward to his observations and insider knowledge as to whether what he says is right.

The Minister announced the results of the Ministry of Defence's consultation exercise on the role of the reserves in home defence. As I understand it, the proposal has not changed significantly as a result of the consultation, although the new forces are to be renamed civil contingencies reaction forces rather than reserve reaction forces. The new name is perhaps a little odd if their responsibilities are to respond only to home defence incidents as opposed to the wide range of civil emergencies in which assistance from the military might be sought. The Defence Committee will want to look carefully at the proposals, and although we welcome the decision to give back to the reserves a role in home defence, there are a number of issues of concern including, for example, the notice at which they could be made available in response to a terrorist incident.

Our report questions how the commanders could choose between regular and reserve forces if both were available. I do not believe that these proposals answer that question. It would be demoralising for volunteer reserves if, having put themselves forward and having been trained, they saw regular troops deployed in their place. As we noted in our report, no reserves were deployed in the fuel crisis in 2000, and only about 10 per cent. of those who assisted with the floods in autumn 2000 and the foot and mouth epidemic in 2001 were reservists. Those were not home defence incidents but they suggest a pattern of calling first upon the regular forces.

In December of last year, the Secretary of State set out what he described as a formidable catalogue of questions that the SDR new chapter would have to address. At the top of that list were questions about how we should strike the balance between home defence and seeking to attack terrorists in their bases or in transit. These are fundamental questions—they are complex and deserve serious analysis.

We can see how much work is being done in the United States on this issue, including the appointment of Governor Ridge as director of homeland security and the proposal before Congress to create a fully fledged department of homeland security. That would bring together many existing agencies such as the coast guard, the border patrol, the customs service, immigration officials, the transport security administration and the federal emergency management agency. I am not suggesting that we follow the Americans slavishly, especially as their circumstances are rather different from our own. However, I contrast the thoroughness with which the issues are being examined and addressed by the United States with the bland statements in the new chapter. It says:

> "Experience shows that it is better where possible, to engage an enemy at longer range, before they get the opportunity to mount an assault on the UK."

That is fine.

Mr. Chaytor: Will my right hon. Friend give way?

Mr. George: In a moment, I promise. I will give my hon. Friend some more of my writings if he wishes and has the patience, especially on history, in which we both have a great interest.

This country did not attempt to deal with Irish republican terrorism campaigns by attacking their bases in the Republic of Ireland. Israeli attempts to destroy the bases of Palestinian terrorists have not so far been an unqualified success. I can see why, at both the rhetorical and the military strategic level, it is right to believe that we should strike at the source of the conflict. However, terrorists, unlike Saddam Hussein in the past, are not likely to line themselves up in such formations as easily to be destroyed.

The Defence Committee is conducting an inquiry into the new chapter and we will publish our report in due course. However, I am a little disappointed that the Government and the Ministry of Defence do not seem publicly to have treated this fundamental question with the seriousness that it requires.

Mr. Chaytor: In one respect, my right hon. Friend's subsequent remarks have pre-empted the purpose of my question. In the context of attacking the terrorist in his base, does my right hon. Friend think that an attack on Iraq by the United States—either alone, with the United Kingdom or with an international coalition—would be likely to increase or decrease the threat of the al-Qaeda terrorist network?

Mr. George: I will not go too far down that road. I can certainly speak to my hon. Friend about this privately, as the question requires more than a glib three-sentence answer. As yet, I am not convinced that al-Qaeda is alive and well in Iraq. There may be sufficient threats to this country and others to require a military response, but I very much hope not.

I said at the start of my remarks that I could touch on only a few of the issues raised in our report, but I want briefly to refer to one other area that has already been mentioned. I refer to legislation and the handling of major emergencies and disasters, including terrorist incidents. The Minister was circumspect in his response. The Government recognised well before 11 September that existing legislation was inadequate and set up a review of emergency planning in England and Wales. The consultation process for that review was in the second half of last year, and in fact straddled 11 September, so that many of the responses took the immediate lessons of those terrible events into account.

It is now more than a year since 11 September, and so far nothing has emerged. In our report, we recommended that the Government publish their proposals as a matter of urgency, with the explicit aim of introducing legislation in the 2002–03 parliamentary

[Mr. George]

Session. I am sure that if I were to press the Minister on the issue today, he would again give the standard line, which is in the Government's response to our report, that he cannot pre-empt the Queen's Speech. So we will just have to wait. Except that on 9 September, the Government placed in the Library a progress report on the United Kingdom and the campaign against international terrorism. It is an interesting document which, regrettably, I suspect that few people have read because of its timing.

At the end of the document, there is a list of the Government's priorities for the next year in the campaign against terrorism, one of which is to protect the United Kingdom

"by further enhancements to civil contingencies arrangements, set out in a Civil Contingencies Bill."

Perhaps the Minister, even if he cannot predict the contents of the Queen's Speech, can at least confirm that that still remains one of the Government's priorities for the coming year.

Mr. Francois: I am grateful to the Chairman of the Select Committee on Defence. Having read the Committee's report on the issue, I can honestly say without fear or favour that it was excellent, and I should like to take the opportunity to endorse absolutely its call for emergency legislation to be included in the Queen's Speech. We simply cannot afford to wait any longer for such a Bill.

Mr. George: I am grateful to the hon. Gentleman for that support. When the Bill is published, the logical Committee to which it should be sent is the Defence Committee, not any of the other Committees, because we have spent a great deal of our time on the issue. I hope that the Minister will pass on that endorsement to the Ministry of Defence and say that we should do that. The advantage to the MOD would be that the more time we spend harrying the civil contingencies secretariat, the less time and energy we will have to pursue the MOD. That would be in both our interests.

In our report, we welcome the appointment of Sir David Omand to the new post of intelligence and security co-ordinator. We will watch with interest how he, together with the civil contingencies secretariat under its new head, Susan Scholefield, takes forward their formidable list of responsibilities. I shall continue to urge the Government to take an active lead in pulling together all the many threads needed to co-ordinate our response to major emergencies, particularly those caused by terrorism, because that co-ordination is an essential element of any Government's first responsibility—the defence of the United Kingdom.

3.22 pm

Mr. Paul Keetch (Hereford): It is always a pleasure to follow the right hon. Member for Walsall, South (Mr. George), and I, too, congratulate him and the Defence Committee on its recent report and, indeed, the good work that he and his Committee continue to do.

The hon. Member for Mid-Norfolk (Mr. Simpson) has already dealt with some important issues on equipment, and I hope that the Minister will be able to deal with the many constructive points that he made in his excellent speech later. I do not intend to begin my remarks by repeating what the hon. Gentleman said, because I want to concentrate on what I believe is the most important piece of equipment in the armed forces: the men and women who serve in them.

I want to say a word or two first about Apache helicopter training because it seems that those concerns are slightly more deeply felt than they may have originally appeared. The National Audit Office report rightly comments on the current training regime, but it appears that a number of training aids and training computer systems were never budgeted for at the very start. I wonder whether the Minister can confirm in his winding-up speech the following three points.

First, is it the case that we do not possess the equipment to allow us to simulate Apache attacks in numbers? In the past, Apaches have been used not alone, but with other Apache aircraft as well as other helicopters, yet I am told that we do not possess and have not budgeted for the training packages to allow that. Secondly, I am also told that our training packages do not contain a training laser that would allow us to use simulated laser, not the real thing. Apparently, the real laser is so powerful that it might harm our servicemen on Salisbury plain.

Finally, is it the case that, beyond what the NAO has already said, the only range where we can test Hellfire missiles and use them in simulation is in Cape Wrath in the north of Scotland, and that it cannot be used on Salisbury plain? I should like the Minister specifically to deal with those points in his winding-up speech.

May I join other colleagues in paying tribute to those members of the armed forces—some 19,000—who are preparing for the eventualities of a firefighters' strike? I have seen preparations under way in my constituency, and, like other right hon. and hon. Members, I sincerely hope that we will never have to go down that road.

This debate is entitled "Defence in the United Kingdom", and at the end of my remarks I will highlight and define what I understand that to mean. Of course we recently had a debate about the role of Britain's armed forces in the world. Liberal Democrat Members have broadly supported what the Government have been trying to achieve: flexible forces and rapid deployment—the very expeditionary strategy outlined in the strategic defence review.

We have supported the pursuit of the European security and defence policy—the commitment to build a 60,000-strong rapid reaction force for European Union states. We also have supported the deployment of British forces in Kosovo, Sierra Leone, East Timor and, most recently, Afghanistan, but we have to concentrate on problems nearer home. I want to begin with the biggest threat to Her Majesty's armed forces—retention and recruitment.

Recently released figures show a deficit in every category of full-time trained strengths and requirements, to which the hon. Member for Mid-Norfolk referred earlier. The naval service is 1,420 under strength; the RAF is 770 under strength; and the Army is 5,440 under strength. Reference has already been made to the excellent debate in Westminster Hall earlier this week.

Net outflow from the armed forces, which had been slowly falling under this Government, rose in 2001–02. This year, twice the number of Army and naval officers left the services as joined them. Let us take just one example. The MOD estimates a shortfall of more than 130 fast jet pilots each year for the next four years. We all know that undermanning inevitably leads to overstretch, and even as commitments begin to draw down in the Balkans, new commitments arise, such as those in Afghanistan. Closer to home, the possibility of fire strike cover has involved cancelling the leave that more than 1,000 personnel were expecting.

Overstretch also has other casualties. Some 10,000 personnel are not fit for duty in front-line roles. By raising Army manning levels in the SDR, the Government have had to contend with an inbuilt shortfall on establishment levels. The SDR established clear targets for recruitment and retention, but they have consistently not been met. In fact, there are now around 6,000 fewer men and women serving in our armed forces today than when Labour came to power. Nowhere is that more acute than in the defence medical services. When a former head of the defence medical services, Sir John Baird, says we would struggle to meet our medical requirements for a major operation, we would do well to take note.

The SDR envisaged three fully staffed deployable field hospitals, but in current circumstances, even by stripping the reserve hospitals, we could field only two such hospitals at best. Reservists are relied on to fulfil front-line commitments in Bosnia and elsewhere. MOD hospital units are understaffed. Locums are employed to take up the slack, and even private hospitals are now being used to treat service members because the defence medical services are unable to cope. Clearly, that situation must not be allowed to continue.

The medical manning and retention review is now being conducted. Its conclusions should be made public, and we should debate them in the House. It is crucial that the new centre for defence medicine in Birmingham be helped to succeed. I have spoken to some of my constituents who have been treated there, and they have told me of the very great service of care that they have received. Considerable benefits have been achieved from the close links between that centre and the national health service, but those benefits will be of no use if the defence medical services cannot retain their specialists.

Of course I understand that there are extra difficulties in recruiting in those specialist fields. That is why the MOD must push extra hard for solutions. Some measures are simply common sense—for example, ensuring that the pay and conditions of military medical personnel are comparable with those of staff in the NHS. That makes sense, but there are no easy answers for such intractable retention problems and the MOD must start to listen to those who know best—the professionals who already work in the service.

Much has been said already about reservists. With gaps in regular regiments and serious shortfalls in specialists—signallers, engineers and doctors—the reserve forces are proving their utility. We approve of the plans announced today for reserve forces—the CCRF—to play a new role in home defence. We approve of that because it was, of course, a Liberal Democrat policy six months before the Government announced it.

Patrick Mercer (Newark): I am listening to the hon. Gentleman with great interest and respect. Does he have any suggestions to improve recruiting? At the moment, he has simply observed that recruiting is a problem. That is fine, but what solutions does he have to offer?

Mr. Keetch: The hon. Gentleman has suggested several good solutions in debates in the House, which have not been taken up. I will echo one of those solutions: we need to look at the good practice of those regiments that can recruit more easily and that can sometimes stop recruiting as a result, and make sure that that good practice is spread among other regiments. He knows from regiments in the midlands, not too far from his and my constituencies, that that happens in an effective way. We must also look, for example, at those members of the armed forces who have recently left the service, many of whom find that they do not like civilian life as much as they thought they would and want to come back into the armed forces. Those are two suggestions, but I would be happy to write to him with our party's policies on this matter, which I daresay he will be more than happy to read.

To return to the CCRF, it will only be effective if it trains regularly with the civil services—the fire brigade, the police, the ambulance service and others—if it has the right equipment, as has already been said, and if it can recruit beyond the Territorial Army. I would be prepared to act as a recruiting sergeant-major, as the Minister suggested earlier, to try to bring other people into the armed forces.

Mr. Ingram: Sergeant, not sergeant-major.

Mr. Keetch: I am grateful for even that humble assessment from the Minister. I would hope that the Conservatives would join in that role, too, as many people who are not currently members of the TA would like to contribute to what they see as the home defence of our country. We must bring in people who are specialists—chemical engineers, linguists and so on—whose skills can be brought to bear.

In the SDR, the TA was to reduce in numbers, and the MOD undertook to ensure that

"TA units are fully manned and trained and equipped to the standards needed to undertake their tasks effectively."

We are far from that. Unfortunately, at present, barely 60 per cent. meet their bounty every year. Against a strength of 39,663, only 23,201 are fit for role. The medical reservists illustrate that point, too. According to figures obtained by the Liberal Democrats over the summer, 201 field hospital, for example, is 34 per cent. undermanned, with a 90 per cent. shortfall in medical consultants, with no radiology or pathology consultants, and no neurosurgical nurses either. Furthermore, 202 field hospital was 53 per cent. undermanned, with no anaesthetics consultants, no radiographers and no burns nurses. Those are regionally based units—an asset to any community—and we must attract the right people into their ranks.

When there is talk of war—we have already heard such talk in the House this afternoon—the families of those who serve in our armed forces listen very carefully.

[Mr. Keetch]

The MOD should have a clear idea of the concerns of those who serve in our armed forces through the continuous attitude surveys undertaken on its behalf by QinetiQ on issues such as career prospects and equipment, and, in terms of their families, on aspects of life on base or in Ministry housing or accommodation. It is time the Government shared those concerns with Parliament. We should be able to hear the voices of the armed forces. The Army Families Federation, for example, receives more calls about housing than any other issue. The Under-Secretary, who has responsibilities for veterans, said he believed that the privatisation of the MOD housing estate was

"not the best bit of business done by any Government".

He is absolutely right. On 18 July, the Secretary of State himself said that MOD accommodation was "shocking". I am sure that even the hon. Member for Mid-Norfolk would agree with that.

Of course, bad management is part of those problems, and I understand that a major building programme is under way. Sadly, however, the mistakes of the past have to be lived with today. Since 1998, the Government have spent £100 million pounds on renting empty properties from Annington Homes because they were not good enough or not in the right place to give to service members. Have the Government had any discussions with Annington Homes about trying to renegotiate or overhaul the contract, which I accept was foisted on the Government? How do the Government propose to address the rising cost of substitute accommodation? In the first quarter of 2002 alone, the Government spent nearly £9 million on substitute rented accommodation for the armed forces. That is equivalent to 225,000 nights in average bed-and-breakfast accommodation. That means that, this year, the Government are heading for an annual total of around £40 million. No wonder the customer attitude survey conducted by QinetiQ for the Defence Housing Executive shows that a third of armed forces families are "not content" with their accommodation. That must improve.

In the Government's comprehensive spending review settlement, the defence budget was given an extra £1 billion a year over the next three years. Of course, we welcome that. However, a succession of major and minor defence reviews over the last 10 ten years have all indicated that current capabilities cannot be maintained without major structural changes and extra funding year on year above domestic inflation. When the SDR targets were set, the additional threat and costs of the campaign against terrorism were not foreseen. Estimates assumed that major projects would not be subject to cost overrun, but of course they still are. We know, too, that personnel costs can be met at present only because of shortfalls. We need more open competition and value for money, less waste, ways of saving money through co-operating with our European partners on procurement and logistics, and further targeted increases. Otherwise, the ability to mount additional operations could be jeopardised.

The service pay rise this year was a realistic and achievable 3.7 per cent. Recent comparisons between firefighters and the troops that are on standby to replace them have been illuminating. Personnel costs for well-qualified service men and women increase at or above inflation rate, and that trend is worsened in times of poor retention. There are also concerns about pensions. If we are to address the problems of retention, we must address the changing needs of our male and female soldiers, sailors and airmen. The risk of relationship breakdown, for example, for members of the armed forces is higher than for most people in civilian life. Marriage rates are falling. Since 1997, however, the number of UK regular forces aged between 25 and 29 has fallen by a remarkable 20,000, while the number aged between 20 and 24 has steadily risen. The average age of our armed forces is therefore falling considerably.

Mr. Eric Joyce (Falkirk, West): The hon. Gentleman has used an enormous amount of statistics in his speech. I have been reflecting on a statistic that he used earlier, and I want to establish whether there is depth in what he is saying, or whether he is simply reading off a sheet. When he said that the RAF was 130 pilots short each year for the next four years, did he mean 130 short, or 130 short every year for the next four years in a cumulative way?

Mr. Keetch: Actually, I referred not to the RAF but to fast jet pilots, because, of course, there are fast jet pilots beyond that. What I meant was 130 short every year for the next four years—year in, year out—which is a serious problem. I am more than happy to give the hon. Gentleman the figures and supply him with the parliamentary answers that I have received from his colleagues on the Treasury Bench, which are the basis of these statistics. I have used statistics because they show the severe overstretch of our armed forces at the moment.

We have a new generation of soldiers, both male and female, some of whom would have been only 10 years old in 1990, and would have watched the reports of Desert Storm in Iraq on their televisions. Many of them would not remember the Falklands war. If we are to recruit and retain high-calibre young men and women to our forces, we must look at their concerns, not at the concerns that we judge that they have. In the QinetiQ continuous attitude survey, the MOD asked soldiers an interesting question: whether unmarried partners should be granted the same support and allowances as the spouses of officers and soldiers. I am glad that the Government asked that question. Of course we do not know the answer, but I hope and believe that there will be changes as a result.

When faced with the need to adapt its traditions and rules to keep pace with the rest of society, the Ministry of Defence understandably adopts a cautious and precautionary approach, but that has proved costly. We have had to pay compensation for the infringements of the rights of gay men and women in the military. Pregnant soldiers have been summarily dismissed. We should not wait until such issues are tested in the courts before we recognise that a policy needs to adapt. Our society is ahead of the armed forces in recognising the legal and financial rights of unmarried partners. Members of the House voted to amend our pension scheme to give recognition to unmarried partners. The civil service pension scheme recognises unmarried partners, too. We know that last year the Ministry of Defence settled out of court to a young lady whose

unmarried partner was killed on active service in Sierra Leone. How would the Government act should a similar situation arise? That is one decision that the Ministry of Defence could make without fearing that the modernisation and reform would threaten the fighting capabilities of our armed forces. Indeed, it would only enhance the men and women who serve in them. If our forces are sent into action, they should know at the very least that their loved ones are being provided for, whether they are married or not.

The Government have been willing to revise the strategic defence targets according to changes in circumstances. For the same reason, they should be as willing to adapt to the needs of the men and women who fight in our armed forces, because those people are our defence in the UK. Policies must put their needs first and be developed with their input. If we ask our armed forces to serve us, we must make it clear that we are determined to serve them.

3.41 pm

Harry Cohen (Leyton and Wanstead): I am delighted to follow the hon. Member for Hereford (Mr. Keetch) and support the case for improved pay and conditions for members of the armed forces, as indeed I do for the firefighters.

The House will be horrified at the high level of casualties following the use of gas in Moscow last weekend. The Russian authorities faced a truly difficult set of events. Although I hope that authorities in this country never face a similar problem, we have important lessons to learn and policy initiatives to take. At the same time as we press the Russians for greater openness on what was used and how it was used, there should be greater openness concerning British preparations to use gas in counter-terrorist operations.

In March 1998, I asked about a chemical agent held by the Ministry of Defence called CR, which it keeps to maintain

"an effective counter terrorist response capability."

Initially I was pleased to be told that the Government's policy on CR

"is consistent with the Chemical Weapons Convention, which permits the use of certain toxic chemicals for law enforcement purposes."—[*Official Report*, 12 March 1998; Vol. 308, c. 324W.]

However, as the same permission enabled the Russians to use their gases, I am concerned about the use of CR for law-enforcement purposes in the United Kingdom.

Dr. Julian Lewis: The hon. Gentleman has a long history of open-mindedness on the dilemmas faced by successive Russian military authorities. Can he shed light on the fact that after the gas was applied in the theatre in Moscow—so effectively and lethally that it knocked everyone out and killed people so that nothing could explode—many of the assailants were dispatched by gunshot wounds? Presumably that happened when they were unconscious.

Harry Cohen: I have seen those reports. I want the Russian authorities to be more open about what happened and why. I hope that they can be encouraged to produce that information.

Patrick Mercer: I had the good fortune—or the misfortune—to watch the events on Russian television last week. It was obvious that Spetznatz forces made no bones about the fact that the terrorists were executed while they were unconscious. There was no question of hiding that. Indeed, the terrorists' wounds were exposed and filmed on camera to the acclaim of the audience among whom I was standing.

Harry Cohen: That act was wrong, and I am grateful to the hon. Gentleman for making that point.

Although I would not want the Government to release information that could be useful to terrorists, there is scope for greater openness, not least in having information ready to send to doctors who treat casualties exposed to such materials. When the full story of what happened in Moscow is known, I fear we will learn that some people died in hospital because the doctors knew nothing about what compound had affected their patients. I would not want that to happen if we had a siege.

In response to my questions in 1998, I learned that the Ministry of Defence held about 260 kg of CR which was described as

"a riot control agent designed to cause temporary irritation."

That was a puzzling statement because the next answer from the Ministry of Defence in response to another Member said:

"CS irritant is the only riot control agent held by my Department."—[*Official Report*, 12 March 1998; Vol. 308, c. 324W.]

But CR had been described in the same way. Although the full effects of CR have not been published, perhaps one side effect is amnesia. That juxtaposition of contradictory answers prompted correspondence.

The Minister wrote to me explaining that although in technical terms CR was considered a riot control agent, because of its effects it was held for use not against rioters but against terrorists—hence the claim that CS is the only Ministry of Defence riot control agent. As I cannot understand why a substance such as CR would be used against terrorists unless hostages were involved, that means that it would be used in situations similar to that in Moscow. Is that a serious loophole in the chemical weapons convention? Could a country stockpile chemical agents while pretending they were for law-enforcement purposes and then let their military people use them in a war? That would critically undermine the convention, the major piece of international law which controls chemical weapons around the world and which most major countries have signed.

The convention clearly says that any toxic chemical held for one of the permitted purposes, such as law enforcement, should be held only

"as long as the types and quantities are consistent with such purposes".

That provision could close the loophole because other countries could challenge in the Organisation for the Prohibition of Chemical Weapons in The Hague the holding of such chemical weapons. That international body relates to the convention, and I urge the use of such challenges and inspections.

The Government, through the Ministry of Defence, must give a new public assurance that they have checked that stocks of CR are held in compliance with the

[Harry Cohen]

chemical weapons convention. But they must also do a little more. They cannot simply say that they are in compliance; they must present evidence of their thinking and show how they reached their conclusions. Only in that way can we make other countries justify what they do with chemicals for law-enforcement purposes. The Government would be a world leader by helping to keep the loophole tightly closed.

We cannot allow the use of gas to pass without comment. It may seem politically expedient not to condemn the use of gas now, but will it seem that way in a decade? The greatest control on the use of chemical weapons around the world is the fact that they are taboo in many cultures. If it becomes acceptable to use chemicals in law enforcement, that may lead to a weakening of the general taboo against their use in other circumstances. We owe it to British troops in the field to ensure that the sense of taboo against the use of chemical weapons is as strong as possible.

If the Russians feel that there has been little international pressure concerning the use of gases, what is to stop them using the same substances in Chechnya itself? If they did so, would the Americans feel free to use sleeping gases in Iraq? We could be at the start of a slippery slope that ends with scenes such as those in Halabja in 1988—another instance in which the Government of the day found it expedient not to criticise. We need strong controls on all those materials in all circumstances.

The Government must accept that there is no such thing as a non-lethal weapon. There is still speculation about the exact gas used in the Moscow siege, and although thankfully it was not lethal for the majority of the people involved, it was lethal for about 100 others. As with all substances that can bring about unconsciousness, the difference in the dosage necessary to make a person sleep and that needed for lethal effect is relatively small, which is why an anaesthetist will constantly monitor a patient who is under general anaesthetic during routine surgery. Sadly, uncontrolled doses can be lethal.

A great deal of political attention has been paid to so-called "non-lethal" weapons in recent years. It is laudable to try to create methods for carrying out military and peacekeeping operations without causing as much death and destruction, and the United States has an extensive programme to develop non-lethal weapons, but all that is too optimistic. Perhaps the longer-term lesson from what happened in Moscow is that it has demonstrated, in the bluntest possible terms, that the drive for non-lethal weapons is based on the fundamentally mistaken belief that materials that interfere with the operations of the human body can be applied with little chance of deadly effects becoming apparent. Non-lethal often ends up being lethal.

In summary, the Government must publish the evidence for their conclusion that their holdings of CR gas comply with the chemical weapons convention, and then encourage other countries to display similar openness. How can we demand from Russia information that we ourselves have not provided?

Hugh Robertson (Faversham and Mid-Kent): I accept almost everything that the hon. Gentleman says, but will he answer a simple question? Given that the evidence now emerging from Moscow is that the special forces had to move quickly in the early hours of the morning because they believed that the hostages were about to be killed by their captors, how would the hon. Gentleman have resolved the siege without recourse to gas, which the forces needed to use to stop the terrorists activating their explosives?

Harry Cohen: I cannot say how I would have done it because I do not have all the information. Nobody has, which is why we want openness, at least in retrospect, from the Russians. I have made it clear that the use of the gas does not breach the chemical weapons convention. We must have openness, otherwise we will open up the possibility of the convention being breached, and I want to prevent that.

The Government must also be more open about the rules of engagement for the use of CR and provide full reassurance that they have taken all reasonable steps to ensure that the correct treatments are available if anyone is exposed to CR. Lastly, and most important, the Government must ensure that chemicals used in law enforcement are there only as a last resort. It took most of the 20th century to achieve proper controls on the use of chemical weapons; it is the Government's duty to ensure that those controls are not weakened in the first few years of the 21st century.

3.54 pm

Dr. Julian Lewis (New Forest, East): The right hon. Member for Walsall, South (Mr. George), the Chairman of the Defence Committee, invited me to expand on my earlier intervention about the intelligence services' assessment in the 1990s of the rising threat from Islamic fundamentalist extremism, and I shall do so with the limited knowledge that I have.

That knowledge simply goes back to an incident in, if I remember correctly, 1994 or 1995, when, perhaps looking backwards a little too much and forwards too little, I was concerned about membership of the Intelligence and Security Committee and in particular the fact that people were being appointed to that Committee who had a history of sympathy with the former Soviet Union. I discussed the matter with a senior parliamentarian—it would be invidious to identify him—who said, "Quite frankly, Julian, we are not bothered about that any more." Surprise surprise. What was a genuine surprise was that he then said, "We are concerned about whether any members of the Committee have links with Muslim fundamentalism."

I was impressed by the fact that, at that early stage, when there had been no significant eruption of Muslim extremism in this country, the committee should have been already thinking about such matters. We cannot lay at the door of the intelligence and security services the accusation that they were not thinking about these matters long before 11 September 2001; clearly they were doing so. We have to wonder why, when they had appreciated that Muslim extremism would be the next threat over the horizon, the strategic defence review carried out in 1998, several years later, did not pay more attention to that threat.

The Chairman of the Defence Committee criticised the post-11 September Government pronouncements in various Ministry of Defence documents as being too bland in stating that in the defence of the United Kingdom, the fight had to be carried to the potential enemy long before he got too close to home. I think that criticism a little unjustified. If there is a primary point that I want to convey in my contribution, it is that passive defence against terrorism is never enough; only a form of offensive defence can hope to be successful.

That problem is not new. Strangely enough, the strategic planners of the United Kingdom—in the days to which I refer it was still just about at the tail end of what was called "the British empire"—had to face something very similar. At the end of the second world war, they had to assess what the arrival of mass destruction weapons meant for the future defence of the country. Some of the top scientific brains in the country were then still available to the Government service because they had been recruited as scientific advisers to the respective service Ministries throughout the second world war. They turned their attention to the prospect of whether there was any straightforward or practical way to counter the threat posed by the advent of biological and, as they were then described, atomic weapons. They quickly came to the conclusion that it was important to keep up the techniques of conventional military warfare and maintain the traditional roles of the Army, the Navy and the Royal Air Force in safeguarding sea communications and defending the United Kingdom's air space, as no one knew what sort of conventional conflict might yet take place. However, because only a few mass destruction weapons were needed to cause massive devastation, the only real defence against them was the ability to threaten immediate and devastating counter-attacks, thus deterring people from launching an offensive in the first place.

There is a parallel with today's situation. In the international threat facing our homeland, a small number of people may use the technology that the west itself has developed. Modern airliners, for example, may attack modern buildings, resulting in the deaths of many people following detailed organisation by a few individuals. That mini form of mass destruction is difficult to stop because only a few people undertake it. As we heard from the Minister of State for Defence in response to one of my interventions about individual terrorists undertaking copycat operations, there is no way in which society can protect against every deranged individual who may want to attack it. There is therefore a parallel, as a small number of people pose a disproportionate threat of damage and destruction.

However, there is also a difference in the solution to the problem—deterrents cannot be applied to people who are so filled with hatred that rational consideration of their own interests cannot be deemed applicable. If we are dealing with those who are so full of hatred that they are prepared to commit suicide to bring down their perceived enemy, we cannot hope to deter them from attacking. However, if we cannot hope to deter them and cannot necessarily, because of the mass destruction multiplier effect, hope to prevent them from carrying out those attacks, it follows that the MOD's basic approach is correct—we must stop them launching the attack in the first place. The best way to do so is, indeed, to attack their bases or at least their centres of power.

Mr. Keetch: The hon. Gentleman has not mentioned one key aspect of the campaign against terrorism, although he may be coming on to it—intelligence. Is it not the case that it may not be necessary to launch a pre-emptive attack with the aim of stopping an attack? With adequate intelligence, one can know that an attack is being planned, so it can be detected and stopped. Is it not the case that we probably do not know how many attacks have already been thwarted by excellent intelligence? Will the hon. Gentleman join me in paying tribute to those people in British intelligence who are protecting us in that way?

Dr. Lewis: The hon. Gentleman has anticipated my remarks very well indeed. I endorse entirely what he said, but I have not yet elaborated on what I mean by offensive defence. It is not enough to talk about intelligence as a way of finding out what is intended—that is of value only if we take counter-action. We should, of course, praise the thwarting of individual terrorist initiatives, as the hon. Gentleman said, but that alone is not a sufficient answer to the problem. As in the case of attack with nuclear weapons—only one or two have to get through to cause indescribable and unacceptable damage—so with terrorism. Only a small proportion of those attacks need succeed and escape the best attempts of the intelligence services to thwart them for the results to be unbearable and entirely unacceptable.

We must bear in mind the fact that what has happened so far has not been anything like as bad as it could have been. That may surprise hon. Members, but it is true. My mind goes back to the emergency debate held on 14 September last year in the aftermath of the attack on the World Trade Centre and the Pentagon, when I outlined in my contribution the sort of draconian measures that would be necessary in a free democracy if we protected ourselves against a series of suicide attacks on a par with what goes on within the borders of Israel or the occupied territories. I leave aside the rights and wrongs of that conflict—I am looking at this purely in technical terms.

A comparison could be made with the long history of the confrontation of our country's intelligence services and armed forces with the IRA. In the course of that long struggle—I hate to say this because I know that it will be misinterpreted—a sort of rules system was in operation. The people who carried out terrorist attacks on British society did so in a ruthless but calculated way. If a particular political initiative was coming up, they would decide whether they wanted to derail it, and whether they should have a bomb explosion, assassinate a soldier or whatever. It was almost like a horrible lethal form of chess. Similarly, I suspect—although I do not know—that the response of our intelligence and security services was strangely analogous. When the IRA went beyond a certain level of offensive behaviour, the security services were free to take firmer and more deadly action than was normally allowed.

The system that developed was therefore graduated for political purposes. One factor, however, makes that comparison with the more recent international terrorist

[Dr. Lewis]

threat slightly strained. It would have been easy for the IRA to cause many more explosions and casualties—for example, by not giving bomb warnings, which they often did—had they wanted to do so. They did not do so because they were playing the deadly game that I have described— but such considerations of restraint do not apply to international terrorists of the type who attacked the World Trade Centre and the Pentagon. Such people are out to cause maximum casualties at every opportunity. The fact that that has not occurred in this country so far is a measure of genuine weakness on their part, rather than a wish to restrain themselves. Where they have been able to strike, as in Indonesia, they have done so. We must ask ourselves why they have been relatively weak in their subsequent activities against their most hated enemies—first, the United States, and secondly, Great Britain.

Our Government, with the full support of the Opposition, have stood shoulder to shoulder with the United States. The terrorists' response to the United States and our country has been low level because they have been put on the back foot following the counter-action against the terrorist base in Afghanistan. Any branch of that deadly network must also be concerned because, wherever international terrorism raises its head, it simply provokes the authorities to suppress it. We know that in Pakistan there was, shall we say, an ambivalent relationship between the Pakistan intelligence service and extreme Muslim fundamentalists. Since 11 September, the Pakistan authorities have been forced to crack down. We know similarly that parallel work will take place in Indonesia.

I see that the right hon. Member for Walsall, South (Mr. George), the Chairman of the Select Committee, has resumed his seat. It seems that despite the critical remarks that he made about it being too bland to talk about keeping the threat away from us as far as possible, rather than relying primarily on defensive measures at home, that must be the essence of our counter-terrorism strategy. It is vital to keep these people on the back foot. The best defence of the United Kingdom is to keep them on the run.

I shall conclude with a small suggestion that I hope the Minister will take on board. In my first intervention on the Minister of State, I referred to the danger of copycat terrorism and to the vulnerability of open democratic societies to anyone who wants to send a white powder through the post or set himself up as a sniper, whether it be for terrorist purposes, for motives of extortion or for any other indefensible reason. The trouble that we face in the modern world with the new feature of international terrorism is that the potential terrorist need not even know, let alone be in touch with, the leader of his organisation. We now have terrorist websites on the internet. There is the ability for instructions to be given from a cave in Afghanistan, for example, or from somewhere on the Pakistan border to those who wish to sacrifice themselves to the terrorist cause. All that can be done without any direct chain of command.

I wonder whether the Government, given the threat that we face, have paid any serious attention to something that I know does not appeal to those who believe in the freedom of cyberspace. It is something which I know would be technically difficult, but at least it could be worked upon, perhaps on a voluntary basis, with the internet service providers that are responsible for managing a great deal of the material that goes into cyberspace.

Serious talks should be held between Government agencies and with the firms responsible for the management of the content of the internet, with a view seriously to assist in limiting the potential for renegade individuals, copycat terrorists and various other deranged enemies of a free society to obtain ideas, instruction and deadly plans as a result of internet cyberspace communications.

4.14 pm

Ms Julia Drown (South Swindon): I share some of the concerns of the hon. Member for New Forest, East (Dr. Lewis) about the use of the internet in this context.

I offer my support to our armed forces who, day in, day out, prepare for and take part in defending our country, and creating and maintaining peace in many key parts of the world. Over the past year, the Government and the nation have been asking more questions about our relationship with the rest of the world. We have been asking how our values and ethics should be reflected in our defence and foreign policy. Arms exports must form a central part of this discussion.

The Government have been congratulated on passing the Export Control Act 2002, which should help limit the flow of arms to conflicts throughout the world. However, we need to ask more fundamental questions about arms exports and the subsidies that the arms trade receives. The Ministry of Defence justifies defence exports, broadly for two reasons, one economic and one political. The economic argument runs that arms exports are supposed to be a money maker for the United Kingdom, given our need to have some arms, and that mass-producing them makes them cheaper. Supposedly there is a direct financial benefit to the economy and an indirect one given the number of people employed in the industry.

The economic argument fails. The MOD supports huge subsidies to the arms trade. The most recent study of UK arms exports by the Oxford Research Group and Safer World estimates that UK taxpayers provide subsidies to the arms trade of £420 million per year. That probably comes third only to agriculture and transport. The subsidy is hundreds of times more than state aid for tourism, the media and culture, which are more likely to be the industries of the future. Each job in the arms industry costs £1,000 a year of taxpayers' money. A quarter of that sum is paid through taxpayers' money to media, culture and tourism jobs.

I realise that there is a need for defence and arms. However, inappropriate promotion of the arms trade, and too much of it, promotes conflict. If the choice is between subsidising and promoting British bombs and bullets, with all the destruction and misery that we know they can cause, or subsidising and promoting British media, tourism and culture, with the ability to expand people's opportunities and increase opportunities to entertain and inspire, all at a quarter of the price of each job when compared with the cost of £1,000 in the arms industry, surely the second approach should win time and again.

It is not only campaigning organisations that have established the costs of arms exports. Two senior MOD economists worked with two other economists to publish the "The Economic Costs and Benefits of UK Defence Exports", which I shall refer to as the York report. The report quantified the economic and employment impacts of a 50 per cent. reduction in defence exports over just two years. It was concluded that

"the economic costs of reducing defence exports are relatively small and one-off . . . the balance of argument about defence exports should depend on non-economic considerations."

Even one-off costs need to be considered seriously. Jobs are important, and I want to see people fully employed in productive and satisfying employment. The York report highlights the capital intensity of the defence industry. It is estimated that halving defence exports would lead to the loss of 49,000 jobs in the short term but the creation of 67,000 new jobs in the civil economy over five years.

Mr. Joyce: I presume that my hon. Friend recognises that in recent history there has been a shift in the economy from manufacturing to service industries. There are areas that rely heavily on manufacturing jobs. I think that defence economists generally accept that the new jobs that would be created would not be in the same areas. They would tend towards the south-east and away from the areas that rely on manufacturing jobs.

Ms Drown: There are a couple of points to make on that. First, retraining is always possible. Secondly, I recognise that we need to do much more with regional planning to ensure that we do not continue to suck more and more jobs, together with more and more housing, into the south-east. That is not welcome in the south-east or at the edge of the south-west, just as it is not welcome in other parts of the country.

Moving from old trades to new trades without job losses is the key to serious defence justification that the country needs.

Mr. Kevan Jones: It seems that my hon. Friend is referring to the arms industry as rather like sin, and that she is in favour of a little of it but opposed to a lot of it. In the north-east, for example, there has been a shift from manufacturing. The new jobs that are coming on stream are very high tech and service related, and many of them have an important role to play in the defence industry in this country and internationally.

Ms Drown: I shall explain why it is appropriate for us to support defence and arms. At present, it is not easy to support our position if we support an ethical foreign policy.

Mr. Keetch: In my speech and in the speeches of other hon. Members in the defence in the world debate two weeks ago, we covered large aspects of the hon. Lady's argument. She mentioned ethical policy. Does she agree that, there is nothing unethical about supplying our allies and friends with the arms to defend themselves? That is right and proper. The real problem for the arms trade is that we sometimes supply weapons to countries that are not our friends or that may turn out not to be our friends in the future.

Ms Drown: If the hon. Gentleman will let me continue in a little more detail, he will see that his position is not so different from my own.

There is much talk about the fact that the current labour market is much more flexible than ever before, and that full employment cannot always mean the same employment. The success in my constituency is due to the flexibility of the work force. Swindon lost thousands of jobs when the railway works closed, but our highly regarded work force have adapted to change, and we enjoy near-full employment, with more manufacturing than many other parts of the country, as well as a strong service sector and many UK national and international headquarters based in the town.

People who work in the defence industry are highly skilled and well trained. Managed right, with proactive defence diversification, we should be able to get those skills into new and more productive fields without redundancies or unemployment.

Mr. Liddell-Grainger: In my constituency we have a Royal Ordnance factory. Workers there cannot easily be retrained. Their specialist employment is making explosives. Can the hon. Lady explain where we are to get retraining and re-employment for people in Somerset?

Ms Drown: Retraining is the key to a successful defence diversification policy. I have every faith that the hon. Gentleman's highly skilled workers can be retrained. We in Swindon had to do it with our railway workers, who produced some of the best engines that any country has ever seen. They are now doing different jobs in high-tech firms—more productive firms. It can be done if there is the will to do it.

Perhaps the York report has persuaded the Ministry of Defence that the only argument left is the political one. The Minister with responsibility for defence procurement has said:

"The Government supports defence exports primarily on the grounds of their benefit for defence and international security policy."

So arms exports are supposed to be about benefiting our friends and allies, helping to deter aggression and keep the peace. That should mean that such exports help legitimate regimes. That is why the Export Control Act 2002 is so important. It allows the Government to refuse export licences to regimes that do not embody the positive values that we want to spread—regimes that flout human rights—or to stop the purchase of arms that would not support sustainable development.

The problem with that argument is that we currently export arms to regimes that clearly fail to promote those positive values. British arms exports to Saudi Arabia have helped legitimise a corrupt and undemocratic regime with one of the worst human rights records. Systematic torture and ill treatment in prisons and the imposition of corporal punishment such as amputation and flogging continue there. The political argument for arms exports cannot be listened to sympathetically while

[Ms Drown]

we continue to support arms sales to regimes that do not uphold human rights or where they are used to fuel aggression.

Ministers and hon. Members may have heard on the "Today" programme a couple of weeks ago that in Jordan, Ministry of Defence officials, UK Government employees, Prince Andrew and a Defence Minister were in the same hospitality suite at an arms fair as Saddam Hussein's cousin. That arms fair was attended by delegations from Syria, Libya, Iran and Iraq. The Government had 40 employees there and Britain was the biggest seller, besides Jordan itself. Every half an hour, Army display teams were showing off weaponry like a live television commercial, so even those threatening us are given intelligence on our weapons.

The Minister said that it was fine for Iraq to come and look, but because of the UN embargo, it cannot buy. That does not stop the Iraqis getting intelligence on our weapons. They were invited to see them, even though they cannot buy them. What do the Government do to protest about the fact that Iraq was represented at the arms fair? When there is an arms embargo on Iraq, what are Iraqis doing at an arms trade fair? The fair was held in Jordan, which the Scott report identified as the main route for arms to Iraq. When questioned, the Minister said that those countries are moving towards democracy and are forces for stability in the region.

Let us wake up. The truth is that the UK is such a massive exporter of arms that our threshold for friends must be very low. We are friends of India and Pakistan. That is right, but there are serious questions about selling weapons to those two countries, given the dispute over Kashmir. Given the concerns in the middle east, selling parts to Israel via America is also wrong. Having such a low threshold for friends is morally and economically wrong. It warps the Government's serious attempt to maintain an ethical foreign policy. We need a much higher threshold in place to ensure that we do not export arms to countries that could pose a threat in the future. The Government need to open their eyes to that danger and take action before it is too late. That is even more important, in the light of new international work on tackling terrorism and promoting peaceful and democratic regimes.

Obtaining approval of arms exports from a House Committee rather than from Ministers would be one way to make the system more transparent, and would better show each export on its merits. Similarly, all subsidies for projects should be reviewed to look at how much tax money is going into each project and whether it could be better used elsewhere. In addition, we need to take a serious look at moving skills from defence jobs to more productive areas. We will still need some defence jobs, but not as many as we have at present. The result would be a better use of taxpayers' money, more jobs and a more stable world.

Having heard the comments made earlier, I cannot leave a debate on UK defence without making a few comments about the UK's recruitment of child soldiers.

Mr. Gerald Howarth: The hon. Member for North Durham (Mr. Jones) suggested to the hon. Lady that she was in favour of virginity, but not all the time—*[Interruption.]*—or rather, in favour of sin, but not all the time. Perhaps she could set out, for the benefit of the House, what defence exports she believes to be justifiable, and to which countries she believes exports to be legitimate. There are a great many people in this country represented by hon. Members in all parts of the House whose jobs depend upon the defence industries, and our armed forces are dependent on those industries as well. Furthermore, those defence industries feed through to civil applications, from which Britain makes a great deal of money.

Ms Drown: If the hon. Gentleman reads my speech in *Hansard*, he will see the ethical principles in which I believe. I would be surprised if he supported exporting arms to every country in the world. I pointed out that our present threshold is not at the right level. I hope that he will reflect on that and bear it in mind when he considers his own policy on these issues.

I shall speak briefly about child soldiers. The United Nations committee on the rights of the child produced its report on the UK this month. It stated:

"The Committee is deeply concerned that about one third of the annual intake of recruits into the armed forces are below the age of 18 years, that the armed services target young people and that those recruited are required to serve for a minimum period of 4 years raising to six years in the case of very young recruits. The Committee is also concerned at the widespread allegations that young recruits have been the victims of bullying and at the fact that children below the age of 18 years take direct part in hostilities overseas."

The Committee recommended that the UK Government ratify the optional protocol on the involvement of children—

Bob Russell: Will the hon. Lady confirm that she previously made that point to the Prime Minister at Prime Minister's Question Time, and that he thoroughly disagreed with her?

Ms Drown: The hon. Gentleman is right. I have raised the matter, and the Government have not moved to change their opinion. I believe that they should keep the matter under review. The current position is not right, and that is why I shall continue to challenge it.

Mr. Liddell-Grainger *rose—*

Ms Drown: I have taken several interventions, and I want other hon. Members to be able to speak.

The committee wants the Government to ratify the optional protocol on the involvement of children in armed conflict and to take all necessary measures to prevent the deployment of persons below the age of 18. It also wants us to strengthen and increase efforts to recruit people of 18 and older.

The Minister talked of the need to follow international obligations and one would have thought that the UN convention on the rights of the child would be central to that. In response to my intervention, the hon. Member for Mid-Norfolk (Mr. Simpson) said that recruiting under-18s was a successful way in which to staff the armed forces. How do other European countries manage to staff their armed forces without having to do that? Why cannot the Government introduce a separate training organisation

for 16 to 18-year-olds and give them the choice when they become 18 of whether to join? What objection can there be to that? That should be combined with more work on recruitment and retention of those over 18. I was delighted to hear from the Minister earlier that recruitment is going well. We need to keep working on that because that is the way to solve the problem.

The hon. Gentleman twice said that 16 and 17-year-olds are not children, but to say that is to ignore UN rules, which, given the international situation, is a dangerous precedent to follow. When UNICEF sought to deal with the problem of the 11 to 13-year-olds who are recruited in some of the poorer countries, about which the hon. Gentleman is concerned, those countries ask why it is raising that when the UK itself recruits children. There is an issue there about the Government having the moral authority to play their part in challenging the even more outrageous recruitment of very young children throughout the world.

I support greater financial investment in the staff of our armed forces, and we need to look further at intelligence, as the hon. Member for New Forest, East said, because that is crucial to protect the country. We can do that by diverting some of our funds and support for arms exports into personnel issues. I end where I began, supporting those personnel, those armed forces, who protect the country so well.

4.32 pm

Mr. Ian Liddell-Grainger (Bridgwater): I was interested to hear what the hon. Member for South Swindon (Ms Drown) said. Like many hon. Members on both sides of the House, I was a Territorial Army officer. I held the rank of major in the Northumberland Fusiliers, and I led many young people who were extremely good. They were dedicated, tough and knew what they were doing, and they were not children. They were people on whom I would rely and for whom I would lay my life on the line to lead them. They were very good. In the Gulf, where our 3rd Battalion took a friendly-fire incident, which the hon. Lady may remember, those young people did not stop. They carried on with their job and went through with it. I have great respect for the young people of Britain. They do a great job. They are not children but have minds of their own. If we treat them like children, we shall never get over the stigma. We have a young military force called the Combined Cadet Force or the Cadets.

Ms Drown: I in no way suggested that those young people are not as fantastic as the rest of our armed forces, but why does the hon. Gentleman object to those people, who have a separate training organisation, making the decision to join the armed forces when they reach 18?

Mr. Liddell-Grainger: Why not before? I do not understand the hon. Lady's arguments. I strongly believe that young people must be given the right to make up their own mind. If one wants to start work at 14, one can do so. If one wants to train for a trade, one can do so.

Patrick Mercer: I had the pleasure to command junior leaders who were 16-year-old soldiers. The regime was benign and there was discharge as of right. In other words, any young soldier who asked to be discharged could be discharged automatically, unlike an adult soldier. There is indeed a separate training organisation for young soldiers called the army foundation college in Harrogate, which trains young men and women most carefully, in a paternal fashion, with completely different military regulations. There is also—

Madam Deputy Speaker (Sylvia Heal): Order. That is rather long for an intervention.

Mr. Liddell-Grainger: My hon. Friend makes a most eloquent point, with which I completely agree. There are strong safeguards to ensure that young people are trained to the standard at which they can do the job. My hon. Friend was commanding officer of a fine regiment that took young people to Bosnia and brought them all home. That shows the dedication and ability of the young people.

I come now to the Territorial Army.

Ms Drown: Does the hon. Gentleman agree that discharge as of right applies for only six months, and it is iniquitous that when young people sign up they have to do so for six years, whereas 18 and 19-year-olds usually sign up for four years?

Mr. Liddell-Grainger: I am reliably informed by a whisper in my right ear that they have the right to be discharged throughout their training.

Ms Drown *indicated dissent.*

Mr. Liddell-Grainger: I had better move on. If the hon. Lady shakes her head too much, it may fall off.

The TA has given great service in the defence of Britain ever since it was a militia. It has a unique ability to be a local defence force. It knows its area. There is no better organisation to defend a local area, because it already knows it. If one wants to deploy troops with the ability to defend strategic sites, such as the nuclear power station in the constituency of the hon. Member for Leyton and Wanstead (Harry Cohen) and the ammunitions factory in my constituency, there is no one better than the TA because it knows precisely where such sites are. Following 11 September, many such places were protected. I am grateful to the Minister for allowing Skyguard radar to come down to the Minehead area where it did an invaluable job in checking the height of aircraft across strategic locations in Somerset.

I was interested to note that one of the problems of the CCRF, which will be made up of 14 battalions of 500 men, is recruitment. I do not know whether the level of recruitment in the TA has changed, but the turnover used to be near 30 per cent. I suspect that it has not greatly changed. If one tries to maintain training so that soldiers can be used effectively in the field, there must be a nucleus of people who will continue to be able to train others. It might be worth considering having a core of people, for not just training for external operations but internal operations. I thoroughly agree with the idea of having 280 command and control personnel, but it may be better to expand that to have a core of people who

[Mr. Liddell-Grainger]

could train in homeland defence for people such as the TA. The regular Army is stretched and being able to retrain personnel to do that in the long term may be not only uneconomic but almost impossible given the other roles that all troops nowadays are expected to carry out.

Having undertaken a Government course at Easingwold on emergency planning as a councillor, I know how difficult it would be, should a petrol tanker explode in a town in the north-east where I was, to ensure that those 280 personnel were trained to a level at which they could cope with such disasters. At the moment, the police, fire and ambulance go to a command centre, and, if Army personnel are used, they must be trained to that level. When I was in the TA we used to try to do that for larger operations. We would have to go to north Yorkshire from Newcastle. That may not seem a long way to hon. Members but it is if one has only a weekend.

One has to put time and energy into achieving a level where such jobs can be carried out. In my experience of training at Longmoor for operations in this country, I never felt that I had got my men to a level at which I could guarantee that they could do the job in the field if they were pushed in straightaway. The problem with homeland defence is that one does not know what the threat is. It could be anything from white powder to something major in London or elsewhere. People may have to be deployed who, through no fault of their own, are not up to scratch. We must ask ourselves whether we as a Parliament are prepared to take action. We have one chance in such circumstances and no more. In Russia, people made the decisions that they felt to be right. I cannot fault that. Commanders on the ground will have seconds, minutes, half an hour or possibly an hour to make the decision to deploy troops and to ensure that they get it right.

Mr. Kevan Jones: I no longer feel that I can sleep safely in my bed in Durham in the knowledge that the hon. Gentleman has moved to Somerset.

Does the hon. Gentleman accept that the Government have recognised that there was a co-ordination problem between the military and the civil authorities at a local level and have taken action to improve that co-ordination? I was a member of the Defence Committee when it dealt with the matter. Does he not agree that the Government have reacted and tried to solve a key problem in communication at a local level between the Army, the other forces and the civil authorities?

Mr. Liddell-Grainger: I completely agree with the hon. Gentleman. I hope that he will start to sleep soundly, or I will come back and haunt him. He is absolutely right; the training always has been good. Having participated in the Government course, I strongly advocate it to anybody, but a level must be attained at which it is possible to continue to keep people fully trained for eventualities.

My hon. Friend the Member for New Forest, East (Dr. Lewis) made the very good point that we do not know where the threat is coming from or what it will be. Unless the nucleus is kept going, it will not be possible to train people to a proper level.

Equipment is another important issue for the Territorial Army. It has been pointed out that the TA tends to be given the cast-offs of the regular Army. When that happens—I have direct experience of it—TA personnel are left to use inferior equipment to do exactly the same job as their regular counterparts. I remember opening packages containing chemical warfare suits that almost fell to bits, although that happened a long time ago, before the Minister was in situ. The equipment that is provided to the Territorial Army must be up to scratch, especially where chemical warfare is involved. If not, we know who will suffer.

The bane of my life and that of the Minister is the Royal Ordnance factory in Puriton in my constituency. He knew that that was coming. I was interested recently to note that BAE Systems, another great British company,

"shamelessly played the patriotic card in its campaign to win the £2.9 billion contract to build two aircraft carriers for the Royal Navy, warning that a win for its French rival would seriously damage the UK's industrial base."

That is what *The Guardian* said. *The Times* stated:

"BAE Systems' chief executive, Mike Turner, has . . . demanded that his company be given the job because of the strategic need to retain big projects in this country."

I have spoken to the Minister about the Royal Ordnance factory in Puriton, which is now owned by BAE Systems. Why has the company still made no decision what it will do with the factories? There are three large Royal Ordnance factories in this country. If they are closed, production will go to America, but the chief executive of BAE Systems is jumping up and down saying that it wants to keep big manufacturing projects in the UK. Hypocrisy is one thing, but it is another for a company to contradict what the Government recommend in terms of the control of our strategic ability to supply our armed forces with British-made and British-secured ammunition and explosives.

What I do not understand is why BAE Systems is being so vocal and the Government so silent about the need for the company to ensure that the supply of ammunition is maintained within the UK. I do not understand why we cannot ensure that it does so. Interestingly, the aircraft carriers will carry 800 tonnes of ammunition when they sail out of port. I would love it if the explosives were made in Bridgwater. That would certainly keep the jobs there, although I am sure that the hon. Member for South Swindon (Ms Drown) would have something to say about that.

The defence of the UK is in the hands of an overstretched military who do not always have the capacity to do what we ask of them. They do what we ask because they are the highly professional organisation that we know and have come to respect. I urge the Minister to remember that young adults can be taken into the cadets and on to the regulars and that we should try to keep them there. People have left the territorials and regulars as reserve soldiers. We should do everything that we can to keep them. We have a nucleus of people and the terrorist threat to this country will not go away, no matter what we do. The one thing with which everybody in this House is charged is the defence of the homeland. The Americans take one view;

we take a different one. We have had a lot more experience of defending our homeland in the past few generations.

Patrick Mercer: Sadly.

Mr. Liddell-Grainger: I agree. I think that there is only one year since the war when British forces have not been in action, so we know the level of our people's commitment.

It is important that people such as those in the Territorial Army be given clear structures, but if we do not recruit sufficient numbers to supply the troops and keep them in the field in the long term, whatever attack we face, we will fail in keeping it out.

4.46 pm

Laura Moffatt (Crawley): It is certainly a pleasure to follow the hon. Member for Bridgwater (Mr. Liddell-Grainger), because he clearly has enormous experience of the armed forces. I could not possibly match it, but I hope that I can join him in expressing tremendous support for our armed forces.

My interest began when I was a young girl who joined a uniformed organisation called the Nautical Training Corps, which was wonderful. That superb organisation taught me about life, took me out and about and got me in touch with lots of sailors, which was very helpful. We should be very proud of our uniformed organisations, which play such a large part in helping young people to understand what they want to do in life. Forgetting those wonderful sailors, if I had not met my husband at school—I remain with him—I would myself have joined the armed forces to do my nursing training. I was keen to do so.

My interest continued long before I became a Member of Parliament. Many of us who have had jobs involved in the defence industry have begun to understand its complexities. My hon. Friend the Member for South Swindon (Ms Drown) rightly talked about the difficulties that are faced by our armed forces and the defence industry in producing the goods that are needed so those forces can do their job properly. That will never be an easy matter to solve or one of those issues that we can allow to toddle along without taking great cognisance.

I was therefore deeply proud that, after the 1997 election, I was placed on the Select Committee on Defence. My hon. Friend the Member for Stockton, South (Ms Taylor) and I were immensely proud to be the first two women to serve on the Committee. I am not sure whether I am pleased that the Chairman is present, because I am going to be cheeky. My right hon. Friend the Member for Walsall, South (Mr. George) was a superb Chairman. Although some people may say that he did not encourage women to serve on the Committee, my hon. Friend the Member for Stockton, South and I say differently. We were given the same tasks and asked to be just as robu[illegible] We were given no concessions, not even for shopping when we went abroad. He was truly wonderful.

Mr. Kevan Jones: My hon. Friend's experience on the Defence Committee has obviously been invaluable. She has one advantage over male members, in that she does not have to share a tent with my right hon. Friend the Member for Walsall, South (Mr. George) when we go away.

Laura Moffatt: I shall not intrude on past sadness. Sadly, we did not share a tent. *[Interruption.]* I should perhaps rephrase that.

Mr. Bruce George: On a point of order, Madam Deputy Speaker. Will you exercise the discipline over my Committee that I cannot?

Madam Deputy Speaker: Order. I am sure that the hon. Lady will resume her speech and relate it to the debate.

Laura Moffatt: I do not know whether my right hon. Friend will be disappointed but I was sad that the women, including the staff who accompanied us on visits, were not placed in tents only because we were put in strange outbuildings and were freezing while the men were in fabulous comfortable tents. That was a mistake, and I hope that it will not be perpetuated.

Although my right hon. Friend the Chairman of the Defence Committee was superb, he famously said when my hon. Friend the Member for Stockton, South left the Committee—

Mr. George: No, don't say that.

Laura Moffatt: I shall not be bullied by my right hon. Friend. That shows that I have done well to cope. He famously said, "One woman down, one to go." [HON. MEMBERS: "Shame."] Yes, indeed.

The diversity and robust nature of the Committee are vital. Two members belonged to the Campaign for Nuclear Disarmament. That is right and proper. Let me say a good word for the Whips, who often come in for criticism. I cannot imagine why; it is a mystery. I was delighted to be put on the Defence Committee, but I approached the Whip and asked whether it was a mistake. I had heard tales about its being manufactured and that no one who presented difficulties would serve on it. I admitted that I was a member of CND and asked whether the decision was correct. The Whip said, "Of course it's right. We should have a diverse Select Committee that can examine all aspects of defence." Of course, we are not there for our own purposes; we should be able to examine matters across the board.

Mr. Liddell-Grainger: I do not recall people in CND being anti-military. They were against weapons of mass destruction, not this country's capacity to defend itself.

Laura Moffatt: I am delighted to hear the hon. Gentleman say that, because there is a feeling that a CND member would not be welcome on the Defence Committee. That is clearly untrue and I am pleased to be able to say that.

The Select Committee on Defence was able to examine the big issues of the day, including extremely troubling matters and others that were heartening. It was pleasing to examine in detail the strategic defence review. It was a trailblazer in terms of trying to define our armed forces and the way in which we ensure that

[Laura Moffatt]

they have the necessary equipment. The new chapter shows a commitment to ensuring the flow of resources and making sure that we listen to the people who do the job on our behalf and undertake such valuable work.

A major difficulty persists in the Defence Medical Services. As a trained nurse for 25 years, I am especially interested in them. The hon. Member for Hereford (Mr. Keetch), who is no longer in his seat, told us about the shortfall that the Defence Medical Services face. The national health service also faces such difficulties. The close link and interchange of experience and technical expertise between the health services means that they suffer the same problems. We should therefore not be surprised that recruitment difficulties are the same for both.

The problem is being tackled in a way that I believed impossible. I did not believe that representatives of the NHS and the MOD could sit down together and consider carefully methods of recruiting from the NHS. They examined ways in which to release staff. That is an extremely difficult problem to tackle, but it is now being done in a way that will bear fruit. In that regard, the Centre for Defence Medicine will create extra expertise and be of tremendous advantage to us all. It is wonderful that the Select Committee is able to tackle those issues. Issues such as terrorism and ensuring that we properly address the difficulties that we face today are also, rightly, in the hands of the Select Committee. I was pleased to read its report, because hon. Members who have left the Committee remain engaged with the valuable job that it undertakes.

It is impossible to ignore the economic impact of our defence industry. I have mentioned some of the jobs that are so crucial to Crawley. The reason I am so supportive of those jobs is that they help to ensure that we have decent communications and proper simulator training facilities. Those jobs are at the soft end of the market; we do not produce arms in Crawley. I do not, therefore, find it difficult to support them. I know that the impact that they have on my town is a positive one, and one that I feel completely comfortable about supporting.

We need, however, to tackle certain issues, and we now have the Export Control Act 2002, which allows us to examine what is happening in relation to defence exports. The annual report also plays a vital role in that regard. We need more openness, however, and we need our Select Committees to have more involvement than the Quadripartite Committee simply meeting the Secretary of State to discuss these matters. We also need more input from the Floor of the House. We have nothing to hide. This is a decent country, and people do decent jobs for decent companies that provide a real service. We have everything to be proud of, and more openness will not be a constraint. I would like to see more of it, and a more prominent role for Parliament in these matters.

I want to discuss the impact of those defence industry jobs—of which there are now several thousand—on Crawley. We often think of the south-east as a high-employment area with no employment problems. Why, therefore, should we think of maintaining those defence jobs in Crawley and the south-east? I would like to make a plea to my right hon. Friend the Minister that it is crucial that we maintain those jobs there. We often think that we should direct our attention to other parts of the country where unemployment is an issue, but we should still think seriously about contracts that are important to the south-east.

Gatwick airport is in my constituency and has 36,000 employees across the board. Many of those jobs are in the service industries, however. They are good jobs, with reasonable pay, which provide full employment. One could argue that we should not be moaning. It is clear, however, from visiting defence industry companies such as Thales, that the jobs that they offer are degree-entry jobs. They are fantastic jobs for those coming out of universities and colleges, and the companies provide superb training, including apprenticeships, to ensure that the jobs are of the highest quality. We would have serious difficulty with the diversity of jobs available if those defence jobs were not there for our young people. I make a plea: when acquisition issues are considered, we should not think, "Let's not worry about the south-east and acquisitions from companies there."

Mr. Kevan Jones: Following my sin analogy, my hon. Friend obviously agrees not only with sin, but with quality sin. Is it not the point that a lot of those high-tech jobs in the south-east support long supply chains, including industries in the north-east of England and small and medium-sized enterprises that rely on such contracts for their livelihood?

Laura Moffatt: I thank my hon. Friend, who is right. It should not be assumed that research and development work such as that being done in Crawley has no impact on the final product, often outside our own constituencies. It is important to remember that the defence industry is global in nature. When my right hon. Friend the Secretary of State addressed a defence industry conference a couple of weeks ago, he pointed out how complex the matter is. We are talking not only about British-based companies, but about companies with major interests in the UK, and we need to support those jobs.

I am pleased that, after donkeys' years, Thales in my constituency has recognised the trade unions, which it did not do in its previous life. That is a step forward; therefore Thales is, and is seen as, an excellent employer. The Chairman of the Defence Committee may have another view—I am sure he does—but the fact is that such companies are important to our economic base and we should remember to be careful about and sensitive of that. We must not say, "They are foreign owned and therefore not important to this country." Clearly, that is not the case.

It would be extremely silly of me to sit down without making a plea for two really good procurements that I feel deeply about and which will strengthen the technology base in the UK—Watchkeeper, and the advance vehicle training system, which will give our armed forces the ability to train without causing huge disturbances to our countryside. Those technologies will allow training to take place in circumstances that are almost real, so it is important that we develop them. That is at the core of the work going on in Crawley. Having mentioned it, I hope that regard is paid to its importance.

These debates are significant. We range widely, even though we are discussing defence in the UK, but it is important to understand that everybody involved in defence is part of a process and likes to feel part of that process. Even those working in defence companies that are manufacturing goods for our armed forces have something special about them. They understand what they are doing and what contribution they are making to defence in the UK. We need to recognise that their work is important.

Competition is right—of course it is. We must ensure that we get the best value for money at every turn and that whatever is procured is fit for the job, but we must value those who work so tirelessly to ensure that our armed forces are the pride of the world and have first-class equipment.

5.4 pm

Mr. Mark Francois (Rayleigh). I am grateful to be called in a debate on such an important subject. I shall raise two specific issues relating to defence in the United Kingdom—the new chapter of the strategic defence review and the outcome of the Government's related consultation exercise on the role of the reserves in home defence and security as well as the UK's resilience against attack and the connected topic of emergency planning.

The new chapter of the SDR was issued to update UK defence policy in the light of the events of 11 September. The first paragraph states:

"Following the appalling events of September 11th, the Secretary of State for Defence announced that the Ministry of Defence would look again at its defence posture and plans to ensure that we have the right concepts, the right forces and the right capabilities to meet the additional challenges that we face from international terrorism and asymmetric threats (defined as the threat of attack by unconventional methods which would have a disproportionate effect)."

In response to the paper, a number of organisations and individuals—of whom I was but one—argued that the Territorial Army and other reserve forces should be given an enhanced role in helping to provide for the security of the UK against such asymmetric attacks.

The MOD subsequently issued a more specific paper on the role of the reserves in home defence and security. At the heart of its suggestion was the establishment of what were then called regional reaction forces, in most cases formed around one of the remaining TA infantry battalions in each region, which would give a UK-wide total of around 6,000 personnel in that role. Reaction forces could be called on at short notice to assist the police and civil authorities in the event of an impending or actual crisis. I agree with the reaction force concept, and I therefore welcome the Minister's announcement this afternoon—although perhaps the MOD could have come up with a slightly sexier name for the units to encourage recruitment and retention.

When I served in the Territorial Army, I specialised partly in what is now called chemical, biological, nuclear and radiological warfare—CBNR in the current jargon. That gave me at least some conception of how lethal biological agents, or small quantities of chemicals such as VX and sarin, can be. If we were subjected to any kind of attack with such weapons, particularly if it were a concerted assault rather than a one-off, the consequences could be truly awful. Given the media hysteria that would inevitably result, there would be a pressing need for considerable numbers of trained troops to give protection and reassurance to the civilian population, in order to allow some semblance of normality. The regular Army is simply too small to provide such protection on its own, and besides it will always be partially deployed overseas. I believe that a revamped and retrained TA could fill the gap by providing units specifically trained to deal with homeland security and chemical and biological first aid.

I ask Ministers, including the Minister who is present, to consider establishing a specialist CBNR platoon in each TA battalion, with a higher readiness than the rest of the unit, which might be expected to provide a trained response on the ground within hours of an attack—to act, as it were, as a CBNR spearhead in reacting to an incident such as a chemical attack on a local railway station, when CBNR troops in kit would probably be needed to assist the blue-light emergency services, very few of which are CBNR-trained and equipped. Such a platoon could also act as a specialist CBNR cadre for the rest of the battalion and, indeed, other elements in the regional reaction force.

Let me put it succinctly. If someone were to launch any kind of concerted attack on the civilian population of the United Kingdom, we would need far more specially trained troops than we have now. I agree that the TA would provide a very cost-effective solution.

I want to say something about the resilience of the UK in the face of terrorist attack, and the related issue of emergency planning. I have done some research, and have received direct briefing from local government officers with responsibilities in this field. I thank, among others, Mr. Charles Thomas, the emergency planning officer of Rochford district council—with whom, incidentally, I served in the TA—and Mr. Peter Pearson, the emergency planning officer of Essex county council.

A number of serious challenges need to be addressed if we are to improve the resilience of the United Kingdom to any type of asymmetric attack. First, emergency planning is woefully under-resourced. The Government spend only around £19 million a year specifically on that, compared with a defence budget of billions of pounds.

Most district councils have no full-time emergency planning officer at all. The person who holds that role is usually double or triple-hatted, has other responsibilities and so can spend only a proportion of each day preparing for potential disaster. Most county councils and unitary authorities do at least have a full-time emergency planning office but even the largest county councils have only a very small staff—what amounts to a planning cell—to deal with these issues. Most of the "buffer stocks" from the cold war era have disappeared. Much of the planning to date has been London-centric, rather than addressing the problem across the UK. In short, most local authorities lack both the specialist staff and the resources in sufficient quantities to respond adequately to a real attack as opposed to a theoretical exercise.

Secondly, lines of command and control in emergency planning are unclear, a point that was made both by the Chairman of the Defence Committee and by my hon. Friend the Member for Mid-Norfolk (Mr. Simpson). Emergency planning is a classic example of a cross-

[Mr. Mark Francois]

cutting issue. It involves not just the MOD but other Departments, including the Cabinet Office, the Home Office, the Office of the Deputy Prime Minister and the Department of Health, to name just a few. That raises the issue of who is in charge in the event of an attack. There is still considerable confusion about the relationship between the civil contingency secretariat, the military, chief constables and local authorities in the event of an emergency. We need to cut through that Gordian knot while we still have time to do so.

The handling of the foot and mouth crisis—I stress to the Minister that I am not seeking to make a partisan point—provided a clear example of what can happen when lines of command and control are unclear. In the event the Army responded excellently but it was several weeks before it was fully called in. We would not have several weeks to react, or even several days. We may have only a few hours to save potentially thousands of lives in the event of a substantial asymmetric attack. The stakes are that high. We must clarify exactly what our response mechanisms are and, having done that, rehearse them thoroughly.

Dr. Julian Lewis: I am listening with great interest to what my hon. Friend is saying about the serious situation that he is describing. In his discussions with people in local authorities with responsibility for emergency planning, did he find out whether they had been supplied with equipment to enable them to discover when a biological attack was under way? It is not easy to know initially whether such an outbreak is the result of an aggressive action. Although NATO is taking steps to ensure that our armed forces are prepared, I have not heard anything with regard to the civil powers in that respect.

Mr. Francois: My hon. Friend makes an important point. My understanding is that some local authorities—I emphasise the word "some"—have limited stocks and protection equipment, much of which is effectively outmoded, and that others have virtually no equipment whatever. Therefore, they would be extremely hard-pressed, if casualties were beginning to appear, to ascertain quickly exactly which agent was at work, which would be vital in co-ordinating a response. Much more needs to be done to get that equipment into the field, as it were, where it could be of material use were it ever needed.

That brings me to a key issue. As the excellent report by the Defence Committee pointed out, there is a crying need for new legislation. The statutory framework which governs emergency planning is now very outdated. There have been three paradigms of emergency planning in the UK since the second world war. The first might be defined as the cold war paradigm in which our emergency planning was configured largely to responding to a nuclear attack by the Soviet Union. Following the collapse of the Berlin wall, we moved into the second paradigm, the post-cold war paradigm of the 1990s, when Governments of both political colours stood down much of the infrastructure that had been put in place. The 10-year rule started to creep in, and we believed that perhaps there was no direct and immediate threat to the security of the United Kingdom. After 11 September we moved into a third and new paradigm—the real threat of asymmetric attack with the potential use of a variety of weapons of mass destruction. Our existing legislation relates to the first paradigm, but the world has moved on. We now require new framework legislation and the resources to make it effective to address the scenario that we face in the 21st century rather than the 20th.

I stress as strongly as I can that we need to act before it is too late. The threat is very real, as my hon. Friend the Member for New Forest, East (Dr. Lewis) pointed out with great clarity. It may seem curious to argue that one of the most important things that we need to shore up the defence of the United Kingdom is a wad of paper, but in this case I believe it to be true. We need an emergency planning Bill in the Queen's Speech to clarify exactly who is responsible for what and when, and to update statutory responsibilities so that those people who hold these important—indeed vital—responsibilities in local authorities will have some chance to obtain resources in the face of all the other pressures on their budgets.

Mr. Kevan Jones: I am listening to the hon. Gentleman with great interest. It is not that we do not know who is in charge at local level. The real problem relates to the co-ordination of different local agencies and how that fits in with what the military are doing. I do not think that there is any confusion as to who is in charge of what; we need to work out how to get them working together.

Mr. Francois: I can only say that, having talked to practitioners in the field, my impression is that there is definitely some confusion about how it all knits together, who is responsible for taking decisions and the timing of the process—whether it be in relation to the civil contingencies secretariat intervening at national level, or chief constables acting in the county, or emergency planning officers, or regional military commanders. Who will give orders to whom and who is in charge when they disagree? I do not think that the military have a problem; rather it is those around them. One of the maxims of successful military operations is to have a clear chain of command and control. We do not have that. I am stressing this issue because if there is a crisis we will have only hours to deal with it, and if we do not sort things out in advance, people will die.

Mr. Liddell-Grainger: My hon. Friend is making some extremely good points. Having been a Territorial soldier he also knows that in the event of an emergency incident it is extremely important to set up a command centre. Does he agree that the command centre system needs to be re-established so that people can get to an incident and take command?

Mr. Francois: I agree entirely. That command centre needs to be chemically and biologically secure. I understand that during the cold war local authorities had a statutory responsibility to maintain such a command centre, at least in a state of readiness. I further understand that that responsibility no longer exists, but should be included in a new emergency planning Bill.

I shall conclude my remarks as others wish to speak.

Hindsight makes geniuses of us all. Many of us are wearing poppies this evening in recognition of those who made the ultimate sacrifice, partly because of mistakes made by our predecessors in this place. Perhaps, for once, we could at least learn our lessons in advance, because history shows that if we learn them after the fact, the cost, in all senses, is infinitely higher.

5.20 pm

Mr. Eric Joyce (Falkirk, West): It is a pleasure to take part in the debate. There have been a number of high quality contributions. I listened to the hon. Member for Rayleigh (Mr. Francois) with great interest, although I do not necessarily agree with all his points. Relatively recently, however, I visited Falkirk council's emergency planning services covering my area. Because my constituency is underlaid by pipes going to and from a refinery over the boundary, I have always thought that there must be at least an element of risk, as the pipes are only 3 or 4 m below the surface. I am pleased that the local emergency service officer has taken that into account.

The hon. Gentleman's points were well made. I am not sure about including proposals in the Queen's Speech, but this is a very important area. I was aware in a previous existence of the importance of emergency planning by local authorities under the old system. We may never get back to that, but it is an area that local authorities must consider.

I have a few comments about some of the other excellent speeches. My hon. Friend the Member for South Swindon (Ms Drown) spoke about the UN and child soldiers, as she described them. Although I suspect that I share my hon. Friend's world view in some respects, I get a wee bit fed up—not with my hon. Friend—when UN reports directed at Britain refer to child soldiers, when clearly it is very peripheral. Since I have been in the House, I have been lucky enough to visit Africa a few times to see that very real phenomenon about which many international agencies write and talk. To see 13 and 14-year-olds taking part in combat—indeed, we saw a couple of 11 and 12-year-olds in Sierra Leone, who were quite infamous for a while—using weapons, killing and being killed, is not just slightly but enormously different from the situation in the UK.

As the hon. Member for Newark (Patrick Mercer) said, there is an enormous difference between military training and education for 16-year-olds in this country and what is described as training in foreign armies. The UN is concerned about where training takes place and people being of a sufficient age to be involved in military operations because training in some African states takes place pretty much in theatre. There is no separation between training, having a weapon, being 15 and taking part in operations. I urge people who criticise our system, in particular the UN panel, to visit an Army apprentice college or training establishment to see the quality of the education, which is second to none and compares to that in any civilian college. No one takes unnecessary risks. Even when those still under 18 go into an operational theatre, commanders, by and large, take account of their age and they will often be given duties that are at the less risky end of the spectrum. I think that the UN should take account of that in its reports.

My hon. Friend also mentioned diversification, and I intervened on her at that point. Diversification is a perfectly sound concept; indeed, the Government have a diversification programme, although a fairly modest one. However, people, perhaps understandably, sometimes miss the fact that the Ministry of Defence is the single largest customer for British industry, and its impact on the economy is enormous. I would not want procurement used simply as an economic device—the aim is clearly to procure the best equipment for the armed forces—but it is nevertheless significant for a number of constituencies. Retraining does not exactly deal with the issue, which is about movement—the jobs tend to move to the south-east. Studies have shown that jobs tend to move to areas that are better off and away from those that are worse off.

Although job mobility is very important, the fact is that movement created by excessive diversification adversely affects areas, such as Scotland, which is experiencing a net loss of people We would like to keep them there if we possibly can. I suspect that that possibly also affects the north-east, although I take on board the point made by my hon. Friend the Member for South Swindon that there is also a translation from the lower skilled end of the spectrum to the higher skilled, new economy jobs in those areas.

My hon. Friend the Member for Crawley (Laura Moffatt) alluded to industrial procurement issues, but it is worth flagging up—this has not been discussed today—the extent to which expenditure on military equipment in Europe is enormously inefficient compared with the United States because we have different interests in various countries and there is enormous duplication. The Government have to consider this country's interests, but in due course there will have to be far greater co-operation between companies and countries, so that we can get a far greater bang for the buck—or euro, or whatever currency we are spending—in comparison to the Americans. At the moment, we in Europe punch far below our weight in procurement and capability terms.

I want primarily to talk about something that was raised earlier by my hon. Friend the Member for Leyton and Wanstead (Harry Cohen): international law, which we hear quite a lot about in the Chamber. I have great respect for international law and the UN—we all do—but people sometimes miss the point about the nature of international law when they refer to it as being written in stone and considered very objectively by judges.

I am not a lawyer. Some might say that I have not been blessed or cursed with a legal training depending on their perspective, but I understand that international law is, by and large, made up of a number of different instruments: the UN charter, resolutions passed by the General Assembly, by the Security Council and in a number of other places. That is very different from domestic law. If any lawyer wants to intervene, I shall happily take the intervention.

We have a set of laws. We have judges and juries and, by and large, our legal system's interpretation of the law is pretty objective, but that does not exist in international law. We can all refer to international law and aspire to its ideals, but ultimately, most of the time, international law will be interpreted very subjectively and in a way that reflects the interests of states that are members of the UN, which tends to be the arbiter of such things. More than just being subjective, the interpretation will be a matter of politics.

[Mr. Eric Joyce]

I am as much a fan of the UN as any other hon. Member. I really do believe in its ideals, but the UN is made up of a very large number of nations, half of which, or more, do not have democratic systems such as ours. We say that the UN should be the arbiter of all things good, but we have to qualify that in some way. I will not suggest today how to do so in all senses, but we must qualify what we mean when we refer to international law, on one hand, and the UN being the supreme moral arbiter on the other.

Annabelle Ewing *rose—*

Mr. Joyce: Before I give way to the hon. Lady, I should say that I have noticed the Scottish National party's presence on the Opposition Benches—it is wonderful to see someone there—but I have also noticed that, although she wants to take part in this important debate, she has done so very asymmetrically, so that she cannot be challenged. However, I am happy to deal with whatever opportunistic point she wants to make.

Annabelle Ewing: In fact, the hon. Gentleman invited any lawyer in the Chamber to intervene on the specific point that he made about the position and status of international law. I wonder therefore whether he can share his thoughts on the role of the International Court of Justice, which is located, in case he is not aware, in The Hague, in the Netherlands.

Mr. Joyce: The hon. Lady—I say this with great surprise—raises an interesting point. There is a place for that to which she refers, and the International Criminal Court is still embryonic, in a sense, as the United States has not yet signed up to it—for reasons with which I slightly sympathise—although I hope that it signs up in due course. It is in exactly those cases that one can have a little more confidence in a proper judiciary that can make objective judgments. Most of the international law cases that we see or hear about at the moment, especially in view of the international situation, refer to UN charters, resolutions and so forth, which are much less concrete matters than those dealt with by the International Court of Justice or the International Criminal Court.

To return to my point about how we interpret the UN, its will and international law, it seems to me that a number of countries are prepared to say, "These are the values inherent in our system, which we think are quite good—democracy being one of them—and they can be universalised. Those values must be an important aspect of how international law is interpreted." At the same time, however, it must be recognised that no law stays in place for ever, and that all laws should be challengeable and changing. When we make judgments about what we should do, and whether we should deploy our forces in a particular context, we should be cautious about legitimising those decisions according to what is international law at present. Sometimes, it is a slightly ethereal concept, and while we must maintain general respect for international law, a particular role exists for countries such as ours, which have a democratic system, a set of values that we respect and that we would like to see across the world, and which are prepared to take action to spread those values. I urge hon. Members to develop ideas about how we might make changes to aspects of international law in a way that reflects that general trend, rather than accept the questionable idea that all members of the UN should have an equal input into how we interpret that international law.

Before I conclude, I want to refer to the laws of armed conflict. The Geneva conventions are a good case in point. We need to update the way in which we determine what it is acceptable for our armed forces to do. The Geneva conventions are very close to the heart of anyone who is interested in defence issues, and rightly so. Increasingly, however, the UN is deployed not so much in peacekeeping operations but in a potentially warlike context. The UN is not clearly covered by the Geneva conventions, however, as, effectively, it would be policing itself, which raises certain issues. In addition, peacekeeping troops are not technically covered by the laws of armed conflict when, in effect, they are involved in a warlike situation. There are difficulties in that respect. Can the Minister, who is not in his place at present, say whether the Ministry has given thought to those issues? Sometimes, it is difficult to raise issues about the Geneva conventions or international law without seeming as though one is challenging the whole concept, which I am certainly not doing. It is important, however, that the Ministry of Defence and the Foreign Office should consider those issues to see whether changes can be made.

This has been an interesting debate, and I could talk at greater length about some of the other contributions, although I will not do so. I look forward to the next defence debate, however, when the hon. Member for Perth (Annabelle Ewing) will be able to make a speech, and perhaps we will be able to intervene on her.

5.34 pm

Patrick Mercer (Newark): It is always a pleasure to follow the hon. Member for Falkirk, West (Mr. Joyce), who makes his normal trenchant points so clearly. In response to the hon. Member for Crawley (Laura Moffatt), her husband's gain was certainly the Royal Navy's loss. If I may, however, I shall expand for a moment on the comments of the hon. Member for South Swindon (Ms Drown).

I regret that the Minister is not in his place, as, for once, I was going to be complimentary about the way in which junior recruiting has been handled over the past four or five years. The hon. and gallant Member for Falkirk, West understands the issue in great detail and I am sure would make the point better than I can. The fact remains, however, that another Administration wrongly ensured that juniors were no longer recruited into the services. That was a great error. A number of regiments, in particular the highland regiments, suffered egregiously as a result. Only now, with the interjection of money and forethought, are the Scottish regiments beginning to recover and the lifeblood of our technical arms beginning to come out of the Army Apprentices College and the Army Foundation College.

Were the hon. Member for South Swindon in the Chamber, I would reiterate the hon. Gentleman's words. There can be no similarity between the infants—I use the phrase advisedly—that he saw in Sierra Leone and with whom I served in Uganda, and the juniors who

serve in the British armed forces. The training is carefully organised. It is deeply paternal and protective. The instructors rightly understand that they are in loco parentis.

Mr. Colin Breed (South-East Cornwall): HMS Raleigh, through which all Navy recruits pass, is in my constituency. It holds passing out parades almost every week. Parents and families see their relatives go through six, seven or eight weeks of training and are extremely proud of their achievements. They also remark on the incredible change in them. That is much to the benefit of the individual who goes through the training, but it also means that the Navy is held in high regard. There is tremendous affection for the way in which the recruits have been carefully nurtured and trained, which makes a fantastic difference to their lives. We should recognise that the families and parents who see that happen to their children know what is happening.

Patrick Mercer: I am grateful to the hon. Gentleman for that and underline those points. A recruiting initiative among families of juniors when they attend such parades is encouraging and welcome.

The hon. Member for South Swindon got it terribly wrong. Those young men and women are the lifeblood of our three services, especially the non-commissioned officers' and the petty officers' messes. To categorise those young soldiers, sailors and airmen as children is wrong.

Laura Moffatt: I want to drive home that point. I might have agreed with my hon. Friend the Member for South Swindon until I met two young people who were school-phobic. They were difficult young men who were not attending school and were being naughty on the streets. They joined the foundation and are transformed. They are now enjoying a fantastic experience. That completely changed my mind.

Patrick Mercer: The hon. Lady is right. I can give many examples from Newark and Retford of young men and women who have been changed wholly by the scheme.

The young soldiers are not usually allowed into action. There is no question of that happening in Northern Ireland. In other circumstances, it is considered carefully in light of the campaigns to which under-age soldiers, sailors and airmen might be deployed. In general, youngsters—I use the phrase advisedly—are not allowed or expected to fight.

Mr. Kevan Jones: Does the hon. Gentleman agree that the armed forces provide great opportunities to many youngsters in former mining communities, such as my constituency and Nottinghamshire where I grew up? Without those, they would not have the chance to get the skills and expertise offered at an apprentice level, to see the rest of the world or to get well-paid and fulfilling, meaningful jobs and careers.

Patrick Mercer: I am grateful to the hon. Gentleman for his intervention and, I might add, for his normal sensible point of view. I could not agree more. The armed forces provide a wonderful opportunity, particularly for young men and women from depressed areas such as the hon. Gentleman's constituency and my own. I am not slow to make that point in trying to create jobs for young people in my constituency and, I hope, others. I know from my regiment that junior soldiers continue to provide the vast majority of the non-commissioned officers and the sergeants' mess. If we tinker with that system, as has been done in the past, we tinker with our lifeblood.

There is no point in my talking about 11 September because everybody knows what it meant to America, but it is interesting that two other nations now claim that they have experienced their 11 September. The first is Australia, after the appalling attack in Bali, and the second is Russia, following the so-called siege last week in Moscow. That nation has suffered grievously at the hands of terrorists or freedom fighters—take your pick—and is well used to terrorism, war and suffering.

The Government have an extremely difficult task ahead in preparing this country, not only physically but mentally and ideologically, for our 11 September, which must surely be coming. There is an inevitability about this event. We are very aware of the Nisha incident, to which hon. Members have referred, which happened at about this time last year. I do not know the details, but I believe that it was an attempt to detonate a weapon of mass destruction on the shores of this country. I believe also that one of Her Majesty's warships was about to be attacked in the straits of Gibraltar and that a number of other attacks have been seen off, foiled or nipped in the bud. I pay tribute to the men and women of the intelligence services, which make interdiction of these events possible. One day, however, and in my opinion it will not be long in coming, one of these attacks will succeed. Hon. Members must forgive me for using a cliché, but the terrorist needs to get lucky only once and we so-called civilised societies need to be lucky all the time—a trite old saw, I know, but it is true.

We have had a reasonable amount of experience of such attacks at the hands of the Provisional IRA, but it is interesting to consider the mentality of the two countries that have been struck recently. I am sure that other hon. Members were as shocked as I was to see, after the Bali bombing, how the press took every mawkish advantage of the Australian relatives and the survivors; how the western press wrung every little bit of pathos out of those unfortunate individuals; how Australian soldiers, sailors and airmen were seen to cry on television, and how the Prime Minister of Australia, clearly affected by the event, had every ounce of grief and passion wrung out of him.

Last week, as I have already mentioned, I was in Sebastopol, a Russian city, albeit in the Ukraine, watching the events in Moscow unfold on the television. Many of the people in Sebastopol had relatives in Moscow or serving in the Russian armed forces, and the city was badly affected when the Kursk went down some time ago. There is no doubt that the reaction of the Russian people was wholly different from anything that we could expect in this country.

There was a certain amount of celebration at the killing of the terrorists and blind acceptance of whatever the security forces did. A certain number of casualties were acceptable, as long as mass casualties were prevented. As I have said, when the television crews unveiled their ghastly shots of gunshot head wounds of terrorists killed in the centre of Moscow, the people with

[Patrick Mercer]

whom I was watching were up on their feet, clapping their hands and shouting their approval. I am neither approving nor disapproving; I am merely saying that that nation is coming to terms with an event that we too are likely to face.

It is interesting that the so-called liberal western press went to town—"Massacre in Moscow". Massacre of whom—terrorists or their own people? I would ask the people who penned that line, "That's fine, criticise as much as you like, but what was the alternative?" It was 1,000 dead—700 civilians and terrorists and 300 security forces. That is what Mr. Putin was talking about—those were the stakes. We must come to terms with the fact that we are going to have to deal with that sort of problem—that is the challenge facing the Government.

Chris Grayling: My hon. Friend is making some extremely succinct and pertinent points. Could he clarify something? One striking thing about the situation in Moscow was the scale of the attack, which gave rise to the question of how it was possible for so many armed terrorists to be within the confines of the city. Does my hon. Friend think that that was a one-off event or is it possible that large numbers of terrorists could be operating in other places in the developed western world?

Patrick Mercer: I do not want to go too far down the track of dealing with the origins of the attack, whether it was a Chechen Government-inspired attack, a freedom fighter attack and so on. However, the great danger after 11 September is that other terrorist organisations will strive to emulate and improve on what was achieved then. We are vulnerable in other no less serious ways to a similar form of attack. That is the challenge facing the Government. Ultimately, that is what the debate about defending the nation is all about. The Government must achieve a higher level of awareness among the target population—ourselves—without scaring the pants off us.

The Parliamentary Under-Secretary of State for Defence (Dr. Lewis Moonie): Not an easy task.

Patrick Mercer: I am grateful to the Minister—I am sure that that is true.

Without undermining our national confidence, we must be made more aware of and alert to what lies around the corner.

Mr. Keetch: I shall not detain the hon. Gentleman long, as I know colleagues wish to speak. The other interesting thing about the Moscow attack is that it underlines the international nature of terrorism. The uncle of Mr. Barayev, the leader of the gang who was killed in the attack, was generally responsible for the kidnap in Chechnya of four British Telecom workers, including someone from my constituency, who were beheaded. It is also the case that Osama bin Laden used Chechen fighters, so there is a link to international terrorism. That is one of the defining differences in dealing with that kind of terrorism and the Irish terrorism to which he referred earlier.

Patrick Mercer: Lieutenant-Colonel Tim Spicer spoke earlier this week, and compared al-Qaeda to mercury. To borrow his words, if you strike mercury with a hammer, all it does is splinter and become more dangerous. The problem is tricky—we must make sure that we spread the word without aiding and abetting the terrorist's cause. His aim is to terrify. Any hon. Member who has spent time in Northern Ireland or lived there will understand how difficult it is to tread the tricky path between alerting people to danger and wrecking their quality of life, which is what the terrorist strives to achieve.

I should like to reflect on the forces available to deal with the threat, and shall speak up on behalf of the police. Police forces generally have done a wonderful job of deterring and detecting terrorists, as well as causing their attrition.

I make a plea for the handling and organisation of special branch. I appreciate that it is not the Minister's particular consideration, but I am sure that special branch would benefit from a regional organisation or possibly a national one. Currently its structure is extremely disparate and relies on the patronage of each chief constable. I should be grateful if the Minister would pass on my comments to the Home Office.

The fact remains that it has been announced that the police force will have extra policemen. Perhaps that is for street crime, for everyday detection of ordinary decent crime. However, there will be more policemen under arms, under truncheons and under helmets in the next few months and years.

Mr. Kevan Jones: Thanks to a Labour Government.

Patrick Mercer: I am interested in that comment. Thanks to any Government, one would hope in the circumstances, but credit where credit is due.

Mr. Jones: I am grateful to find a Conservative Member who recognises the valuable contribution that the Government have made to increasing police numbers. I suggest that he reinforce the message to the Leader of the Opposition.

Patrick Mercer: Again, I am grateful for the intervention. Nottingham has yet to see any extra policemen. In my constituency, police are being taken away from us to police the town of the hon. Gentleman's birth.

Mr. Jones: If the hon. Gentleman had been in the constituency in 1984, he would know that the then Conservative Government had no shortage of policemen in Nottingham.

Patrick Mercer: I shall move on.

The armed forces remain deeply stretched. I will not iterate all the eloquent points that have already been made. Currently, however, the armed forces are facing the possibility of having to handle firefighting, to operate an increased number of troops in Northern Ireland against an increased threat and to prepare for a putative war in Iraq. Why will the Government not grasp the nettle and say that there will be more men and women put under arms? Why will they not say about the armed forces what they are saying about the social

services? We appear to have no difficulty in asking for more nurses, teachers, policemen or firemen. Yet never do we ask for more troops, sailors or airmen.

Mr. Bill Wiggin (Leominster): Although the decision on whether action will be taken against Iraq must be taken within the next few weeks, I am worried because the Government have to make a choice: whether the firefighters will receive more money or whether the armed forces can be used in a conflict in Iraq. Does my hon. Friend agree that it is extremely worrying for everybody that the armed forces are so finely and tightly stretched that such decisions have to be made at a time when there is no real threat of conflict, apart from one of our own making?

Patrick Mercer: I am not sure that I agree with everything that my hon. Friend says.

Having acted as a strikebreaker in 1977 during the last fire strike, I can assure the House that it was an exceedingly invidious duty. It turned firemen against soldiers and soldiers against firemen, from which the fire services and the armed forces are still trying to recover. I regret that. However, many Members have spoken about our reserve forces. Why should those forces not be used for firefighting duties? What is wrong with that? When we face all these challenges, why cannot our reserves be used for more active and vibrant jobs than at present? I am not criticising the excellent work that is done by the reservists and Territorials. For instance, intelligence cap badge units have been called up.

It is perfectly possible to recruit. Many Members will say that we cannot add more troops, more seamen and more airmen to the order of battle because we cannot recruit. The fact is that we can. It is entirely possible. At the risk of boring the Minister even more than I normally do, there are any number of techniques that have yet to be practised by the Army Training and Recruiting Agency to bring men and women under arms. The commanding officer of 1 Royal Tank Regiment has experimented in Liverpool with schemes that are wholly different from anything that is centrally directed. Ask that commanding officer where he has gone for expertise. The answer is not to the recruiting group. That said, I congratulate the Minister on the recent recruiting successes, I only wish that the training organisation were in a position to accept recruits into training in a rational and sensible fashion.

Mr. Liddell-Grainger: My hon. Friend makes a good point about the success in recruiting regular soldiers. He will be aware that the recruitment of territorial soldiers has been less successful. Does he agree that one of the problems is that employers are increasingly unhappy about releasing soldiers for territorial duty?

Patrick Mercer: There are two points. First, if territorial duties were made more interesting, more exhilarating and more exciting, recruiting would be easier. Secondly, I believe that the Government are already trying hard to square the circle with employers. However, more needs to be done.

My hon. Friend the Member for Mid-Norfolk (Mr. Simpson) touched on the numbers of our special forces. I do not want to labour the point, as it is a sensitive matter, but our special forces are being overworked, in the same way as some of our specialist troops. I ask the Minister to examine carefully the selection process for our special forces, the use of special forces reserves, and the present level of overstretch that these precious resources are facing. I have no doubt that with a little more imagination and a few more shibboleths being knocked over, the Special Air Services and the Special Boat Squadron can be expanded considerably through recruitment, despite what some of their own members would say.

If the Minister wants any evidence—I know that he does not, as he keeps a close eye on the situation—he should look at the divorce rate. He should go into the centre of Hereford, as I know at least one other hon. Member frequently does, look at the number of SAS divorcees in that town, and see how many children no longer have fathers. We are putting enormous pressure on those gallant men—I use the word "gallant" particularly in light of what is happening this week, when the conspicuous gallantry crosses, the military crosses, the George medals and the mention in dispatches will be bestowed upon those brave men by Her Majesty the Queen. The pressure being put on those gentlemen—I can use that word—is almost unbearable.

The challenge before the Government is to prepare the nation not just physically, but emotionally, for what lies ahead. I believe that a substantial attack on this country is inevitable. I hope very much that the casualties that we take are minimised. Perhaps the attack will not develop, but if it does, we must be ready for it, not just in muscle, but in mind.

5.58 pm

Bob Russell (Colchester): I shall concentrate on the retention of our armed forces. It has been pointed out that recruitment is not as difficult as it was in the past, but in the defence of the United Kingdom we need military personnel who are experienced and who wish to remain in Her Majesty's armed forces. Within the Ministry of Defence, the Government need to do more to create a culture for the retention of our soldiers. We recognise that they are well trained, highly motivated, qualified professional soldiers.

I regret that only last week the Conservative defence spokesman referred to soldiers of the Colchester garrison as "squaddies". I hope that in his summing up, the Minister will confirm that as far as the Government are concerned, our Army is made up of professional soldiers, who should not be described in such a derogatory way.

Patrick Mercer: In my 25 years' service in the Army, I never found anything pejorative in the use of the word "squaddie". None of my Nottinghamshire and Derbyshire soldiers regarded it as a pejorative term. The hon. Gentleman is wholly unfair to say that.

Bob Russell: I appreciate that intervention, but I can assure the hon. Gentleman that in the garrison town of

[Bob Russell]

Colchester, which I think he would acknowledge is the premier garrison town in the country, that is a derogatory term.

Mr. Gerald Howarth: I remind the hon. Gentleman that Aldershot is the home of the British Army and is the pre-eminent garrison town in the United Kingdom.

Bob Russell: That is obviously why the Government decided that the Parachute Regiment should move from Aldershot to Colchester. I thank the hon. Gentleman for that intervention.

I am particularly concerned about the quality of accommodation for our married soldiers. Can the Minister say why the defence housing executive upgrade programme is so far behind? It is my understanding that only 60 houses have been completed and in Colchester garrison more than 500 remain to be done.

I recognise that the Conservative Government's disgraceful decision to privatise the married quarters of soldiers in Britain was not in the best interests of our soldiers, but equally it is this Government's responsibility to ensure that all married quarters are brought up to the high standards that we and any other responsible employer would expect.

Annington Homes, the privatised landlord, in Colchester, as elsewhere, is selling off houses at huge profits. The Government should recoup that profit to plough it back into the married quarters so that our soldiers and their families can have the best possible accommodation. We are talking here about retention, which is what my contribution today is about.

Work will start in the next year or two on the new Colchester garrison under a massive private finance initiative. The Minister knows that I do not believe that such private finance initiatives are in our long-term financial interests, but they are the only game in town, so we go for them, and the Minister knows that I back him 100 per cent. I welcome the assurances that I have been given that the single soldiers' accommodation will be of a quality of which they will approve and that there will be quality technical support and training facilities. Only the best will do.

But there is more to this than just the housing of our military personnel. I draw the Minister's attention to an Adjournment debate two or three years ago that I secured on the education of the children of our soldiers in garrison towns and naval and air bases throughout the country. More investment is needed in those state schools with a high proportion—90 per cent., 95 per cent., and sometimes 100 per cent.—of pupils from military families who suffer from what is known as the turbulence factor. We had an interesting debate in this Chamber. Unfortunately, the Government do not recognise the special needs of such children, which result from families moving backwards and forwards, with fathers and mothers being sent elsewhere in this country or overseas on tours.

Chris Grayling: The hon. Gentleman puts his finger on an extremely significant issue. He asks the Minister to bear in mind his previous comments, but could he enlighten the House on what he feels should be done to address the specific circumstances that Army children face?

Bob Russell: The Department for Education and Skills bases its recognition of need on the number of free school meals that a school provides. The nature of the circumstances means that very few soldiers' children—if any—are entitled to free school meals, so none of the deprivation or other factors that might apply in a mainstream school on an estate next door will come into play. As children from military families can be moved mid-term and their father or mother can be sent on a tour away, there should be greater recognition of such anxiety and upheaval and additional resources should be put into the schools. That is the turbulence factor, which exists even though the usual education criteria ignore or overlook schools whose pupils are predominantly, if not exclusively, the children of military personnel. I appreciate the hon. Gentleman's intervention, as he made a serious point. I hope that it will be addressed, as sadly, it was not dealt with following my Adjournment debate.

On military personnel who require medical attention, there is no problem with the primary care that is provided on site, but what I am told is called secondary care hospital provision is often not supplied in the locality. When that is the case, personnel can be bussed long distances to military hospitals. We do not have such a hospital in Colchester. Indeed, there are very few such establishments, which is why personnel are sometimes taken long distances to receive medical attention—another area of anxiety. None the less, I welcome the news that a regional rehabilitation unit for injuries is to be established in the Colchester garrison next year. That is certainly something to look forward to.

I have mentioned the new Colchester barracks, and this is an opportune moment to place it on record that the garrison commander, Colonel Julian Lacey, retires on 15 November. That may be good news for him, but it is certainly not good news for the new Colchester garrison project. I express my appreciation of all that he has done. I hope that the Minister will ensure that all his expertise and knowledge will somehow be retained in respect of the new garrison project, which I believe is the largest such development in the UK in PFI terms.

The hon. Member for Newark (Patrick Mercer) painted a grim picture of what might happen in this country. I sincerely hope that his worst predictions do not come to pass, but he brought to our attention the need for vigilance from everybody. We should not rely only on the armed forces to provide that vigilance. There is obviously widespread intelligence, but the whole of society needs to be on alert.

We all pray that the fire dispute will not happen. Will the Minister discuss with his colleagues elsewhere in government a suggestion that I made four years ago when Essex had one of its fire strikes? We have such strikes from time to time and the Green Goddesses were on the road in that instance. The serious point is that, as other hon. Members have mentioned, we will be sending out our soldiers in fire appliances that are almost museum pieces. Would it be possible for the territorials or one or two regiments of the British Army to be trained as a skilled auxiliary reserve that is capable of

operating the sophisticated fire appliances that are otherwise available? I recognise that we cannot expect soldiers to go straight from their current duties to operating such appliances.

Patrick Mercer: The hon. Gentleman makes a good point, but it would make territorials difficult to recruit. Anyone who wants to be a territorial solder joins the Territorial Army. Anyone who wants to be, for want of a better phrase, a "territorial fireman", becomes a retained fireman. Is not there a danger of a conflict of interest?

Bob Russell: I do not believe so. I was trying to embrace the hon. Gentleman's earlier point about the territorials. I am happy to stick with my original proposal of four years ago of one or two regiments with an auxiliary role. Their members would be soldiers first, but have a second skill, which would not necessarily be the ability simply to cover the sort of dispute that may happen in the next week or two. They would constitute an auxiliary force to deal with not only fires but emergencies. The fire service deals with more than fires.

Mr. Liddell-Grainger: I take the hon. Gentleman's point, but last year, troops were involved with the foot and mouth epidemic, flooding and many other things. How would the auxiliary forces be trained to the appropriate level to ensure their effectiveness in emergencies?

Bob Russell: We acknowledge that the modern fire appliance cannot be operated by simply anybody; it has to be used by trained personnel. One or two regiments of the British Army could be trained to enable them to offer something extra in an emergency.

I urge the Ministry of Defence to accept that we must do much more to encourage people to remain in the Army and not to leave in such large numbers.

6.11 pm

Mr. Tam Dalyell (Linlithgow): My hon. Friends are well aware of the passionate opposition of some of us to military action against Iraq in the current circumstances. However, the debate is not the occasion on which to go into that.

On 29 October, at column 683 of *Hansard*, Mr. Speaker gave me permission to present a case for a debate under Standing Order No. 24. In the course of that application, I asked 14 questions, and I have written to 14 Ministers to ask for their comments. I have also asked for the comments of the ambassadors of France, Russia, China, Qatar, the Emirates, Jordan and various other countries.

I want to reiterate five of the questions, which pertain to the Ministry of Defence. The fifth question was,

"will British troops, if they are captured, be entitled to protection under the Geneva convention?"

The sixth question was,

"will British troops be under the orders of American officers and will they be required to serve in an army of occupation?"

There has been much speculation about an army under General Franks. Those matters have to be thought through before we even approach such a situation.

My 10th question asked,

"what rights will Iraqi soldiers captured by British forces have, and will they qualify for the protection of the Geneva convention?"

My 11th question was,

"what will be the position, under military law, of members of the British armed forces who refuse to fight because they believe that a war waged against Iraq that has not been authorised by the United Nations could lead to their being charged at a war crimes tribunal under the International Criminal Court",

which the British Government rightly support.

Mr. Joyce: Will my hon. Friend give way?

Mr. Dalyell: No, because of time.

The 12th question was,

"how would the position of British troops charged with war crimes differ from that of American troops, given that the United States has declared itself exempt from any international criminal court?"—[*Official Report*, 29 October 2002; Vol. 391, c. 683–4.]

I do not expect my hon. Friend the Under-Secretary to answer those questions this evening, but they are serious matters, which require reflection.

Mr. Deputy Speaker (Sir Michael Lord): Order. The hon. Gentleman has asked his questions and I leave it to the Under-Secretary to decide whether to respond. However, I remind the hon. Gentleman that the title of the debate is "Defence in the UK".

Mr. Dalyell: I would like to add two more points. It is sometimes said that the forces are narrow-minded on these matters, but they certainly are not. There has been serious discussion by Brigadier Patrick Cordingley and many others, and I certainly would not have been invited by narrow-minded people to discuss these issues at the Royal College of Defence Studies. The forces are serious about these matters, and should be commended for that.

Much has been said about the difficulties relating to the toughness of training. National service men went through very tough training indeed. All right, it was more than 50 years ago, but I shall not forget being made, rightly, to crawl up drainpipes at Catterick camp on the North Yorkshire moors. It is not the toughness of training that has led to the recent difficulties.

6.15 pm

Chris Grayling (Epsom and Ewell): I congratulate the Chairman and members of the Defence Select Committee on their work on civil defence and the defence of the homeland of the United Kingdom. No debate in the House would be complete without a little party political repartee, but the issues underlying the report produced by the Committee, which were discussed by my hon. Friend the Member for Newark (Patrick Mercer) and others, are fundamental and go beyond party politics. It is the duty and responsibility of the Government of the day—with the support and, rightly, the scrutiny, of the Opposition parties—to ensure that we do the right thing to protect the people of this nation against a threat that is undoubtedly present. I share the fear of my hon. Friend that it may become much more of a threat in the years to come.

[Chris Grayling]

I welcome the Minister's comments about the steps that the Government are taking to strengthen the role of our armed services, our reservists, and the Territorial Army in preparing for an eventuality that we all hope will never happen, but which could happen none the less. The culture of cross-cutting, of which the Government make so much, needs to be placed firmly at the heart of the work that the Minister and his colleagues in other Departments are doing to ensure that we are prepared for a threat that I hope will not materialise. In particular, I hope that the Government will consider the possibility of creating a single Minister with cross-cutting responsibilities, who has the right to work within the Ministry of Defence and other Departments to ensure that we have a joined-up approach to civil defence. We must ensure that we have not only a clear point of responsibility but full and properly integrated structures between the civil and military spheres to ensure that we are adequately prepared.

After 11 September, I discussed with the chief executive of my local borough council the work that we do in our area to prepare for a major civil disaster. It became clear to me from that conversation that relatively little work is done. The local authority has a nominal responsibility, and it will do some work, but we all know from experience how hard-pressed local authorities are. It was clear that the actual work being done was far too thin on the ground. It was equally clear that there was relatively little contact between the local authority and other agencies, particularly the armed services. Closer working partnerships between the armed forces and local authorities in preparing for such eventualities will be extremely important in the years ahead, and I hope that the Minister will ensure that that takes place.

The hon. Member for Colchester (Bob Russell) talked about the fire strike. It seems ludicrous that modern fire equipment is not accessible to or usable by our armed services, and that the appropriate training does not exist. If we go beyond the short-term issue of the fire strike, it seems possible that a situation may arise in which that training will be required. I hope that the Government will consider delivering proper training on modern fire equipment within the armed forces.

Mr. Liddell-Grainger: Does my hon. Friend agree that one reason for the difficulty of access is that firefighters attend many road traffic accidents, and the equipment used in dealing with them is highly technical?

Chris Grayling: My hon. Friend makes a good point, but the same skills could be needed at a time of disaster.

Will the Minister give some thought to how we can use the older members of our armed services? We let our public servants go far too early in a society that is considering pushing up the retirement age, so the expertise of members of the armed services who retire after 20 or 30 years is lost, even though knowledge of many issues we have discussed today—terrorist threats and how terrorists work as well as weapons of mass destruction and their medical and other implications—resides within them. We should take greater advantage of that expertise and not necessarily let such people leave the armed services in so fixed a fashion.

I hope that Ministers consider whether there are ways to retain and use that expertise, possibly by keeping people on in the armed services for longer in different roles. If they do, I shall be grateful.

6.21 pm

Mr. Gerald Howarth (Aldershot): As always, this debate has been extremely well informed and the usual suspects are in their places. I venture to suggest that this occasion has become one on which consenting adults engage in discussion in public—although, looking at the Gallery, it may seem that our proceedings are taking place in private.

Mr. Speaker himself foreshadowed the debate's importance when, in answer to a point of order from my hon. Friend the Member for Christchurch (Mr. Chope), he pointed out that we live in more dangerous times, which is why the security of the Palace of Westminster has been greatly strengthened in recent years and, indeed, recent weeks.

We have ranged well beyond security and terrorism, however, in discussing retention, boy soldiers, service accommodation, arms exports, reserves, and the sleeping arrangements of the hon. Member for Crawley (Laura Moffatt) on overseas visits with the right hon. Member for Walsall, South (Mr. George), the Chairman of the Defence Committee. So I hope that the debate has been sufficiently interesting and demanding for the *Hansard* stenographers, ensuring that they have been able to stay awake.

I must single out one contribution, although I do not have time to deal with it in detail. My hon. Friend the Member for New Forest, East (Dr. Lewis) made interesting suggestions about the profound difficulties that we face in dealing with international terrorism, particularly that involving an enemy that is, as Colonel Spicer has suggested, like mercury, in that when it is hit, it explodes and atomises, but does not disappear. I am not sure that we have yet found the solution to that problem.

Rather like the vicar, I shall, if I may, take as my text the words of General Sir Michael Rose, writing in the *Daily Mail* on 8 October:

"The difficulty facing today's defence planners"—

which, of course, is very much the issue facing Ministers—

"is that the nature of conflict has fundamentally changed. While we still need to be able to fight conventional wars using sophisticated tactics and modern weapons systems, we are embarked upon a global war against terrorism. This demands a different mix of military capabilities involving considerably more manpower, the development of human rather than technical intelligence sources and an ability rapidly to project and then sustain force around the world."

That encapsulates the problems faced by Ministers and Members of the House in dealing with those complex and difficult matters.

Two issues have emerged from this afternoon's proceedings—the Select Committee report and the Territorial Army. I remind the House of one of the report's conclusions:

"Overall we have concluded that there has been inadequate central coordination and direction. The Government has not taken the opportunity to conduct a proper and comprehensive examination of how the UK would manage the consequences of a disaster on the scale of 11 September."

The report has been saluted all round, and senior officers recently retired, and some not so retired, have praised it as a comprehensive piece of work. The right hon. Member for Walsall, South said that other Committees had been invited to contribute to discussion of what was clearly an overarching issue that ranged well beyond defence; but it was the Defence Select Committee that produced the report. It has been extremely well received by my hon. Friend the Member for Mid-Norfolk (Mr. Simpson), and, on behalf of the Committee, I thank my hon. Friend the Member for Epsom and Ewell (Chris Grayling) for his praises.

In their response to the Committee's report, the Government say that they have been

"rethinking security across the board to identify the vulnerabilities and tighten existing security measures to make the UK even safer from terrorist attack".

It is true that so far we have been spared a serious terrorist attack, and the vigilance of our armed forces and other agencies has undoubtedly been an important contributory factor, as my hon. Friend the Member for Newark (Patrick Mercer) said. Terrorists—as he also said—need to be lucky only once. We know that, and we also know that the chances are that some day they may well succeed. Unlike the United States, we have been fighting a war against terrorism for the last 30 years, and we have not always managed to prevent the damage that that causes. This country has more experience of dealing with such a war than many others; but we cannot be complacent.

Responding to the Committee's suggestion that the Government were complacent, the Minister said that they are not. We accept that Ministers are trying to grapple with the complexities, and they have clearly taken some practical steps. The decision to upgrade quick-reaction alert facilities at RAF Marham, St. Mawgan and RNAS Yeovilton is welcome, notwithstanding the contradictory message sent by the disbanding of 5 Squadron Royal Air Force equipped with Tornadoes. We also welcome the appointment of Sir David Omand to head the civil contingencies secretariat, although I am disappointed by the Government's failure to accede to the Defence Committee's suggestion that it should have a different name. "Civil contingency secretariat" is hardly a sexy title that trips off the tongue. We felt that, for the purpose of reassuring the public, a name suggesting the handling of emergencies would better convey the function of the secretariat.

Having welcomed some of the Government's steps, I regret to say that little progress has been made in other areas. As both the right hon. Member for Walsall, South and my hon. Friend the Member for Rayleigh (Mr. Francois) said, there is as yet no civil contingencies Bill to give local authorities a framework within which to organise their civil-emergency plans. Obviously the Minister cannot undertake today to include such a Bill in the Queen's Speech, but local authorities are eager to be given the framework that they need.

A year after 11 September, the Government have failed to give local authorities updated guidance to replace the weak guidance that was issued a year ago. I am told by Hampshire county council's emergency planning officer that the MOD at Winterbourne Gunner in Dorset is training police officers to handle nuclear, biological or chemical attacks, but I understand that so far only 14 officers in Hampshire have been trained. There is clearly more to be done. I also understand that no decontamination kit is yet available to enable disaster-handling organisations at local authority level to deal with an NBC attack, and that no such equipment is likely to be available before next Easter. If the Minister could tell us something about the extent to which preparations are being made, he would reassure not just us but the local authorities whose job it is to deal with emergencies on the front line.

We all understand that Ministers do not want to give too much information about their detailed plans, but the public need reassurance that those plans are underway. We all saw what happened in Moscow—my hon. Friend the Member for Newark mentioned it—and we know about the chemicals that were used, which were mentioned by the hon. Member for Leyton and Wanstead (Harry Cohen). We all know how leaky the Russian system is. There is always the possibility that some of the chemicals will fall into the hands of terrorist organisations. We could find that chemical being used against us. I heard on the radio—I do not know whether it is true—that the establishment at Porton Down is looking at the clothing of the two British hostages who were released to try to identify what the chemical was. The public need to be reassured. It is a question of striking a balance and not causing undue concern among the public. They want to be reassured that if there is an attack on the United Kingdom, the Government have taken steps to deal with it.

I do not know whether the Minister has had an opportunity to see the article in the *Financial Times* headlined

"Home Office sought poison gas".

It said:

"Home Office officials have been investigating buying poison gases, similar to the type used in the Moscow hostage raid, to protect high-security government buildings against terrorist attack."

The Home Office has said in reply:

"No specific application is being looked into at this stage. There is no question [gases] are anywhere near use and no question at this stage of any purchases."

The House, or perhaps some of its Committees, needs to be briefed that the Government are alive to the risks and are positively dealing with it.

I turn to the Territorial Army. We welcome the Government's belated recognition that they made a serious mistake in slashing the numbers of the Territorial Army: from 56,000 to about 41,000. I hope that Ministers will accept that it was the official Opposition who warned the Government that their reductions in the TA were a big mistake, and that we were right and they were wrong. The effect of their decision was to close TA centres throughout the country, robbing valuable back-up and support for the regular armed forces, and many hon. Members of the only military facility in their constituencies. Many Labour Members have complained about the withdrawal of TA facilities in their constituencies. It was an appalling assault on an organisation whose members offer complete loyalty, give up their spare time and sometimes even risk damaging their careers to provide an essential service to their country.

[Mr. Gerald Howarth]

At the time, the Defence Committee, on which I did not then sit but which was still under the able stewardship of the right hon. Member for Walsall, South said of the cuts in the TA:

"The view of the witnesses from TAVRAs"—

Territorial Army volunteer reserve associations—

"was that the publication of the SDR was 'a black day for the Territorial Army'. We agree."

Now the Government have been forced to heap a raft of new responsibilities on to the TA when it has reached its lowest ebb.

We welcome what the Minister announced earlier today, but it is a bit unfortunate that my hon. Friend the Member for North Essex (Mr. Jenkin) did not know that the statement was being made. The letter from the Secretary of State went on the board, but my hon. Friend did not see it in time for this debate. I do not want to be too quibbling about the point but it would have been helpful to have a bit more notice.

Mr. Keetch: The hon. Member for North Essex (Mr. Jenkin) was not here.

Mr. Howarth: My hon. Friend was here. I assure the hon. Gentleman that he has been around all day.

I am not sure how much the Minister's statement today adds to what we already knew from the consultation document. As far as I can see, what is proposed is an additional 280 reserve posts in Army division and brigade headquarters to provide regional planning, liaison, and command and control in defence operations. Clearly, we welcome that, but he said that in the event of an incident they would be capable of providing a 24-hour-a-day, seven-day-a-week command structure. They might be able to do that. However, in the new chapter we are told that reservists cannot be called out at less than 36 hours' notice. As several hon. Members have pointed out during the debate, if we are struck by an asymmetric attack, we shall need to react instantly. It cannot be a delayed reaction. Calling out reservists at 36 hours' notice may well be too late to deal with an incident in the most efficacious fashion.

The Minister says that there will be additional training, but that is no more than was promised in the consultation document. It is not clear how the Ministry of Defence will ensure that the necessary skills and training for even the tasks listed on its discussion document are to be found in a volunteer reserve force of 500 people per region and only five or six training days in a year. This is not a very extensive training operation. In a useful submission to the Reserve Forces and Cadets Association, my hon. Friend the Member for Canterbury (Mr. Brazier) wrote:

"The central weakness of the proposal seems to me to be that it envisages drawing on groups of individuals, pooled together under such headquarters rather than calling out specific units."

We need trained units. My hon. Friend continued:

"The idea that 'groups of the willing' could be brought up to working together to a reasonable standard in two or three weekends a year (even assuming 100 % turnout, something that will never happen) seems to be highly optimistic."

The Government have to be a little clearer about exactly how their programme will work in practical terms and in terms of facing the challenge of dealing with an attack on the United Kingdom.

Those are two key issues that have been addressed in the debate. A number of hon. Members made the point that there is common ground on defence matters between the Government and the Official Opposition—indeed between all parties. We no longer have the stormy and vitriolic debates that we used to have in the 1980s. I think that my hon. Friend the Member for Mid-Norfolk recalls those happy days somewhat nostalgically. We share an admiration for our armed forces. We want the best for them and their families. They are admired and respected throughout the world. A number of hon. Members, including the hon. Member for Colchester (Bob Russell), paid tribute to our service men and women and their families.

We share the Government's view of Britain's role in the world as a power for good. We also share their view on a number of procurement issues. We welcome the Type 45 destroyers and the new carriers. Albeit through gritted teeth, I welcomed virtually every dot and comma of the announcement on the carriers and the aircraft that the Government have chosen. They have done well, and we approve.

There are legitimate differences between us, however, on which it is entirely the duty and right of the Opposition to challenge the Government. First, we do not believe that there are enough people to meet the commitments that the Government have taken on. We have the smallest Army since the time of Wellington. A number of hon. Members have pointed out just how stretched our armed forces are. Secondly, we have insufficient resources to do the job and thirdly, as the hon. Member for South Dorset (Jim Knight) pointed out, no allowance has been made for the unexpected—what Harold Macmillan undoubtedly would have described as "Events, dear boy, events". As my hon. Friend for Mid-Norfolk said, there is no spare capacity. This is the gravest accusation that I want to make of the Government tonight. They simply have not allowed sufficient resources of men and equipment to allow for the unexpected. Another 2,500 troops have been committed to Northern Ireland. That was unexpected, given the so-called peace process. Another illustration is the Fire Brigades Union strike.

We now have 10 warships sitting idle. As the Minister of State told me in a written answer he gave me last night, seven of them—HMS Exeter, HMS Kent, HMS Lancaster, HMS Manchester, HMS Norfolk, HMS Newcastle and HMS Portland—have been affected by Operation Fresco. Two ships are out of action because of collision damage, and HMS Sheffield is up for sale. The fact is that a third of our major surface fleet is out of action. That simply illustrates the point that the Government cannot do all that they want on the limited, lean and mean machine that they are offering. We need an expansion in our armed forces if we are to meet the unexpected.

I will conclude on a conciliatory note. I hope that the whole House can unite in praising the commitment, dedication and professionalism of our armed forces as they stand by, across the length and breadth of the United Kingdom, to protect the lives of the citizens of this country in the event of a Fire Brigades Union strike.

None of us wishes that to happen, but we can be proud of our armed forces and what they are doing. They have left their other jobs and taken to the task in hand with alacrity. They have adapted themselves and shown great professionalism.

I went to Netley on Monday to see Commander Durkin of the Royal Navy, who is in charge of the operations in Hampshire. I was hugely impressed with what they are doing and their capability. I know that the police service of Hampshire is equally impressed with the men and women who have been put in charge of helping them out. On that note of conciliation, I hope that I can unite the House in wishing good luck to our armed forces if they are called upon to stand in for the firefighters.

6.41 pm

The Parliamentary Under-Secretary of State for Defence (Dr. Lewis Moonie): This has been an excellent debate. As my right hon. Friend the Minister of State indicated when it began, the past year has been marked by both challenge and innovation. In the UK we have been challenged not only by the threat from international terrorism, but from other directions—by the fire dispute as well as dissident terrorism and communal violence in Northern Ireland. The armed forces have responded to these challenges promptly and effectively. We have taken military action, along with friends and allies, to deny al-Qaeda its base in Afghanistan—arguably the most important contribution the armed forces could have made to the defence of this country.

We have done much more than that. We have addressed the policy challenge presented by the events of 11 September. We have been able to do this on the basis of the strategic defence review completed by the Government in 1998, the value and worth of which has been so amply demonstrated by the events of the last year. We have taken a long hard look at our defence posture and plans in the light of the terrorist threat. We are making changes and improvements as a result of that long hard look. We have addressed the issue of attacks by renegade aircraft and ships. We are also making constant refinements to the well-established defence capabilities which respond to specific types of terrorist incident, including those involving chemical, biological, radiological or nuclear devices.

In his opening statement, my right hon. Friend announced our intention to implement in full our proposals for enhancements to arrangements to involve the volunteer reserve in home defence and civil emergencies. These proposals have been widely welcomed. They contribute to the changes to central Government mechanisms that the Government began last year and to the much wider changes that are taking place in the public and emergency services in response to the threat.

Enhancing the role of the reserves adds another element to the wide-ranging contribution that the armed forces already make in the response to civil contingencies and emergencies. This is not just a question of the response to the threat from terrorism. Our armed forces have a very fine record in recent years of providing support to the civil authorities at times of emergency, whether during the fuel dispute, floods, or foot and mouth disease. They stand ready and able to save lives should a firefighters' strike take place in the near future. Their capacity to respond to the challenge and the contribution they make to the community has never been greater, and I feel sure that the House will agree that their standing has never been higher. Having said that, however, we must ensure that the armed forces are properly supported and equipped.

Innovation has not been limited to enhancing the contribution that the armed forces make to the community but to wider questions, ranging from the defence industrial sector to the needs of the people who make this remarkable contribution to national life. Indeed, it would be wrong for us to spend our time finding new roles for the armed forces without addressing the wider issues. To do so would place an intolerable burden on the personnel involved.

In this sphere, as in others, we have taken nothing for granted, but we are determined to build upon the firm foundations that already exist, and to innovate, not for its own sake but for improvements' sake.

The need to ensure that armed forces personnel were suitability trained and motivated lay at the core of the 1998 strategic defence review, and that continues to be the case. The policy for people recognises that our defence depends on our armed forces personnel and their families as well as the civil servants who work alongside them. The armed forces overarching personnel strategy ensures that we bring to the armed forces the talent that is needed, irrespective of race, ethnic origin, religion, gender, social background or sexual orientation. It helps to ensure that we retain talent once it is recruited, by addressing pay, pensions, training and family needs.

Perhaps most important, we take very seriously the demands placed on our people. Although there may be times when the lives of armed forces personnel are disrupted by an emergency, we can, and do, ensure that the right balance is struck between operational commitments, the need of the families of armed forces personnel—we should not forget their contribution to the effectiveness of the armed forces—and the need for training and personal development between operational deployments.

I shall try to deal with some of the points that have been made today in the time left to me, which is, for a change, ample. Well, I assure right hon. and hon. Members that it is ample in comparison to what I usually get.

It is always unwise to trade statistics with a statistician, which is one of my jobs not mentioned by the hon. Member for Mid-Norfolk (Mr. Simpson). His query about international comparators for the statistics that we use was quite interesting, but, alas, his suggestion is not practicable. One might think it shameful in this day and age, but there is no real standardisation of measurement between countries. There is a great paucity of information on many of the indices that we may want to consider.

Of course the appropriate health comparison is with our own general population, and the Registrar-General produces very comprehensive health statistics that provide a sound background against which our own epidemiology and statistics staff can conduct suitable work. Occasionally, as with Gulf veterans' illnesses,

[Dr. Lewis Moonie]

there is also the possibility of comparing those who went to the Gulf with a similar body of members of the armed forces who did not go to the Gulf. Overall, that is an important point, but it is not possible to use international statistics, much as one would like to do so.

I shall have to go through things as best I can and refer to the notes that I have made as I go. Let me start with Apache. Yes, there have been delays with the Apache simulator. We have made the point that that contract was, of course, started by the right hon. Member for Kensington and Chelsea (Mr. Portillo)—sadly, he is no longer in the Chamber, although he was here when it was first mentioned—but, fair enough, we allowed the contract to proceed, and our intention was to ensure best value for money.

Sadly, the resulting contract has faced delays, and it will cause delays in the full implementation of our capability in that important part of the armed forces, and we deeply regret that. Boeing—the principal actor—also very much regrets it and has publicly said so itself. We are trying to get things back on side as best we can. The simulator is now working in part. I shall reply to the detailed questions that I was asked about that later because they are lost somewhere in my notes. I have no idea where they are exactly. They were rather detailed points, so it is probably better if I answer them very accurately.

The possibly of compensation for cancelling holidays and so on was mentioned in an intervention. I confirm that service personnel who are required to cancel previously booked holidays as a result of changing service requirements are entitled to claim a refund of nugatory holiday expenditure provided that they were not warned of the operational deployment at the time of booking. For Operation Fresco, if service personnel have cancelled holidays as a result of such warning and subsequently have their leave reinstated, they are still entitled to claim for any nugatory expenditure, and I am sure that that will be welcomed.

Mr. Gerald Howarth: The specific issue raised with me is that the soldiers are being compensated for uninsured lost deposits, but what about the families as well?

Dr. Moonie: I will write to the hon. Gentleman on that point.

Operation Fresco and royal naval issues have been mentioned. Missile defence was mentioned in passing, but I am sure that hon. Members will forgive me if I return to it if I have time; it is really a subject for a full speech, rather than a 15-second interjection by a junior Minister at the end of a debate. Yes, ships are tied up—a large number of ships would have been tied up anyway—but we cannot conduct an operation of this size, and devote to it the personnel that we must, without reference to complement. I am sorry that one of the ships tied up is HMS Norfolk, to which my former military assistant, Commander Tony Radakin, went as commander earlier this year. I send him my commiserations and hope that I will still be able to see him in Aberdeen later in the year.

The majority of personnel have been taken from vessels not currently available for operations and in periods of maintenance and upkeep. In total, about 2,400 fleet personnel have been assigned to fire-fighting tasks, of which they are well capable, as I indicated in the debate in Westminster Hall earlier this week. With regard to training and the use of respirators, they also have considerable experience in that area because of the unique dangers of severe fires onboard ship. I hope that that sets some minds at rest.

In relation to the comments of my right hon. Friend the Member for Walsall, South (Mr. George), I am sorry that I must disappoint him. It is not a case of knowing that there will be a Bill in the next Session but not telling him—in fact, I am not aware of whether there will be a civil contingencies Bill. That will be announced in approximately two weeks' time, and he will have to wait in patience like the rest of us to see if such a Bill is part of the Queen's Speech.

On the comments of the hon. Member for Hereford (Mr. Keetch) and Apache, I want to put him right on one thing. The figure of 130 relates to last year's shortfall in junior fast jet numbers—I think that he probably realised that as he was saying it. As of 1 October this year, that number has fallen to 93, and there is a downward trend. It is an easy mistake to make, adding numbers together, for a year-on-year trend—

Matthew Green (Ludlow): The Chancellor.

Dr. Moonie: I was waiting for somebody to notice that, just as I was saying it. It is difficult to predict overall numbers for the future, but there is an encouraging trend. Although it will take some years for us to get back up to full staffing in fast jets, we are on our way to doing it.

On aircrew retention in general, which the hon. Member for Hereford also mentioned, the new professional aviator pay spine is due to be introduced on 1 April next year. Overall, as he knows, I think, although the Royal Navy has a shortage of Sea Harrier pilots, that is of less importance than it was because of the migration towards the new Harrier. Most of those left want to migrate to the GR9 in the fullness of time anyway. I think that that covers as much of that point as he would expect.

Armed forces recruitment remains one of our highest priorities. Recruitment of sufficient people of the right calibre is absolutely critical to the maintenance of operational effectiveness. It is very easy for us to choose the statistical period that is of most value to our arguments, and I would not dream of doing so on this occasion, except to point out that the last three months have seen remarkably buoyant recruitment into the armed forces, which I hope will continue. A fair amount of time has been devoted to events surrounding Deepcut, and, in my wind-up, I merely want to stress what a distressing experience the families concerned have had, which has been made much worse by some irresponsible people trying to take advantage of it.

Retention is of the highest priority, and is the other factor in manning balance. Improving personnel retention is a crucial factor in improving manning levels. Our aim is to maintain excellent levels of retention through policies that reflect those priorities. One of the main factors, of course, which has been mentioned again, is housing, and the void situation. There are just over 9,000 empty properties at the moment in the

United Kingdom, and at least half of those are in the course of disposal or held for future unit deployments. With regard to the specific cases in Norfolk—in West Raynham and elsewhere—married accommodation is now under the ownership of Annington Homes. It is a done deal. Much as I would wish to revisit what was not the best deal that the Government ever got, I have no option: I am stuck with it and have to live with it. When it comes to the sale of houses, I can make my views known to Annington, but it has no reason—

Bob Russell: No scruples.

Dr. Moonie: That is not for me to say, but there is certainly no need for Annington to take cognisance of what I do.

The welfare of military personnel and their families is paramount and we have to strike a balance. We are trying to upgrade houses. The money from the Annington deal was added to the pot. The maintenance budget is always strained. However, something like 90 per cent. of our families are in grade 1 and 2 accommodation. The picture is not as bad as some would paint it, although I accept that some of the accommodation is not good. We are constrained by the fact that we do not know where houses will be required in future. The last thing we want to do is to sell off houses and find that we need them. That would be stupid and we try to avoid that wherever possible.

I was asked whether Apaches could train together. We are procuring the collective training system and it should be due to enter service early next year, about the time we start training properly in groups with the Apache. We have not purchased a training laser. We are thinking about buying an eye-safe laser, which would enable collective training with ground troops so that we can deliver full air manoeuvre capability. Cape Wrath is the only range on which it could be used and is thoroughly suited to that purpose. I know that that makes some people angry and I have often declared my interest that, as a member of the Royal Society for the Protection of Birds, I am happy for areas of the country to be denied to human transit because it helps our feathered friends.

My hon. Friend the Member for Leyton and Wanstead (Harry Cohen) mentioned chemical weapons. I assure him that we are fully open about our chemical holdings. We declare all our substances in our annual report to the Organisation for the Prohibition of Chemical Weapons. We gave up offensive chemical capability a long time ago. Our holding of CS and CR gases is fully declared and fully permitted under the chemical weapons convention for domestic law enforcement.

Hon. Members mentioned the tragic events in Moscow last week. Any country could face a similar problem at any time. It is easy for us to pass judgment with hindsight. The fact is that many people are alive this week who I did not think would be alive. As a medical pedant, I must tell the House that if fentanyl was used, it is not a gas but a liquid and would have been delivered as an aerosol. It is not an anaesthetic. It is largely used as an analgesic. I have used it myself. My hon. Friend the Member for Leyton and Wanstead was right: it is a legal drug that is licensed for use in this country for, I should stress, medicinal use. It is highly effective. The great problem with it is that the difference between the pharmaceutical and lethal dose is small.

My hon. Friend the Member for South Swindon (Ms Drown) defended her cause nobly. I did not agree with it, but I can give her some comfort by stressing that we value the contribution defence experts make to maintaining the viability of the UK defence industry, reducing unit costs of equipment and so on. We get huge benefits from that. After all, we have to pay for equipment to be introduced and the ability to sell it abroad reduces the overall cost to us.

On young soldiers, we signed the optional protocol to the convention on the rights of the child on the involvement of children in armed conflict in September 2000. The minimum age for recruitment is aligned with the minimum school leaving age. Everyone who joins the armed forces under the age of 18 must be genuine volunteers and have the written consent of their parents or guardians. We take great care in the deployment of under-18s to prevent their direct involvement in hostilities. For instance, no under-18s have been deployed to Afghanistan. I think that that approach will become the norm in the British armed forces.

I turn, in the minute left to me, to some general points about the TA. Some have implied a distinction between home defence and civil contingencies. We are not working to any dogma, and we do not intend to distinguish between the cause of an incident, whether it is a terrorist attack, a major accident or a natural disaster, in determining how we respond. We will continue to apply the current system using the most appropriate available forces, regular or reserve. Regular forces are likely to be the first choice because CCRFs are designed to cater for exceptional events—

It being Seven o'clock, the motion for the Adjournment of the House lapsed, without Question put.

JUSTICE AND CONSTITUTIONAL AFFAIRS COMMITTEE

Motion made, and Question put forthwith,

That Standing order No. 152 (Select Committees related to Government departments) be amended as follows:

In the Table

Item 7, column 2, leave out from 'Office;' to end of entry;

After item 8, insert—

'Justice and Constitutional Affairs	Lord Chancellor's Department (including the work of staff provided for the administrative work of courts and tribunals, but excluding consideration of individual cases and appointments); and administration and expenditure of the Attorney General's Office, the Treasury Solicitor's Department, the Crown Prosecution Service and the Serious Fraud Office (but excluding individual cases and appointments and advice given within government by Law Officers)	11'.

—[Mr. Woolas]

Hon. Members: Object.

PETITION

Food Supplements

7 pm

Valerie Davey (Bristol, West): I am pleased to present the following petition, signed by more than 900 constituents, which states:

To the House of Commons,

The Petition of Consumers for Health Choice and its supporters,

Declares that consumers in the United Kingdom have for many years maintained good health by choosing to take safe vitamin and mineral supplements and herbal remedies; and fears that the European Food Supplements Directive and Proposed European Directive on Traditional Herbal Medicinal Products would severely restrict the number and range of such products on general retail sale in the future.

The petitioners therefore request that the House of Commons requires that the Secretary of State for health does all in his power to protect the rights of UK consumers by ensuring that such European legislation does not unnecessarily and unacceptably restrict the availability of natural health products.

And the petitioners remain, etc.

To lie upon the Table.

Wythenshawe Hospital

Motion made, and Question proposed, That this House do now adjourn.—*[Jim Fitzpatrick.]*

7.1 pm

Helen Jones (Warrington, North): I speak on behalf of my constituent, Mr. Stanley Ford, and his family to draw attention to his deplorable treatment at Wythenshawe hospital. I do so without any pleasure because this is an appalling case that raises serious questions about the management of both the [redacted]th Manchester University hospitals trust, of which Wythenshawe is a part, and the strategic health authority.

Let me say at the outset that the problems experienced by Mr. Ford were caused not by the clinical staff but by management. Indeed, the Ford family have expressed their appreciation of the work of the health care staff at Wythenshawe hospital. I know that my hon. Friend the Member for Wythenshawe and Sale, East (Paul Goggins), who unfortunately cannot be here tonight, has the highest regard for the clinical care delivered at the hospital.

These problems were caused by a management that has shown itself to be incompetent, uncaring and unwilling to take complaints seriously or to learn from them. However, it is a case from which we must learn if we are to ensure that no family goes through a similar experience. I raise this case not because I believe that the NHS is generally like that, but because I have experienced myself, and through my friends and family, the marvellous health care normally provided. When managers act in this way, they let down not only the patients involved but the many good health care staff who deliver excellent care every day.

Mr. Ford's case was first drawn to my attention in June by his daughter, who sent me an e-mail telling me a very sorry tale. Mr. Ford had had a number of heart attacks and was listed for surgery at Wythenshawe hospital. His operation was due to take place on 22 March, and it was cancelled by the hospital. It was cancelled on a further four occasions prior to his daughter writing to me and then once more on 14 June, after she got in touch with me. Not surprisingly, those cancellations had a devastating effect on Mr. Ford and his family. He and his wife are both 74, and the repeated cancellations were taking a toll on Mrs. Ford's health, both because of the strain that they imposed and in the difficulties that she experienced in looking after her sick husband. Mrs. Ford's daughter wrote to me:

"I am sick of dragging him off to the hospital, getting all ready for the op, for it to be cancelled at the last minute."

She also said that her parents

"have worked and paid their dues all their lives. This is no way for them to be treated."

She was absolutely right. The test is whether it would be good enough for our parents—it would not be good enough for my mother or, I am sure, the parents of anyone else in the House. If it is not good enough for them, it is not good enough for anyone's parents.

I expected that because Mr. Ford's case was so bad it would be resolved quickly. After confirming that he wanted me to take his case, I wrote to the hospital, expecting that I would quickly get an assurance that

Mr. Ford would have his operation and that the problems that had arisen would be dealt with. I am afraid, however, that the hospital did not take the complaint as seriously as it should have done—it did not appear to be shocked or scandalised. Instead, I got a letter from someone called the assistant complaints co-ordinator—apparently, six cancellations do not merit the attention of senior staff at that hospital—who would not tell me anything and would write instead to my constituent for "reasons of confidentiality".

I wrote again to the chief executive and told him that if I could not get answers from the hospital I would table questions in the House. Throughout, the chief executive has refused to communicate with me without assigned authority from the patient, a matter to which I shall return. I have not encountered that attitude in any other trust, and it is particularly bizarre in this case because the reasons for the cancellations had nothing to do with the patient's medical condition; they were to do with what was happening at the hospital. In fact, I have had great difficulty in getting information throughout, although on 2 July, having said that it would not communicate with me, the hospital sent me a copy of a letter to my constituent which was both inaccurate and fatuous. It referred to four cancellations, whereas there had been six—an error that it had to put right in a letter of 12 August. However, the monitoring and management systems in place in that hospital must be called into question if it was not even clear about how often the operation had been cancelled.

The hospital also made no attempt to address the reasons why Mr. Ford had had to wait so long. Instead, it said that if an operation was cancelled, it was usually rescheduled within 28 days, and added:

"I am sorry this did not happen for you and I hope this has not caused you additional stress."

Frankly, six cancellations of any operation, particularly a serious heart operation, would cause anyone a great deal of additional stress and it is patronising in the extreme to suggest otherwise. However, the letter revealed the way in which the hospital dealt with complaints. It was simply a wash of warm words and made no attempt to deal with the issues behind the problem. It treated every cancellation as a separate issue, and nowhere did it recognise the need for systems to be in place to flag up the fact that one patient was experiencing many cancellations of his operation. Its failure to address that problem is another serious flaw in its management systems.

Let us look at why those cancellations took place. I have accumulated voluminous correspondence from the hospital, the strategic health authority and even from a civil servant at the Department of Health, all of which say that there are issues involving capacity at the hospital. That has the merit of being a good excuse, but unfortunately it has the demerit of not being true. There was only one occasion when it applied—on 29 May, when Mr. Ford's operation was cancelled because there were not enough beds in the intensive care unit. The reasons for the other cancellations were very different. On 22 March, the operation was cancelled because of sickness among theatre staff. We all recognise that hospital staff, like the rest of us, can become ill. I have endeavoured to ascertain how many staff were sick on this occasion and what grades they were. That is not because I want to point the finger at any individual for being ill, but because questions are raised about the hospital's rostering and substitution arrangements in such an event. I was told in a parliamentary answer that five nurses were sick that day but that four worked overtime to compensate. All credit to them.

If the theatres were only one nurse short, what was happening on that day? What were the rostering arrangements? What arrangements were made to try to fill the gaps in theatre assistants? Most important, what action did the hospital take on that day on cancellations? Did it cancel the list for one theatre, or did it consider the clinical needs of all the patients on the list that day and take decisions accordingly? Did it perform a number of simple operations or were people graded on clinical priority? I hope that my right hon. Friend the Minister will consider these issues seriously.

The other reasons for cancellations were perhaps even more worrying. On 31 May and on 12 and 14 June, Mr. Ford's operations were cancelled because of outbreaks of methicillin resistant staphylococcus aureus in the intensive care unit. We know that it is difficult to deal with MRSA. However, two outbreaks in the hospital in such a short time must raise queries about infection control procedures and hygiene procedures in use at the hospital.

The Association of Medical Microbiologists makes it clear how MRSA is to be controlled. That is by scrupulous hand washing, isolation of the patient where necessary and regular damp-dusting. I hope that my right hon. Friend will carefully examine the procedures that were undertaken by the hospital after the two outbreaks. What review of its hygiene procedures was put in place, and what changes has it made as a result?

The most worrying reason for cancellation, however, was on 13 May. Mr. Ford was listed for his operation, but before it could be carried out he needed a trans-oesophageal echocardiograph. That can be carried out only by a cardiologist or a trained anaesthetist. Yet the relevant consultant was away on this occasion, and it was known elsewhere in the hospital before the operation was scheduled that the consultant would be away. At best, that is a piece of gross incompetence. At worst, it is a case of booking someone in for an operation when it was known that it could not take place. I hope that the Minister will examine the issue seriously and ascertain what was going on in the hospital, where I know there have been queries about the management of waiting lists on other occasions, and ensure that it does not happen to other patients on further occasions.

I have said that Mr. Ford was let down by the management of the hospital. I hope that I have said enough to demonstrate that. However, he was let down in the management not only of his case but of the complaints that were made afterwards. The hospital did not take his complaint seriously. Instead, it denied the family information, or was very slow in coming back with information. On one occasion it even tried to blame the family for a number of the cancellations.

There was a cancellation that was separate from those that I have highlighted, when Mr. Ford developed an infection. His family called his GP, who made it clear that he would not be able to have the operation. The

[Helen Jones]

family immediately telephoned the hospital to tell it so, so that somebody else could have Mr. Ford's slot, as it put it to me. For behaving responsibly, as we ask national health service patients to do, the family was accused by a member of staff of cancelling several operations. That is the culture that worries me. It appears that there was no culture in the hospital of examining complaints and learning from them.

All organisations can make mistakes, although in Mr. Ford's case there were serious mistakes. The least that could have been expected was for the hospital to examine its systems, to decide what went wrong and to ensure that it did not happen again. Instead, there was a passing of complaints down the line to junior staff, a failure to deal with them adequately and a failure to address what went wrong within the hospital system. A culture of arrogance prevailed not only in the trust, but in the strategic health authority.

I have already said that the trust will not answer questions from a Member of Parliament without signed authority. I have never come across that in a trust before, although I understand that that is left to the discretion of the chief executive. I think that the trust is legally wrong, and I asked the chief executive to give me his legal advice on the matter, but he declined to do so. In any case, I know that the Department of Health is looking at the problem. I hope that it will ensure at the very least that trusts cannot hide behind the Data Protection Act 1998 to avoid being accountable for their actions. I believe that that is what was happening in this case.

I encountered the same problems with the strategic health authority. When I got no joy from the hospital, I telephoned the chief executive of the strategic health authority to raise some issues with him. He was not available at the time, and I asked for a return call. Unfortunately, it took more than a month and two letters to the health authority before I got a return call. The chief executive, Mr. Goodwin, was then, in my view, extremely rude and aggressive. He was interested not in dealing with the complaint, but in getting rid of it. He even said to me in the course of the conversation that one of the problems was that

"MPs do not always act in good faith in these matters."

I hope that the Minister will make it clear that such an attitude is not acceptable from senior managers in the health service. It is a slur on all Members of all parties in the House and it is not a way of dealing with matters. If there are managers who deal with Members of Parliament like that, how on earth do they deal with patients?

I hope that the Minister will ensure that the problem is addressed in future. Our real difficulty is that managers in the NHS are not always held accountable for what they do. Doctors are accountable for their practice, as are nurses. Managers, unfortunately, can send a few anodyne letters and walk away. The Ford family cannot walk away. Mr. Ford is now seriously ill and his family face the burden of looking after him, as well as the additional stress imposed by the hospital's actions. I pay tribute to their tenacity in pursuing the case. Their only motivation has been to ensure that no family goes through the same problem again.

I hope that in his reply, my right hon. Friend, who I know will be as concerned about the case as I am, will ensure that proper investigations are carried out, that the necessary action to rectify the problems in the hospital is taken, and that the managers concerned are held accountable for what they do and are made to ensure that no family suffers in the same way in future.

7.17 pm

The Minister of State, Department of Health (Mr. John Hutton): I warmly congratulate my hon. Friend the Member for Warrington, North (Helen Jones) on drawing the attention of the House to the case of her constituent, Mr. Stanley Ford. I also warmly congratulate her on presenting her arguments so clearly and effectively.

Let me say at the outset that I agree with my hon. Friend that the way in which Mr. Ford and his family have been treated is completely unacceptable and falls well short of the standards that we are all entitled to expect from our national health service. I shall say more about that in a few minutes. The case has rightly raised a set of wid[e] concerns to which my hon. Friend referred, including the question of how confidential patient information can be shared with right hon. and hon. Members who make inquiries on behalf of their constituents. I shall say more about that in a moment. I am grateful to my hon. Friend for her warm remarks about the nurses and doctors at Wythenshawe hospital.

I begin by apologising to Mr. Ford and his family for the cancellation of his treatment at Wythenshawe hospital on six separate occasions between 22 March and 14 June. Clearly, that was completely unsatisfactory for everyone concerned, and particularly frustrating and stressful for the patient and his closest relatives and friends. The trust has apologised to Mr. Ford and his family, and rightly so. It is extremely sorry for the three-month delay in treatment that Mr. Ford endured as a result of his operation being cancelled on so many occasions, and the inevitable effect of consecutive postponements on his family. Mr. Ford eventually had his operation on 24 June, and I am sure that the House will join me and my hon. Friend in wishing him and his family well at this difficult time.

Mr. Ford's experience highlights many of the problems in the NHS that we as a Government, through our investment and reform programme, are determined to tackle. As I am sure my hon. Friend is aware, we are making available a substantial increase in the level of funding for the NHS during the next few years. That investment, coupled with the wider reforms that we are making to the service, should deliver an NHS that is better equipped and enabled to respond much more effectively to the individual needs of its patients, something that should have happened in this case, but clearly did not.

The NHS is still short of capacity. We need more staff, beds, operating theatres and equipment. Since 1997, we have made some progress in expanding the NHS. There are more nurses and doctors. The numbers of beds in the NHS is rising again for the first time in more than 30 years. We are in the middle of the biggest hospital building programme in the history of the NHS, which will see the NHS grow in size as well as capability. In the north-west alone my hon. Friend will want to know that

eight new hospitals have been given the go ahead since 1997, and together with the changes that we are making to the way in which we deliver our services—for example, separating emergency cases from elective activity—we shall be able to make faster progress in reducing the number of operations that have to be cancelled at short notice.

I know that that will provide no direct comfort to Mr. Ford and his family. I accept that. But I hope that Mr. Ford and his family will be able to accept that we are fully committed to improving the NHS, and making sure that the extra investment makes a real difference to the way in which the NHS operates.

This case raises concerns in a number of areas, including the NHS's approach to cancelled operations and the standards of cleanliness in our hospitals. The Government are committed to ensuring that the NHS takes action to address the concerns that my hon. Friend has raised tonight.

It is clearly unacceptable that pre-planned operations are cancelled. An operation can be a traumatic enough experience without the added concern of it being cancelled at short notice. That is why from April 2002, under the NHS plan, when a patient's operation is cancelled by the hospital on the day of surgery for non-clinical reasons, the hospital must offer another binding date within 28 days, or fund the patient's treatment at the time and place of the patient's choice.

The NHS also has to improve the way it manages operating theatre lists. The NHS modernisation agency is helping to develop and spread good practice across all NHS trusts, including that in south Manchester, with dedicated support provided to the worst performing trusts. As part of that project, South Manchester University Hospitals NHS trust has been given additional resources this year to help it to implement the new guidance and reduce the incidence of cancelled operations.

As my honourable Friend has mentioned, Mr. Ford's operation was cancelled three times because of an MRSA outbreak at the hospital. MRSA is a serious problem in the NHS, as it is in hospitals throughout the world. The Government are aware of the seriousness of the problem and that is why we have set standards to ensure that there is a managed environment that minimises the risk of infection to patients, staff and visitors. Recent analysis of how hospitals perform in that area has shown an improvement during the past two years, but more needs to be done and actions are under way nationally, regionally and locally.

For example, we have taken action to improve the standards of hospital cleanliness including the investment of an additional £60 million over the next two years, and the institution of a nationwide clean-up campaign with unannounced inspections of cleanliness. We recognised that not all hospitals were as clean and tidy as patients wanted and that in some places standards of cleanliness had deteriorated to a point where they were no longer acceptable. The clean hospitals programme has seen significant improvements. The new patient environment action teams have carried out nearly 1,400 inspections in around 500 NHS hospitals during the past 21 months. By September 2001, there were no hospitals deemed to have unacceptable levels of cleanliness. In particular, levels of hospital cleanliness have risen, in particular in the South Manchester University Hospitals NHS trust.

Most of us would accept that it might be necessary sometimes to cancel elective surgery for legitimate reasons—for example, the ill-health of the patient concerned. In Mr. Ford's case, staffing shortages and an infection outbreak contributed to a number of the delays. But six cancellations is obviously an excessive number. They could and should have been avoided. I know that South Manchester University Hospitals NHS trust has taken the matter seriously and is committed to taking the necessary action to address the problems exposed by Mr. Ford's ordeal.

My hon. Friend raised particular concerns about answers to parliamentary questions that she has received in relation to staffing levels in the trust on the day that Mr. Ford's hospital treatment was initially cancelled. I assure her that I shall look into the points that she has raised with me this evening because the trust does have a high rate of cancelled operations—too high. That fact was reinforced when the Commission for Health Improvement reported in July. Under its new management team, which has been in place since the events in the spring to which my hon. Friend referred, the trust has re-examined its internal procedures to identify areas of weakness in which immediate remedial action is necessary.

The trust acknowledged that it lacked a robust and clear system for dealing with cancellations. Too many different systems were in use, with insufficient co-ordination and understanding. The trust has already reviewed its cancelled operations policy and will take decisive measures designed to make certain that staff are available at all times to carry out trans-oesophageal echocardiograms. The trust has also reviewed the capacity of Wythenshawe hospital and is implementing a plan to increase its number of beds by 36. The majority of those beds are already in place, which will be of particular help in reducing the number of cancelled operations.

I was encouraged by the trust's own candid assessment that its performance had not been adequate in terms of cancelling and rescheduling operations. It has resolved to ensure that it has a senior manager with overall responsibility for ensuring that the number of cancelled operations is reduced substantially. The trust will also carry out an evaluation of its pre-operative assessment procedures with the objective of reducing cancellations, improving patient care and modernising communication systems in the hospital.

I can tell my hon. Friend that the trust is now working to a clear objective of an 80 per cent. reduction in cancelled operations on the current rate. I am pleased to note that the number of cancelled operations at the trust has fallen significantly in recent months. However, I will pay close attention in future to how the trust performs in that area. I am sure that the trust and all its staff want the service that they provide to patients to be improved in that regard, as they are absolutely committed to the welfare of all their patients. So do I, and so, I am sure, does she. The trust and the wider NHS in the Greater Manchester area are looking at a number of other ways to improve on current performance, including

[Mr. John Hutton]

identifying spare capacity in other trusts in the area, investing in additional capacity and making better use of existing capacity.

On the problem of MRSA at the trust, in the cardiac intensive care and high-dependency units, new and more rigorous cleaning arrangements have been introduced following the recommendations of the infection control team. The trust's management is continuing to monitor the situation closely and I will ensure that my hon. Friend is kept informed of progress.

I am also aware that my hon. Friend has raised concerns with the trust about its willingness to share information with her about Mr. Ford's treatment. We recognise that the matter of trusts sharing information with MPs about their constituents raises sensitive issues. The Department recently issued for consultation a draft code of practice for NHS staff on confidentiality issues. Specifically, the code recommends that where a Member of Parliament states in writing that he or she has a patient's consent for disclosure, that should be accepted without further resort to the patient.

I am also aware of the exchange of correspondence in the summer between my hon. Friend and the Greater Manchester strategic health authority. Clearly, there was an unacceptable delay in responding to her concerns. Both the director of health and social care in the north and the chair of the strategic health authority have reviewed those events, as well as investigating the reasons for Mr. Ford's cancelled operations. By now, she will have seen their respective conclusions and have had time to reflect on their comments.

The trust, the strategic health authority and my officials agree that action needs to be taken, and it is being taken. The South Manchester University Hospitals NHS trust is already taking action to reduce the number of cancelled operations at Wythenshawe hospital. The Greater Manchester strategic health authority has instructed trusts to include more information about rescheduled operations in their weekly performance management returns and will monitor carefully south Manchester's rate of cancellations. The strategic health authority has overhauled its own procedures for responding to inquiries from hon. Members. The directorate of health and social care in the north will oversee the implementation of all those performance improvements.

I reassure my hon. Friend that I believe that lessons have been learned. Action is now being taken. Mr. Ford and his family should not have been put through their ordeal. There can be no doubt about that whatever and I regret very much what has happened. It is now the job of the trust and the local NHS to ensure that, as my hon. Friend has said, such cases are not repeated.

7.29 pm

Sitting suspended, pursuant to order [29 October].

12.13 am

On resuming—

Question agreed to.

Adjourned accordingly at thirteen minutes past Twelve o'clock.

Westminster Hall

Tuesday 22 October 2002

[SIR ALAN HASELHURST *in the Chair*]

Farming (Norfolk)

Motion made, and Question proposed, That the sitting be now adjourned.—[*Joan Ryan.*]

9.30 am

Mrs. Gillian Shephard (South-West Norfolk): I am glad to have the opportunity to raise an important issue—the state of farming in Norfolk. As hon. Members can see, the debate is genuinely an all-party occasion. I am delighted to see in their places Members from all parties who represent the county. I am sure, of course, that we are all happy to make an exception for the right hon. Member for Norwich, South (Mr. Clarke), the Minister without Portfolio; he is a Cabinet Minister and is extremely busy, and his wife is unwell, so we fully understand his absence. However, his very supportive attitude at meetings with the Norfolk chairman of the National Farmers Union, Tony Williams, led Mr. Williams to believe that he is pushing at an open door in his discussions with the right hon. Gentleman.

Hon. Members from all parties have had the opportunity during the past year to discuss with farmers and others in rural Norfolk the current farming crisis and its effect on the county's economy. Our discussions with the farming community, including with the NFU, have majored on topics that will be dealt with by my hon. Friends. Those topics are economic issues, including world prices, modulation, and the United States farm Act; and biofuels, water matters, imports, genetically modified crops and planning and regulation.

I shall set the scene by describing farm incomes in Norfolk. For that purpose, I use the well-respected annual survey conducted by the accountancy firm of Larking Gowen, based in Norwich, a copy of which I shall hand a copy of the survey to the Clerk. The survey is based on 102 farms and involves a study of 60,000 acres. I believe that it is the largest farm survey undertaken. The 2001 harvest farm survey found that, during the past six years, farm turnover in Norfolk has fallen by 25 per cent., and farming incomes have declined by more than 75 per cent. The average farmer now earns about £3.60 an hour; the Minister will be aware that that is well below the minimum wage.

The survey points out that as a result of the halving of UK commodity prices during the past six years, the increase in bureaucracy and regulation imposed on the sector by the Government, the higher welfare costs and the increased pressure from retailers, farmers feel a growing sense of isolation. I feel sure that the Minister is aware of that, but he should be extremely anxious about it. This morning, we are talking about Norfolk; however, the 400,000 people who marched through London a few weeks ago did not do so because they were happy with their lot or with the Government's understanding of it.

What are we to infer from that survey? We cannot draw much comfort from it, certainly. Larking Gowen, whose clients farm about 300,000 acres in Norfolk and north Suffolk, predict that, for the foreseeable future, there will be low farm-gate prices, increased borrowing by farmers to stay in business and a further fall in the number of active farmers. It also suggests that there will be a further reduction in the number of farmers employed, increasing social isolation, older farmers delaying retirement because of low incomes and an increasing alienation of the agricultural and rural community from Government.

There are, however, glimmers of hope, because the survey reveals that Norfolk farmers are looking for ways to generate additional income to keep their farm businesses afloat. That can be done, given the right combination of location, capital and training. Indeed, off-farm income has risen from £72 to £100 an acre over the past five years—a clear improvement. That includes leasing land for vegetable production, rent from property, and contracting.

There is a keen interest in scientific advances among farmers in Norfolk. We are fortunate enough to have important scientific research institutes in the county and a lot of exchange of information between farm businesses and scientists. I know that the hon. Member for Norwich, North (Dr. Gibson), who is uniquely well placed to do so, will be talking about Norfolk farmers' enthusiasm for genetically modified crops.

The agriculture community in Norfolk is not backward-looking. One of the Larking Gowen partners, Mr. David Missen, was quoted in the *Eastern Daily Press* on 30 September as saying:

"It is clear from our survey that farmers are not merely sitting back and letting themselves be overtaken by events."

He also commented:

"We are heartened by the fact that farmers are not quitters . . . Many could probably sell up and get a better living from investments but this is just not in their blood. Many will come from generations of farmers and they will continue to adapt".

However, he said:

"It will be difficult to achieve this in a climate where there seems no interest in retaining national self-sufficiency in food production."

That is a nub of the matter and I would like the Minister to deal specifically with that aspect of the problem.

The survey is based on the 2001 harvest, but at the time of its publication it was possible to make predictions for this year, given that the corn harvest was complete and the prospects for the sugar beet harvest were becoming clear. Larking Gowen predicts low commodity prices; continued upward pressure on direct costs; problems arising from the ageing equipment base as machinery replacement continues to be deferred and cancelled; reductions in working capital and increased borrowing; and further alienation of agricultural and rural communities from Europe. Small wonder that the *Eastern Daily Press* headline when it published the survey on 30 September, was "Farming Crisis Getting Worse".

The survey calculates the effect on the Norfolk economy of the fall in agriculture-related incomes at about £0.75 billion. The Minister will be aware of the national implications of such a figure. Certainly, the people of Norfolk are aware of it. This summer there

[Mrs. Gillian Shephard]

was a threat of closure to Fisher Foods in King's Lynn. I pay tribute to the efforts of my hon. Friend the Member for North-West Norfolk (Mr. Bellingham) and the hon. Member for North Norfolk (Norman Lamb), who plunged briskly into the issue. While Norfolk people could immediately understand the implications for the people directly employed at the King's Lynn plant and for the 600-plus employed at a factory in my constituency, they could also see that disaster faced pea and bean growers throughout the county, for whom, when the crisis arose, time was of the essence.

Disaster loomed, too, for hauliers, packagers and labellers—and ultimately for the environment. The retailers would, we think, certainly have imported replacement crops from Europe, or possibly from much further afield. However, thanks to the vigorous efforts of my hon. Friend the Member for North-West Norfolk and the hon. Member for North Norfolk—helped a little by me—the situation was saved. We were all somewhat amused by a letter from the East of England Development Agency, which told us that it was on the case—several days after the problem had been solved. That crisis was averted, but it illustrated beyond doubt that disaster in agriculture is not ring-fenced in rural areas. Norfolk people understand that the problem affects them all.

Earlier this month, at the invitation of my hon. Friend the Member for Mid-Norfolk (Mr. Simpson) and myself, the Select Committee on Environment, Food and Rural Affairs held a chairmen's seminar at Easton college, as part of its inquiry into the future of British agriculture. Again, it was an all-party occasion, although the timing was unfortunate. Labour colleagues would have been happy to attend, but the seminar coincided with the end of their conference, and one hon. Member was on a parliamentary visit. Nevertheless, the spirit of the occasion was entirely all party. The Minister may be impressed, as we were, by the fact that nearly 300 people attended the seminar, which will be part of the Select Committee's inquiry into the future of British agriculture.

Farmers and growers were of course present, but there were also major employers, councils, charities, the Broads Authority, the Country Landowners Association, the National Trust and the Norfolk Rural Community Council. Some of Norfolk's biggest employers were there, including Bernard Matthews, Bowes of Norfolk and British Sugar. Representatives of the Salvation Army, the Methodist Church, the health service, the Women's Institute and the Norfolk Association of Town and Parish Councils were also present. The seminar's findings will be annexed to the final Select Committee report in the form of evidence and they will present grassroots opinion. The Minister will be interested to hear that they also suggest solutions.

On 4 October, the *Eastern Daily Press* commented:

"Norfolk's farm and food industries must not be allowed to wither—if they do, the fabric of village and rural life will be unpicked . . . Norfolk's evidence to the Select Committee should help explain to No 10 what reforms must be made in the opinion of those who know the countryside best."

Obviously, the report, with all its evidence, will cross the Minister's desk, and he will be interested in its conclusions. I am trying to emphasise the problems facing agriculture, but also the fact that there is a positive attitude towards solving them where possible at the local level. Solutions include more flexible planning guidance, slashing bureaucracy and developing closer links between producers and their markets. They also include giving infrastructure, particularly in transport, a real boost—I cannot help but feel that the hon. Member for Great Yarmouth (Mr. Wright) will make a point or two about that—and, of course, promoting clear leadership on the future of farming. Norfolk people who took the trouble to attend the seminar and others who submitted evidence—it is still rolling in—expect Ministers to take note of and act on what has been said.

I began by saying that colleagues would cover some of the specific concerns that were raised in our meetings with the Norfolk National Farmers Union and others. I shall touch briefly on three of them and conclude with a series of questions, which I hope that the Minister will be able to answer. First, there is the question of conservation. Those of us on the Select Committee are becoming over-used to the repetition of the meaningless term "the public good" in debates on the future of farming. I do not know who coined the phrase, but, like most jargon, it can be defined according to the interests of those who use it. That said, most people would agree that the population as a whole benefits from the fact that 80 per cent. of Britain is farmed.

So far, we have been spared most of the visible effects of the crisis in the agriculture sector. It is probably not possible to quantify the visual and conservation effects of the wholesale restructuring that is taking place in farming as a result of increased contracting, sharing of farming and so on. However, those effects will eventually become evident. A study that Strutt and Parker carried out for the university of Exeter in 2000 found that 92 per cent. of farmers carried out conservation work, to the value of £150 million a year. When farmers can no longer afford to do that—I think that that time is now—what will be the effects on the countryside and tourism? Will the Minister give his view on that?

Secondly, there needs to be some kind of settled view on planning issues. Local farmers are told by Ministers that they must diversify. They attempt to do so and are then frustrated by local planning authorities, who have views on the use of barns, infillings, redundant farm buildings and highways access. One of the conclusions at the Select Committee Chairmen's seminar was that it was time for joined-up thinking on rural issues. May we see some, please?

Mr. Henry Bellingham (North-West Norfolk): That is a crucial issue. I do not think that farmers are asking for help from the Government, yet they do not want them to make things any worse, as they often do. If one drives around my right hon. Friend's constituency or my constituency, one often sees extremely ugly 1960s barns, Dutch barns and large buildings that probably would not have got planning permission had they come under planning law. Yet it is ironic that when those same farmers try to convert, say, an 18th or 19th-century barn, every obstacle is put in their way.

Mrs. Shephard: I agree with my hon. Friend that there seem to be a lot of anomalies. Since we are looking at our county as a whole, none of us can fail to be struck

by the different standards, views and regulations of the different planning authorities. That, of course, is an integral part of our planning system. There is definitely a problem. The Government have tried to move towards more standardised approaches for planning. We must never forget that members of planning authorities are elected like ourselves, and they come under great pressures. There is no doubt that the great saga of the touring caravan park in the constituency of the hon. Member for North Norfolk will be fixed in all our minds, and it is not over yet. The land is boggy and cannot be cultivated—I have known it all my life.

Who has overall responsibility for water use? Some 60 per cent. of the country's unsupported crops, such as vegetables, are grown in East Anglia, many of them in my constituency. Many farmers have switched or are switching to those crops, often investing in irrigation systems, reservoirs, piping and so on. In accordance with ministerial exhortation, they are diversifying and getting closer to the market.

Mr. Anthony D. Wright (Great Yarmouth): I thank the right hon. Lady for giving way, as I have to attend a meeting shortly. There is another problem connected with diversification. Many of the farmers in my constituency—Richard Hirst from Hirst Farms in particular—have diversified into other crops that do not attract common agricultural policy area funding. There is a proposal that there should be an average area payment based on the previous three years. That would actually discourage some farmers from diversifying into other crops. Would she care to comment on that?

Mrs. Shephard: That excellent point illustrates the difficulty of achieving joined-up thinking when there are EU directives to reconcile with what is required from the market locally. I agree with the hon. Gentleman that that is the most extraordinary disincentive to the kind of diversification investment that farmers might otherwise be considering. If he must leave soon, we can report back to him.

I am sure that the Minister knows that the necessary permissions for water abstraction must not only pass muster from a number of statutory agencies, but are commented on by quite a lot of non-governmental agencies, whose interpretation of, for example, the habitat directive, can be variable to say the least. Farmers think that they have leapt over one hurdle, only to find English Nature and a whole galère of organisations with whom they have to pass muster. Who is in charge? Does the Minister understand the frustrating and sometimes impossible position in which farmers find themselves?

In addition, there is the issue of bureaucracy. I know that others intend to deal with the late payments from the Rural Payments Agency, but I can give an especially gross example of failures in the slaughter premium scheme. As the Minister may know, that scheme requires applicants to return a postcard to the British Cattle Movement Service when an animal has been slaughtered. Does he know that the cards stick together? If the BCMS claims that they have not arrived, the applicant can do nothing about it even if a slaughterhouse has given a certificate to say that the animals have been killed.

I am sure that the Minister knows of a side irritation; one really could not make it up. The postcards bear the applicant's name and address on one side and the BCMS address on the other, and applicants often send the postcards only to find them returned to them. The problem is simple. The Minister may think that trivial, but it adds to farmers' frustrations as they try to make a decent living.

Farmers and rural communities have a right to know the answers to the following questions. What is the Government's vision for the future of agriculture, and of the countryside, which I have tried to explain are inextricably linked? Do Ministers believe that food production should continue in Britain? Was it a good idea for the Secretary of State to appear to shun British beef while in France?

If Ministers believe that food production should continue in Britain, how can they help to make the sector viable in an enlarging European Union and given the challenges of, for example, the United States farm Act? Do they believe that that combination of contemporary circumstances gives British farmers a fair chance? If most of Britain's food were imported, what would be the consequences for employment, and for the balance of payments if it is still a consideration?

If Ministers do not think that food production in Britain should continue, to what use would they put 80 per cent. of Britain's land? Do they think that if land is not farmed it will look good enough to encourage tourism? If not, how do they propose to make good the obvious shortfall? If they believe that alternative non-food crops should be encouraged, what incentives do they propose? Do they understand the impact on rural economies of the continuing downturn in agriculture? Is the proposed reduction of Government grant to rural councils in the support grant review merely an unhappy accident?

Farmers and rural communities can do a great deal for themselves. I hope that I have explained that Norfolk has a highly skilled farming and agriculture sector, highly developed science and plenty of get up and go. Strong as that combination is, it can do little against a Government who sometimes give the impression that they think it expendable. The Minister could do something to put that right this morning.

Mr. Deputy Speaker: In the format to which we have become accustomed in these debates, Front-Bench speeches begin at 10.30 am. That leaves 37 minutes. I think that five hon. Members are seeking to catch my eye, which, as a guide, gives a voluntary limit of about seven and a half minutes.

9.53 am

Dr. Ian Gibson (Norwich, North): It is a pleasure to join colleagues in playing a part in the debate, and I congratulate the right hon. Member for South-West Norfolk (Mrs. Shephard) on obtaining it in the ballot.

People often tell me that I have little justification for talking about farmers, because there are not many in Norwich, North. There was one at the last count, however, and I must check whether his farm still exists. Nevertheless, I am a Norfolk man through and through. I find time to go out into the county and enjoy the pleasures of the countryside, and I am aware of the deep

[Dr. Ian Gibson]

history of the agriculture industry in Norfolk, as well as the great part that its farmers and farm workers played during the agricultural revolution. I hope that we remember the work of the hundreds and hundreds of farm workers, many of whom have exhibited the achievements produced in their meadows at the Norfolk agricultural show every year during 30, 40 or 50 years of service. Their devotion to the countryside is deeply felt and as strong as that of farmers and others in the community. The agriculture industry extends from one end of Norfolk to the other, so many of my constituents work in it.

The Norfolk agricultural show is a highlight of Norfolk county life, and many people enjoy a day or two there to find out what is happening in the agriculture industry. It is part of the way of life, and long may it continue. Those who have lived in Norfolk as long as I have will be aware that many Norfolk MPs attained their positions as a result of the votes of thousands of agriculture workers who lived in that part of the country during the 1960s—Bert Hazell, George Edwards, Edward Gooch and, of course, great trade union leaders such as Wilf Page all fought hard to defeat the tied cottage and poor-wage system. We should pay tribute to them for establishing that great tradition in Norfolk agriculture. The rich history of struggle against poverty remains part of the culture, but enough of such nostalgia.

I welcome the work begun by the cross-party group in integrating the farming community and others so that they think about and prioritise issues and agitate determinedly at political level. No doubt others will talk about biofuels, the use of which is one of the ambitions of many Norfolk farmers, and we all support that. There is innovatory zeal in the Norfolk agriculture and farming community, and we must play on that strength.

The Norfolk farming community has always taken on board new technologies, as a result of which a lot of people have lost their jobs. Many left the land and went into the factories in King's Lynn when new technologies came along. It burns in my memory that jobs have often disappeared as part of the development of science and technology.

Let us consider the new technologies that will be taken on board. I make no apology for referring to GM technology, because the issue will be raised again and again—indeed, it has never really gone away. Sugar beet, peas, maize and oilseed rape are all common crops in Norfolk, and genetic modification of such crops is being considered to improve their herbicide tolerance and yield.

Scientific advances in plant breeding have been conventional—cross-breeding, back-crossing and in-breeding, for example—and we do not often hear about them in the way that we hear about Dolly the sheep, animal cloning and sex cell selection. However, they have all been introduced in the plant world, quietly and effectively, bringing us better crops and food. Norfolk was once regarded as the bread-basket of Great Britain, and I believe that it should still be regarded as such. Crops have been improved in respect of resistance to infection, better yield and growth parameters.

In the 1960s, the amazing political decision was made to bring the John Innes research institute from Hertfordshire to Norwich. That was a great move, promulgated by two or three people who thought that if good science and technology research were conducted in a county enriched with agricultural law and advance, we would become one of the world leaders. Soon, that institute was joined by the Institute of Food Research—those organisations grow in stature almost weekly with support from industry and the Government—and new technology is being developed there.

There are other centres of academic, scientific and technological progress, such as the Easton college of agriculture, the Maudley research institute and, indeed, the university of East Anglia, where research into the organisms that attack willow trees has saved the cricket bat industry. I see that we have a new Deputy Speaker in the Chair, but I am sure that Sir Alan would have welcomed that fact, as he is so endeared of the game and Essex county cricket club. Excellent work has been done in world-class institutes, which have developed many ideas that have benefited the food industry throughout the world.

Those institutes also produce the food and plant scientists of the future—the ones who go out into the world. The new vice-chancellor of Lancaster university, whose career began at the university of East Anglia and who has spent his life researching aphids, visited me recently. He was headhunted and went to Australia to solve the problems of aphid biology and aphid infestations. Through those institutions we produce brilliant people, who become part of Norfolk agricultural life. Norfolk agriculture has taken those institutes to its bosom, and they are very much part of the farming and agriculture community.

Norfolk has been in the spotlight over the GM crop trials. Norfolk farmers took the full blast of the Greenpeace onslaught, as its members trudged their way though the fields in their green welly boots, knocking out the crops. The farmers stood firm, in the belief that the trials would end in the development of better food crops. They still play a part in the Government field trials.

The Norfolk agriculture industry is huge and has expanded into other areas. On Sunday, I was looking at the Norwich "Yellow Pages". It is a big book, but on a quick flick through I noticed that it contains 10 full pages in small print of farmers and those who offer agricultural services. Thousands of people are involved in the industry and depend on farming, and not only farmers, although they often bear the brunt and take the lead. That is my answer to those who say, "Farming represents only 1 per cent. of gross domestic product, so it doesn't really matter. Tourism is what is important—there are many other important issues." That is true to a certain extent, but it is also true that farmers devote their lives to the countryside and to providing the food that we all eat.

The GM debate is returning to the fore, and the Government will conduct a public debate on the matter shortly. It is said that public confidence is low, but confidence is not low in the Norfolk agriculture community, although it was caught in the onslaught of

the Greenpeace attacks. I predict that the east coast will be GM positive and the west coast GM free, and that that will create a new split in Britain for the press to talk about. The culture of science and technology has been incorporated in the Norfolk way of life, and it has huge support under the surface. I am sure that Government supporters of GM technology will tap into that support to ensure continued GM research, so that we can discover whether the new technology will affect the environment, people's health or the food itself.

Recently, I saw a letter to *The Guardian* from an old colleague, which surprised me, as I did not think that he knew anything about GM issues. He pointed out that, even with conventional breeding, a new crop that has been bred through in-breeding or by another means is put next to the wild species. Pollen moves across—it always has and it always will—but that does not mean that super-weeds are produced. The biology is well understood, because of the science and technology base in the farming community. That is probably why GM is accepted in our farming community: Norfolk farmers understand that the problems associated with GM, when GM crops are planted next to non-GM crops, are not new, and that those problems have been resolved.

A lot is being done. There are many other areas of GM, but I shall not go on about dwarf crops, malting quality, herbicide tolerance or starch quality. Through science and technology, all those things have improved our crops. I have a list from the Agriculture and Environment Biotechnology Commission of the huge number of GM technology applications, even for such things as garden plants. That technology does not produce only crude herbicide tolerance, as is often asserted. Indeed, even such crops as plums and prunes can be improved through it. A huge industry is involved in improving resistance to viruses and bacteria, all of which will be to the advantage of the agriculture industry in the long run.

Incidentally, Norfolk farmers are not anti-organic. There are organic farmers in Norfolk who are as passionate about their work as those involved in other types of farming, such as conventional breeding, GM breeding and so forth.

Norfolk is at its best when at its boldest. Hon. Members may have heard that phrase before. I cannot remember when I first heard it, but I heard it recently at Blackpool and it is true: we in the Norfolk agriculture industry are best when at our boldest. At a recent meeting in the House of Commons, I was heartened to hear from Professor Julia Goodfellow, chief executive of the Biotechnology and Biological Sciences Research Council. In a recent article in the not-so-well-read but widely quoted *Science in Parliament* she states:

"Science can play an important role in the development of sustainable agriculture in the UK."

Norfolk agriculture workers and farmers know that. Sustainable agriculture ensures the continuing availability to the consumer of adequate supplies of wholesome, varied and reasonably priced food produced in accordance with generally accepted environmental and social standards, as well as, among other things, respect for a high level of animal welfare.

The Norfolk farming community understands and wants such sustainable agriculture, but, as Julia Goodfellow says, that

"has to be seen in terms of the willingness of industry and government departments to invest in the development of ... research findings in areas of strategic importance and in the context of the social and political agenda surrounding UK agriculture."

The Norfolk farming community stands ready to serve.

Mr. Deputy Speaker (Sir Nicholas Winterton): Before I call the next speaker, I remind hon. Members that my predecessor in the Chair urged self-discipline to enable all hon. Members who wish to do so to participate in this important debate. The hon. Member for Norwich, North (Dr. Gibson) stretched that advice, and I shall be grateful if the remaining speakers who wish to catch my eye show self-discipline so that we can fit everyone in. We must start the winding-up speeches at 10.30 am.

10.7 am

Mr. Keith Simpson (Mid-Norfolk): I shall bear in mind your very good point, Mr. Deputy Speaker, about keeping speeches short. It is a great pleasure to follow my right hon. embattled Friend the Member for South-West Norfolk (Mrs. Shephard) who initiated this debate and the hon. Member for Norwich, North (Dr. Gibson), for his particular scientific contribution.

I reinforce the points made by both my right hon. Friend and the hon. Gentleman. This is a cross-party approach to solving problems that relate to the future of farming, the environment and rural affairs in Norfolk, and we have come to the debate in a positive rather than negative sense, which is important. The Norfolk farming community has highlighted five major areas of concern: biofuels, water issues, illegal meat imports, GM crops and planning and regulation. We could add half a dozen others such as the business of broadband, which is now a major problem in terms of finding alternative businesses within my constituency of Mid-Norfolk.

My first point is specific: I wish to take this opportunity to raise concern about the European Commission's decision to cut the sugar beet quota by 3.54 per cent. That is crucial to the 1,788 beet crop growers in Norfolk, including the 382 in my constituency. As the Minister knows, the quota cut was imposed for the current year only, to comply with European Union regulations and World Trade Organisation agreements. However, can he answer my constituent, Mr. James Keith, who grows 25 hectares of beet at Hoe near Swanton Morley? He asks:

" I was dismayed to receive my recent letter from British Sugar telling me that the EU had imposed a reduction of 3.54 per cent. onto the UK for the crop we are currently harvesting. I can understand some of the reasons for the cut, even if I do not agree with them. But how can we be expected to gro[illegible] a crop to a quota scheme if the target is moved after the crop is [illegible]ed and grown?"

Farmers and others find that type of [illegible] post moving frustrating.

On the future of biofuels, many Norfolk farmers, business men and members of the public believe that biofuels offer a great opportunity to farming and the community. As the Minister knows, biofuels can be divided into two groups: biodiesels, which are made from oilseed rape seed, or other vegetable oils—that

[Mr. Keith Simpson]

industry is almost wholly exclusive to Europe—and bioethanol, which is presently made from the fermentation of wheat, potatoes and sugar beet and could be made from straw and wood. The Minister may not, however, know that at Shipdham in my constituency there is a small business called Global Commodities UK Ltd. That company is run by Mr. Dennis Thouless, a retired business man, who produces on a small scale an important amount of biodiesel, mainly from processed chip fat.

Presently, Mr. Thouless produces about 4.5 million litres, but he has the capacity to produce 10 million litres and he hopes to develop a factory at Lowestoft that could produce 60 million litres. Mr. Thouless has said that he welcomes the 20p cut in duty, but he does not think that that is sufficient. Nevertheless, he sees great potential in the development of biodiesel from rape seed oil. That is a very exciting development for Norfolk farmers, but we need more encouragement. I urge the Minister to go for a zero rating on bioethanol as well as biodiesel in his discussions with Treasury colleagues. There is a great opportunity for Norfolk farmers because sugar beet and other root crops will be a real alternative in the future, if bioethanol can be developed. That would be environmentally friendly.

I raise a slightly more negative point that is based on the concerns of Norfolk farmers about illegal meat imports. I was a member of the Sub-Committee that was appointed by the Environment, Food and Rural Affairs Committee to consider illegal meat imports. The Minister has replied to the report that that Sub-Committee published. We are, however, still concerned that not enough is being done to prevent such imports. I know that the onus must also be on farmers at the farm gate, but I believe that there are still many other things that we could do. For example, I do not believe that enough joined-up agency work is being done to prevent the kinds of illegal meat import scandals that have occurred in the past. That matter has had a major impact on my constituency. In Norfolk in 2002 there was a swine fever outbreak, the origins of which were undoubtedly illegal meat imports.

I urge the Minister to consider whether there should be greater co-ordination between Departments, to consider the stop-and-search powers of environmental health officers and to employ a robust information campaign on inward flights at ports of entry. Such information is not presently as in-your-face as it is in New Zealand and America. I believe that there is a lack of resources with which to implement such measures.

I welcome the debate. We have heard some positive proposals for the development of farming in Norfolk. There are great opportunities for biofuel development, but there are still great concerns about illegal meat imports.

Mr. Deputy Speaker: The hon. Gentleman has set a fine example.

10.13 am

Norman Lamb (North Norfolk): I congratulate the right hon. Member for South-West Norfolk (Mrs. Shephard) on securing the debate and I welcome the all-party, cross-party approach that has been taken. This is just the latest example of hon. Members working together in order to promote the interests of the farming community in Norfolk.

In my time as the representative for North Norfolk, I have found that the farmers with whom I deal are an enlightened group of people who are willing to contemplate change and take new ideas on board. The hon. Member for Norwich, North (Dr. Gibson) has mentioned that tradition and we must do everything that we can to promote it. It is clearly in everyone's interest to map out a viable, economically and environmentally sustainable future for agriculture. Farm incomes are pretty bleak. The right hon. Member for South-West Norfolk has already made that clear in her remarks about the survey.

Two farmers—Mr. Roberson from Catfield and Mr. Almey from Antingham—have told me about their concerns and experiences. Mr. Roberson mentioned the suckler cow premium scheme, which relates to sales of cattle during the six-month retention period. He was concerned about the lack of clarity in the guidance notes provided by the Rural Payments Agency. The chief executive of the agency, in response, accepted that the reduction was "severe". He said that there had been no attempt at fraud, but that discretion could not be used. That system is crazy, and must be re-examined.

Mr. Almey had problems with four movement cards posted to the British Cattle Movement Service. He has been asked to prove that he sent them. Those who receive the cards have failed to record them properly, and that has resulted in him losing out financially. It is not acceptable that hard-pressed farmers should have to wait ages while they try to prove their case to the agency. Christopher Deane from the National Farmers Union in east Norfolk says that the examples that I have mentioned are:

"just the tip of the iceberg . . . I have received numerous calls from farmers with alleged discrepancies over claims . . . Lots of time and effort has to put in by applicants to then try and prove that it is not them that have made the errors."

He says that, to date, nearly all the errors that the NFU has come across have not been of the farmers' making. It is time that the Department got to grips with the agency's problems. I hope that the Minister will provide some reassurance on that.

Norfolk fruit-growers have concerns about the impact of changes to the Agricultural Wages Order 2001. I agree with what has been said about the history of low payment in rural areas, but the changes to the order present a problem. The casual worker's rate will effectively be scrapped; it will be limited to the first 12 weeks only, during which the rate will be £4.30. That is more than the national minimum wage.

Place UK, which is in my constituency and is one of the country's leading suppliers and processors of soft fruit and vegetables, has raised concerns about foreign students who arrive each summer to pick fruit. For such students, that is holiday work. However, after 12 weeks, they will receive the same rate as experienced Norfolk workers who operate machinery and who have a great degree of skill that has resulted from years of experience. To such experienced workers it must seem unfair to lose the wage differential between themselves and those doing holiday work. That will place an impossible burden on the farming community.

I understand that the change to the Agricultural Wages Order has come about because of the imminent implementation of the fixed term work directive. As an employment lawyer, I am sure that the directive was not intended to produce such a result, and I ask the Minister to consider the matter.

I strongly endorse the comments made by the hon. Member for Mid-Norfolk (Mr. Simpson) about biofuels. Norfolk, as an arable county, could make a massive contribution environmentally and contribute to the fight against global warming. I was interested to hear the speech made last week by the Minister for Europe, in which he highlighted the importance of securing supplies of affordable energy. That is vital for Europe's security and competitiveness. He called for urgent action to reduce our long-run dependence on oil as our principle transport fuel. He referred to the need to develop renewable sources of energy, and said:

"We need to provoke an even stronger shift in innovation and investment than experienced after the seventies oil crisis—and make it stick in the long term. This requires tackling significant entrenched interests in the status quo, and shifting investment between different technologies."

Our greatest entrenched interest is probably that of the Treasury, which has so far refused to give the reductions in duty needed to pump-prime that potential new industry. Massive progress has been made across Europe in promoting bioethanol and biodiesel. As the hon. Member for Mid-Norfolk mentioned, there has been a reduction of only 20p in biodiesel duty. It is not enough. There has been no reduction in duty for bioethanol; that must be introduced in the next Budget. It is time for DEFRA, the Department for Transport, the Treasury and the Foreign Office—now that it has accepted the need for fuel security—to get their act together; they should work together to come up with a sufficient duty reduction to pump-prime this new industry. If they were to do that, it would be good news for the farmers, and for the environment.

Trickle irrigation, which has been brought to my attention, yet again, by the fruit farmers, is an environmentally attractive means of irrigation, but the new licensing system means that there is a risk that their interests will not be protected. It is essential that DEFRA provides reassurance that they will get their licences on a level playing field. I am grateful for having had the opportunity to contribute to this important debate.

10.20 am

Mr. Henry Bellingham (North-West Norfolk): I will speak for exactly five minutes, so that my hon. Friend the Member for South Norfolk (Mr. Bacon) has a chance to contribute.

I congratulate my right hon. Friend the Member for South-West Norfolk (Mrs. Shephard) on her excellent speech. She mentioned Fisher Frozen Foods. When the Albert Fisher Group plc went into receivership, Fisher Frozen Foods closed, but the plant was taken over by Pinguin, a Belgian company. I am pleased to say that all of the staff who were taken on again by Pinguin have now received their full redundancy entitlement. That is very good news. Of course, the staff who were made redundant from Fisher Frozen Foods and left to get other jobs received their full redundancy package, but there was a big question-mark over whether those who were kept on by the successor company would get any redundancy payments. It has now been announced that they have received their entitlement. There is still a question-mark over 40 staff who stayed behind after the factory closed, to keep it going on a care and maintenance basis. They have received nothing. That is a deserving cadre of people, and if they do not receive any compensation there will be serious grievances in that plant.

There is also a question with regard to the Transfer of Undertakings (Protection of Employment) Regulations 1981. The Department of Trade and Industry redundancy payments office has said that because the staff at Pinguin are getting their full redundancy entitlement there can be no entitlement under those regulations to, for example, various rights, holiday pay, bonuses, and so forth. I know that that matter is not this Minister's responsibility, but perhaps he could have a word with the Minister at the DTI who is dealing with this matter, so that we can resolve these few remaining outstanding issues. This is one way in which the agricultural sector has a profound impact on the wider rural economy; my right hon. Friend was right to draw attention to that.

Unfortunately, in Norfolk, we are seeing the demise of the family-run farm. Many farmers are going out of farming; they are not selling their farms, but they are doing less farming. They are contracting out; they are getting farming companies such as Bookers to take over their farms. That contributes to the decline of the family-owned farm as we know it, and I am concerned about whether their sons and daughters will go into farming. I submit that they will not, unless the tide turns dramatically. We know that agriculture is cyclical, but I fear that it will take a long time for this decline to be turned around, and we do not want Government to make matters worse.

A Government can do various things to prevent the situation from getting worse. My right hon. Friend mentioned planning, red tape, bureaucracy, and the local government grant regime and the fear that money will be directed away from the shire counties to the inner cities. I would add the sugar beet regime to the list of things that the Government must not make worse. Fifty per cent. of the nation's sugar beet is grown in Norfolk; two out of the six factories are in Norfolk. The UK is only 52 per cent. self-sufficient in sugar production, whereas France is 76 per cent. more than self-sufficient—or 176 per cent. self-sufficient—Germany is 124 per cent. self-sufficient, and Denmark 176 per cent. self-sufficient. That means that the UK is importing the vast majority of the sugar that is coming into the EU—85 per cent. of it. The EU sugar regime is not part of the common agricultural policy mid-term review; it is part of the anything but arms initiative. When the regime is reviewed next year, it is vital that every conceivable effort is maintained to keep the status quo because, otherwise, there might be an effect on Norfolk farmers' one crop that is currently profitable. Grain is obviously giving most farmers a good yield but the price has gone right down. Potatoes are a disaster and every other crop is making a loss. Sugar beet is the one bright light on the horizon. I hope that the Minister will take that on board because if the sugar beet regime is changed, Norfolk farmers will suffer adversely.

[Mr. Henry Bellingham]

I take on board the point made by my hon. Friend the Member for Mid-Norfolk (Mr. Simpson) about biofuels. It is vital that the Government act. He and I visited Global Commodities UK last Friday. The potential of bioethanol is considerable but the potential of biodiesel is even more exciting. As Dennis Thouless pointed out, the oil fields of the future could be in Norfolk as fields of oil seed rape that would produce environmentally friendly biodiesel to power this country's diesel vehicles. The Government must get a grip of the situation and embark on joined-up government. They must act and seize the opportunity, which would give farming in Norfolk a slightly brighter future.

10.26 am

Mr. Richard Bacon (South Norfolk): I join my hon. Friends and others in congratulating my right hon. Friend the Member for South-West Norfolk (Mrs. Shephard) on securing this important debate. I also congratulate her and her colleagues on the Select Committee on Environment, Food and Rural Affairs on visiting Easton college in my constituency to listen to local people from Norfolk who are involved in the farming and food processing industries. The information is still coming in, as my right hon. Friend mentioned, and I shall refer to some of it, and especially to points about the pig farming industry, which is enormously important to my constituency.

I do not want to dwell on biofuels or sugar beet, which were mentioned extensively by my hon. Friends, but I endorse what they said. I hope that the Minister will tell us what the Government plan to do because biofuels and sugar beet are important to farmers throughout Norfolk.

When considering the regime for food imports to which my hon. Friend the Member for North-West Norfolk (Mr. Bellingham) referred, few people have complete confidence that food imports meet the stringent requirements that are placed on our own producers. That applies especially to poultry and pig farming, which are not subsidised by the taxpayer. People in those sectors have no confidence that the Government have taken on board the need to ensure that food imports meet our standards.

We must do more about food labelling and labelling food with its country of origin. We are currently discussing cigarette advertising and it is worth noting that the size and shape of health warnings on cigarette packets are determined statutorily. There is no reason why simple labels giving a food's country of origin that allow the consumer to support the British farmer, if he or she wishes, should not be determined in a similar way. The fact that there is no such statutory labelling of a food's country of origin allows people to get away with what most people would regard as tricks— importing food from overseas, putting cellophane around it and calling it Norfolk sausages. Neither we, nor our constituents, want that. I want the Government to make progress.

I am not confident that supermarkets are doing sufficient to promote British produce. Although they occasionally have food campaigns for various countries, we are entitled to expect this country's supermarkets to support British agriculture. If we want a farmed landscape, as my right hon. Friend the Member for South-West Norfolk said, it is up to us all in the community and in business to support that. The supermarkets do not do nearly enough.

My hon. Friend the Member for Mid-Norfolk (Mr. Simpson) mentioned illegal imports. The Government might have done something about that—I have been discussing it with the Minister for nearly a year since we both served on the Committee that considered the Animal Health Bill. It is perceived that not enough is being done, although every report from the Curry report to the report by Devon county council on foot and mouth has mentioned the problem. I recently made two flights from abroad to United Kingdom airports, and to use my hon. Friend's description, the information campaign was certainly not in-your-face. We need more action.

My final point relates to gold-plating regulations. At the meeting at Easton college, Mr. Philip Richardson, a distinguished and well-known pig farmer from my constituency, said that people in his industry had identified 20 areas in which the Government were gold-plating pig industry regulations. One example relates to the directive on the welfare of farm animals, which requires that sows and gilts shall have permanent access to manipulative material. The Department of Environment, Food and Rural Affairs version is:

> "All pigs must have permanent access to a sufficient quantity of material such as straw, hay, wood, sawdust, mushroom compost, peat or a mixture of such, to enable proper investigation and manipulation activities."

The Department should have asked a vet whether it is sensible to have peat anywhere near a pig. Peat is full of bugs, so are we seriously suggesting that the Government will require farmers to sterilise their peat before they make it available to their pigs? We can avoid such situations in 20 subject areas, and I will happily provide a full list to the Minister if he wishes.

I did not think that I would have time to mention planning, but it is worth stressing that vacant farm buildings—a main asset for farmers—need close attention from central Government if planning authorities are not to get in the way of promoting our farming communities.

10.30 am

Matthew Green (Ludlow): I join others in thanking the right hon. Member for South-West Norfolk (Mrs. Shephard) for securing the debate. I shall keep my remarks as short as possible, and I hope that the hon. Member for South Holland and The Deepings (Mr. Hayes) will too, so that we can hear the Minister respond to the concerns raised by Norfolk Members.

I want to reiterate some concerns, in particular the removal of the casual workers category from the agricultural wages board. That will have a major impact, on fruit farming especially, and, as my hon. Friend the Member for North Norfolk (Norman Lamb) said, I do not think that that was the European Union's intention in introducing the directive. We have been perhaps too keen to see its implementation, and we must consider its potential effects.

The Liberal Democrats support the overall move to decouple subsidy payments—from production base to land management—but as always in farming, the details are critical. We know that details matter in farming. As we heard from the hon. Member for Norwich, North (Dr. Gibson), one problem is that basing the decoupled payments on historical subsidy payments of the previous three years will discourage some moves into new crops. The Government must find a way that does not discourage initiative from farmers.

My hon. Friend the Member for North Norfolk mentioned trickle irrigation. There is evidence that the Government are not yet using fully joined-up thinking on that, and we must ensure that the licences for water are available to the farmers who need them. They should not be told that all licences have been taken up by conventional irrigation.

Biofuels have been mentioned a lot, and I do not want to add to what has been said other than to give support for more action and for further reducing the duty on them. We have also heard about problems in the pig industry, one of which is historic and derives from when the Government introduced early an EU directive that had a huge impact on the industry. There is a danger that the egg-laying hens directive could go the same way, so will the Minister confirm that the Government have no intention either to gold-plate or add to the directive?

Members have spoken about meat imports, and I welcome the fact that the EU is considering a ban on personal imports. We have already heard some concern about the lack of Government action to ensure adherence to any new regulations that may be introduced on meat imports. What checks and measures would be taken at airports and ports to enforce a personal import rule?

We have also heard about the rural payments scheme. The Rural Payments Agency has clearly examined the bovine schemes, and both the beef special and suckler cow premium schemes have had numerous problems, of which we have heard several examples. Overall, the Rural Payments Agency is slower in making payments now than it was last year. When agriculture incomes are falling and many farmers are in debt, payments that are two, three, four or five months behind the time that they came last year are having a major impact on the viability of farms as businesses. We want the Minister to make a commitment that the Government will enhance the Rural Payments Agency, which is understaffed and overworked and needs extra resources if it is to work properly. There are genuine anxieties that the BCMS data base is flawed and not fully operational. I seek reassurance from the Minister that anxieties about that data base are being investigated.

Something that is still floating around the agriculture industry, and about which the Government have not yet made a definitive statement, is the future of livestock markets, which affects agriculture throughout the country. I would like the Minister to make a definitive statement that the Government have no plans for the widespread closure of livestock markets.

Mr. Deputy Speaker: I thank the hon. Gentleman for shortening his comments.

10.36 am

Mr. John Hayes (South Holland and The Deepings): This has been a useful debate; I congratulate my right hon. Friend the Member for South-West Norfolk (Mrs. Shephard) on securing it. Her opening remarks displayed her typical combination of diligence and perspicacity; she speaks with enormous authority and experience about these matters. In the short time available to me—it is longer due to the generosity of the hon. Member for Ludlow (Matthew Green), for which I am grateful—I hope to cover about 10 points that have been raised in the debate. I cannot cover them all in detail, but I will end with a series of questions to the Minister by which I will reinforce some of the points made by my right hon. and hon. Friends.

There is no point in understating the simple fact that agriculture in Norfolk, as in the whole of Britain, is in crisis. That has been reflected in all contributions to the debate, and I welcome the fact that it has been a cross-party effort. Many of the comments made have been non-partisan; we have not descended into party-political rancour because people's concerns, in this Chamber and in Norfolk, are cross-party concerns and not matters for party-political banter. They are of great significance to everyone who lives there, not just those directly involved in farming.

My right hon. Friend the Member for South-West Norfolk has made it clear at the outset that the knock-on effects of the crisis in agriculture are felt throughout a rural county such as Norfolk. I speak with some experience in that respect, as Norfolk is the neighbour of my county, Lincolnshire, and many of the problems that farmers and rural communities face in Norfolk are shared by those in my constituency. The nature of farming in Norfolk is similar to that in south Lincolnshire; there is a heavy dependence on the arable sector, the topography is similar, and the knock-on effects of the crisis have created some of the same pressures on the delivery of local services and so on.

I shall deal with the points in the order in which they were raised, rather than in the order of priority, but it is appropriate to start with farm incomes. My right hon. Friend mentioned the 75 per cent. decline in incomes in Norfolk. The Minister's figures, which are reinforced by the Library, show a significant decline in farm incomes and suggest that in the arable sector that decline has been extraordinarily profound. The decline in arable sector incomes is sometimes understated because, due to foot and mouth and other problems that existed before the epidemic, much of the emphasis has been on the livestock sector and less favoured areas such as upland farms. In the large arable farms in the east of England, the decline in agriculture has had a real impact which should not be underestimated. According to DEFRA figures, incomes are as low as 10 per cent. of those in the early to mid-1990s. That decline is having a dreadful impact on farmers, their families and local communities, and it crosses all sectors.

My hon. Friend the Member for North-West Norfolk (Mr. Bellingham) discussed sugar beet. Sugar beet is, in a sense, one of the few lights at the end of the tunnel—I will return to that issue later.

[Mr. John Hayes]

It is appropriate to emphasise that—again according to Library figures— average farm incomes are now around £7,500. If that is an average income, one can imagine the situation for farmers with the lowest returns—farmers on small farms and relatively difficult land, perhaps tenant farmers, could be earning £2,000 to £3,000 per year. That is nonsense, and anyone considering the matter objectively would say that that situation could not be allowed to continue. I am sure that the Minister is aware of those issues, but it is important to emphasise and amplify them and to ask him how he intends to respond.

In considering the economic state of farming, we must also examine product prices. We know that farmgate prices have declined across the industry, but it is important to emphasise the impact of that on arable farmers. The Minister will know the cereal price situation. Across the arable sector, farmgate prices have reached a point at which it is difficult for farmers to make money at all. A few days ago, a potato grower told me that current prices are equivalent to those when he entered the industry 30 years ago. Cereal prices, at just over £50 a tonne, are such that no one can make a profit. There is almost no product now that farmers can grow profitably and rely on as a steady source of income.

There are massive problems with product prices, with incomes and also with input costs, because the overheads for farmers are steadily increasing. That is not true across Europe—as I pointed out to the Minister last week in the debate on those issues. In Europe overheads, or input costs, are falling by approximately 1.2 per cent. a year. In Great Britain they are rising by about 0.6 per cent. a year. Thus this is not a European or worldwide phenomenon, but one specific to the United Kingdom.

What are the consequences of the decline in incomes for employment and for local communities? That fair and proper question was posed at the beginning of the debate. What are the implications for land use? The environment that we enjoy in the countryside is a manufactured one, made and serviced by farmers.

During this debate, a number of hon. Members have asked about the Government's approach to biocrops and biofuels. A confused picture emerges in relation to that issue. There is a very different regime of tax and regulation in the United Kingdom from that in France and Germany. Will the Minister address that issue in his remarks? He looks confused, but he should know the detail of that issue. I repeat that France and Germany have a different tax regime, and different restrictions on the production of those products. I would like the Minister to address that issue.

The question raised by my hon. Friend the Member for South Norfolk (Mr. Bacon) and by other hon. Members about the distortion of the food chain by supermarkets must be addressed. What is the Government's approach to the relationship between the retailer, the producer and the consumer, and to the need to examine seriously the distortion that supermarkets create in that relationship? We heard yesterday that some 30 per cent. of fruit production is wasted because of the facile concentration of major retailers on products being of the same size, the same shape and the same colour. That contribution came from the fruit industry itself. The point was not made today, but it demonstrates the difficulties faced by fruit farmers mentioned by the hon. Members for North Norfolk (Norman Lamb) and for Ludlow.

As to the Rural Payments Agency, we know about the beef suckler scheme; the problems emerge from cross-checking with cattle movements, and from the new European direction in that respect. That has caused enormous confusion, inefficiency and delays, resulting in real problems for an industry that is already under pressure and that was expecting those payments as part of its budget.

The question of the availability of broadband must be addressed. If we are interested in diversification and the springing up of new small and medium-sized enterprises, we must make broadband available, as my hon. Friend the Member for Mid-Norfolk (Mr. Simpson) said. What incentives are there for diversification? As my right hon. Friend said, it is difficult for farmers to diversify and reinvest in their businesses if they do not have the money to do so. If they are not making money, they cannot spend it on diversification. The Government must address that serious problem. Fair food labelling is another critical issue that was raised by my hon. Friend the Member for South Norfolk.

I emphasise two questions that emerged in our debate—one at the beginning and one near the end. The latter was raised by my hon. Friend the Member for North-West Norfolk, who said that any change to the EU sugar regime must protect the interests of those farmers for whom sugar beet is possibly the only profitable crop.

As my right hon. Friend the Member for South-West Norfolk said, morale in the industry is at an all-time low because farmers no longer believe that the Government are committed to food production in the United Kingdom. Farmers believe that the Government do not have a long-term vision for growers and farmers.

At the beginning of the debate, my right hon. Friend spoke about a long-term plan for agriculture. It should not be beyond the wit of man to produce a balance sheet showing the true value of growing and farming in the UK—one that takes account of its effect on employment and the wider rural economy, of the benefits of land use and conservation and of the proper stewardship and management of our countryside. However, that would require the Government to take a long-term view. They would have to say how many producers were needed over the next three, five and 10 years, how much production they envisaged and what sectors they believed we should be seriously involved in—even what sectors they thought should be reduced or run down, and how and when it should happen.

Such a long-term view, strategy and plan are essential to reinforce the morale of farmers and give them something to plan for and work to. That is missing at the moment; and while it is absent we will not regenerate farming and growing in Norfolk or the rest of Great Britain.

10.47 am

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Elliot Morley): I add my congratulations to those already

expressed to the right hon. Member for South-West Norfolk (Mrs. Shephard). Agriculture is as important a subject for Norfolk as it is for other parts of the country. This has been a good debate, and the right hon. Lady was right that it has involved Members representing Norfolk from all the main parties.

The Government recognise that times are tough for farmers, for which there is a range of reasons that I shall explore. I shall deal with all the pertinent points that have been raised, and the helpful and sensible suggestions that have been made in the context in which they were put.

I want to set the scene in relation to farming in Norfolk because, as my hon. Friend the Member for Norwich, North (Dr. Gibson) said, the county has much of which to be proud. It has innovation and drive, and it is currently recognised as one of the fastest growing and prosperous regions in the United Kingdom.

Unemployment in Norfolk is 2.3 per cent. and in the east of England, it is 2.2 per cent., and that is below the national average of 3.1 per cent. Unemployment in the constituency of the right hon. Member for South-West Norfolk fell by 54.1 per cent. between 1997 and 2002; in North-West Norfolk, it fell by 50.6 per cent.; in Norwich, North, it fell fallen by 51.6 per cent. Mid-Norfolk has had the highest fall of 58. 4 per cent.; North Norfolk has seen a fall of 52.4 per cent.; and South Norfolk a fall of 53.9 per cent. Most European countries would give their right arms for such economic figures. However, that is not to be complacent or to say that there are no issues of importance in the Norfolk economy in general or real problems in agriculture there.

I welcome the fact that the Environment, Food and Rural Affairs Committee visited Norfolk. It did a good job and I am sure that farmers appreciated the chance to put their problems to the Select Committee. We recognise that agriculture is an important part of the rural economy, although I remind the hon. Member for South Holland and The Deepings (Mr. Hayes) in particular that it is not the whole of the rural economy. I do not think that he would want to claim that.

To tackle a problem properly we need to know where and what the problem is and to put it in perspective. The Government want to do that, which is why we have obtained independent reports, such as that of the policy commission on the future of farming and food, chaired by Sir Don Curry, with a view to examining the long-term structural problems for agriculture. There are, of course, many. The work deals with the exchange rate, the increasing effect of global trade and the oversupply of world commodity markets.

In discussion, hon. Members have advanced sensible ideas about issues that need to be identified and addressed, including how to encourage diversification, questions of transport and infrastructure in the county, support for marketing and, of course, planning. Those can all contribute to the encouragement of agriculture.

The right hon. Member for South-West Norfolk made some remarks about conservation, which has always been a matter of great interest to me. Agriculture and farmers have an important role in conservation. Farmers are land use managers with expertise and skills. Our approach to CAP reform is to move away from production subsidies to the so-called second pillar, which provides more money not only to help with conservation and agri-environment matters, but also to help with broader rural economic matters, such as marketing, processing and diversification. That is the way we want the CAP to evolve and we are pressing for such reform in the mid-term review.

Mr. Hayes: Will the Minister give way?

Mr. Morley: If the hon. Gentleman will forgive me, I should like to make progress.

I accept that planning is important. Farmers often raise it with me and it was raised during the regional meetings to discuss the findings of the Curry report. The Government have studied the planning policy guidance in relation to rural areas. The item relevant to diversification is PPG7. As far as we can see, it gives quite adequate guidance to planning authorities on encouraging local businesses and farmers in diversification and conversion of buildings. Much of what happens comes down to local interpretation of the plans.

The right hon. Lady rightly said that the bodies concerned are elected. Of course, that is the idea. They must examine planning applications on their merits, and take into account matters such as vehicle movements and potential disturbance. We do not believe that there is necessarily an argument for new planning guidance. We believe that what is important is interpretation locally—working with and encouraging local businesses. However, I appreciate that people feel that that is not happening. We will continue to talk to our colleagues in the Office of the Deputy Prime Minister about how to encourage appropriate support for farming diversification. I do not think that we disagree with the right hon. Lady.

Several hon. Members raised the issue of water use. We accept that agriculture is a major user of water. I have responsibility for water policy in the Department of Environment, Food and Rural Affairs, which has brought matters together. A new water Bill is proposed, to address many of the water usage problems that exist.

I understand the point that was made about trickle irrigation. It is an efficient and sustainable way of using water, and we want to encourage it, but we cannot ignore the fact that it is a water user, so that there is a strong argument for bringing it within the licensing regime, in relation to water management in its broadest sense. However, I can give an assurance that we recognise agriculture's legitimate role as a water user. That will be recognised in future measures and policies. As a vice-president of the Association of Drainage Authorities, I should mention that those authorities play an important role in impounding winter water for summer abstraction. Their valuable role, and the way in which they have changed, will be recognised.

On the slaughter premium, I recognise that the problem of the cards is important. It is a small, but practical issue, and I assure the right hon. Lady that it will be examined. It is a small irritation, but I do not underestimate such irritations, which I am sure that we can rectify.

When DEFRA was set up, its mission statement included a vision of a sustainable, diverse, modern and adaptable farming industry, and we must tackle issues

[Mr. Morley]

such as the World Trade Organisation. Following on from the food and farming commission's response, we are introducing a strategy for agriculture. The commission was set up to address agriculture's long-standing structural problems, which must be resolved. The strategy will be produced before the end of the year, and there will be opportunity to comment on it and on the idea of giving agriculture a way forward.

Agriculture's role should not be underestimated. In 2000, the UK was 67 per cent. self-sufficient in all food and 80 per cent. self-sufficient in food that could be grown in the UK. That is not a bad record, although the figure dipped a bit in 2001, mainly because of the effects of foot and mouth on the livestock industry. None the less, we have a good record on food production and we want to promote farmers' role in that.

We recognise that the central tenet of the Curry commission is that farmers must move closer to the market, from which they have become disconnected. The Government want to encourage that and to assist farmers in addressing market needs, market changes and the structural changes that have taken place in recent years.

Mr. Hayes: The Minister generously acknowledged that the strategy is an important part of Government policy. Will it, however, take account of the different needs of different parts of the country in a way that reflects the following issues? Modulation will affect the east of England quite differently from other parts of the country because of the concentration of arable farms and the difficulties that farmers will have in replacing production-led income with environmental income. That is as important for Norfolk as it is for Lincolnshire and other parts of the east of England, and the strategy must take account of those issues.

Mr. Morley: It will certainly recognise the issue of modulation. Modulation should be seen as a transition; it is being applied only because of the production-subsidy regime that we find ourselves with under the CAP, which, it is widely accepted, must be reformed. That is not a party-political point, but a cross-party issue, and the farming industry itself recognises the need for reform.

As a Lincolnshire MP, I know that the east of England has many profitable farms. The Government have introduced measures such as the arable stewardship programme, which is designed for large arable farms, with which it has proved popular. That is one way in which money comes back into the area through modulation. It is matched pound for pound, so it is a good deal for the agriculture industry.

My hon. Friend the Member for Norwich, North is an acknowledged expert on GM crops and he made some important points, which the Government accept. The approach to GM crops must be science based. We must be cautious, but we must not completely disown the science; we must have field-scale trials to examine some of the legitimate concerns that have been raised. We must go forward on the basis of science.

I was interested in my hon. Friend's comments about GM cricket bats. I do not know whether they would improve a team's playing, but that would be an important selling point.

I understand the point made by the hon. Member for Mid-Norfolk (Mr. Simpson) about sugar beet, and there is a problem because of the WTO challenge. The market is very protected, which is not popular with our food-processing industry because it must compete on world terms with sugar that is three to four times cheaper than in the UK. None the less, we are addressing the issue.

The same is true of biofuels. They are important, and we want to support them. According to the latest figures, the 20p cut has encouraged them.

On the Rural Payments Agency, we are introducing new IT systems to improve efficiency.

The Agricultural Wages Board is an important body. Its influence goes beyond agriculture, but it is due for review and modernisation.

The poultry and pig industries are important. We understand the role that they play and we are sensitive to the directives. I can assure the Chamber that the laying hens directive will not be gold-plated. We are consulting on the issue of enriched cages. The pig industry is encountering some problems, but we are working closely with the industry to see how we can assist it in future.

I hope that I have answered all the questions that have been raised. The issues are important and the Government take them seriously.

Mr. Deputy Speaker: I am grateful to the Minister. We must now move on to the second debate in Westminster Hall, initiated by the hon. Member for Eccles (Ian Stewart).

Bus Security

11 am

Ian Stewart (Eccles): Thank you, Mr. Deputy Speaker. I am pleased finally to have secured this debate, which I first requested after the Whitsun recess in June. I was beginning to think that I had fallen foul of Mr. Speaker for some unknown misdemeanour.

I have a particular interest in transport and health and safety issues, which I shall concentrate on. Wider social and community issues are interrelated with the issue of violence on and the provision of public transport, but, with Mr. Speaker's permission, I intend to address that in future Adjournment debates.

I am a lifelong member of the Transport and General Workers Union and I spent 20 years working as a full-time official for it, so I have seen at first hand the devastating effect that violence at work can have on bus drivers and their families. I am, therefore, grateful for the opportunity to raise some issues that are of legitimate concern to TGWU members and other workers in the bus industry.

Two thirds of public transport journeys are made by bus, and the Government give £1 billion a year to the bus network. Increased investment in buses is vital to the promotion of social inclusion for groups such as the elderly, to which the Government and the Labour party are committed, and to achieving the environmental improvements that we all wish to see. The public rightly put reliability top of their list for bus services, but buses will not become more reliable if intimidation and violence against bus crew is not tackled and reduced.

I appreciate the fears that the travelling public, especially women, have about their safety when waiting for or using bus services, although travellers say that they feel safe when they are on the bus and their journey is under way. Others may address those issues today, and they are as important as the one that I am considering, but I want to focus my remarks narrowly on the effects of violence on public transport workers in the bus industry.

I fully support the recent Transport, Local Government and the Regions Committee report on the bus industry, which concludes that attacks on public transport users and staff are as serious as any other form of antisocial behaviour. The effect on staff is insidious. Harassment and physical violence lead to sickness and absence for those employees affected. Common problems after an attack include nightmares, sleeping difficulties, lethargy and depression. Violence against bus workers also deters staff recruitment and retention. The Health and Safety Executive-Home Office report "Violence at Work" found that 45 per cent. of public transport workers are worried about threats or actual assaults at work, the highest reported level of any occupational group.

Ms Julia Drown (South Swindon): My hon. Friend talks about the great concern among bus drivers, but does he have any data on incidents? In Swindon, there is an increasing number of reports of incidents of violence towards bus drivers, which is a real cause for concern.

Ian Stewart: I hope to come on to that very point.

It is a sad truth that 44 per cent. of assaults on drivers are serious enough to result in days off work, and that a further 13 per cent. are unable to finish their shift. No wonder drivers' families are sometimes fearful when drivers are working weekend night shifts. A dossier produced by the TGWU documents a horrifying range of physical attacks against drivers and buses, involving knives, bricks, stones, syringes, beer bottles, baseball bats and air rifles. Mercifully, such attacks are rare, so, as the man from "Crimewatch" would say, "Please don't have nightmares."

There is an argument that one should not highlight isolated attacks for fear of copycat attacks. Many people's fear of crime is disproportionate to the likelihood that they will be a victim of crime, and I do not want to make people fearful of using public transport, which is generally safe. However, we cannot solve a problem by hiding it. Serious attacks are uncommon, but menacing comments, threats and spitting are more widespread. They are an affront to workers in our transport services and to our local communities, and they must not be tolerated.

The public has recently shown overwhelming support for a teacher who was threatened with violence by pupils at his school and who has been absent from work because of stress. The majority of the public think that the pupils should not be allowed to return to the school. Of course, individual transport operators can ban those convicted of violence from public transport and can prevent them from using public transport by civil injunction, but that affects only those who are caught and convicted. By the very nature of bus travel, it is easy for an assailant to make a quick escape, and I am sure that most cases of verbal abuse go unreported. Rightly, we condemn attacks on our teachers and health service workers, but we must show the same indignation and concern about our transport workers.

I welcome the new guidance issued in April by the Department for Transport, Local Government and the Regions, as it was then called, on personal security and travel. It covers a broad range of issues from a call for better lighting at bus stops to effective surveillance systems, better procedures for reporting incidents and partnership initiatives with the police, schools and young people. We must have further investment in all those areas.

I also welcome the announcement, which the Minister for Transport made in August, on the safer travel on buses and coaches panel—it has the snappy acronym STOP. The panel brings together the unions, bus operators, local authorities, the police and others to discuss how best to consider assaults, antisocial behaviour and vandalism on vehicles and property, as well as spreading the word on good practices. I hope that the Minister can tell us something about the panel's work.

What are the flashpoints for conflict on our buses? An incident may start with a fares dispute, a driver telling passengers that a bus is full, a bus getting stuck in traffic or on a school run, or an opportunistic grab for cash. Those are different issues and there are several different solutions. We can get our buses moving more efficiently with dedicated bus lanes and bus priority schemes adequately enforced, such as we have in my area under the jurisdiction of the Greater Manchester passenger transport authority. People have differing views over

[Ian Stewart]

whether cash should be carried on buses, but I would like smart card technology to be phased in on all our buses. That will no doubt be the subject of continued discussions with interested parties.

I was interested to hear the Secretary of State for Transport say at Question Time last week that three pilots in England and Wales are trying out the yellow buses that are used in the United States to take children to school. The objective is to move children out of their parents' cars and into dedicated and safe buses. If such buses prove successful, they could play a role in improving congestion problems and freeing up regular, scheduled buses for other travellers.

How do we help the driver to prevent or deal with an incident on the bus?

Mr. Harold Best (Leeds, North-West): Does my hon. Friend agree that an investigation of the possible benefits of a bus transport police might help to defend workers and the travelling public?

Ian Stewart: I have to say honestly that I have not considered that option, but I am sure that it is worth thinking about its wider implications. I am mindful of the fact that there is a transport police—a very small force that covers railways and other modes of transport. Nevertheless, I am sure that what my hon. Friend suggests could be a worthwhile facility.

I return to how we can help drivers to prevent or deal with incidents on buses. We can ensure that measures such as two-way radios, vandal alarms, digital video systems and optional screens are available. I must acknowledge that some bus operators have implemented some of those protections on some services, but it is clear that they should be implemented much more widely. That means increased investment in our bus stock.

Every incident should be logged rather than only those that require a driver to take time off work. That should include verbal abuse, threats and racial or sexual harassment. The TGWU is concerned that some bus companies consistently under-report the number of assaults, so I hope that reporting systems are improved. In addition, confidential freephone facilities and numbers should be established to encourage public reporting.

It is equally important to ensure that culprits are caught. Drivers are frustrated at what they see as the low priority that police appear to give to staff who have just been assaulted. When culprits are successfully prosecuted, we must ensure that they are punished with appropriate penalties, not just a derisory fine.

When a driver is attacked at work, he is a victim of crime. As such, the bus operating companies should ensure access to professional counselling, and there should be no loss of earnings for bus workers subjected to assault. That means guaranteed full earnings, not just sick pay.

The effects of an attack on an individual driver or his bus are deplorable, and they can also hurt communities if a service is reduced or withdrawn. That happened in my constituency, where persistent vandalism led to the withdrawal of services to a local estate. After discussion with local interested parties, a replacement night link service was introduced by Greater Manchester PTA and championed by its chairman, Councillor Roger Jones. It involves the passengers booking their journey on a "demand and response" minibus service, which is sometimes called a shared taxi service. Passengers are picked up at home or a place of their choice, and dropped anywhere on the scheduled route at a slightly higher fare than the equivalent bus fare.

I am concerned that all too many bus operators may run what I call a main road policy, under which they progressively tender only for profit-making routes. Indeed, during one of my regular round-table meetings on a local estate in Eccles, one bus manager admitted that he had recommended that his company withdraw from estates in general, not only because of isolated incidents of violence, but for financial reasons.

If that is the case and private operators do not want to provide the much-needed service to estates and remote areas, I call on the Government to allow local transport authorities such as Greater Manchester PTA to buy buses and provide a service to local residents when no private operator will do so.

Before I conclude, I want to pay tribute to a friend and former colleague, Mr. Fred Greer, who is the passenger transport regional trade group secretary for the TGWU in north-west England. He is without doubt one of the experts on criminal injuries compensation claims. Sadly, that expertise, which was gained over many years serving TGWU passenger transport members, has built up because of the attacks on bus drivers and crew. Such expertise results from a need—a need brought about by violence against bus crew. That violence must be stopped.

I welcome the Government's initiatives to improve the safety of buses, crew and passengers. Security measures do not come cheap, however. Investment in safety not only meets our moral obligation to safeguard the health and safety of transport workers, but plays a key role in securing the reliability of our transport services, which the public have a right to expect.

Several hon. Members *rose—*

Mr. Deputy Speaker (Sir Nicholas Winterton): Order. There are a number of Members—I am not sure whether they are all standing—who want to catch my eye. I hope that a little self-discipline will be exercised.

11.16 am

Mr. Clive Betts (Sheffield, Attercliffe): I want to put it on record that I am also a lifelong member of the Transport and General Workers Union, and a vice-chair of the TGWU parliamentary group.

The group of workers that we are discussing are engaged in an important public service, which they perform while they are alone. Often they are alone in deserted areas at night in a confined space—a small cab—with cash. They are sitting targets for anyone who wants to attack them.

The attacks in my constituency have been cowardly and malicious. Sometimes robbery has been involved and sometimes gratuitous violence, such as that from drunken louts who, at night, refuse to pay their fares and

attack the driver. On other occasions there have been examples of mindless hooliganism—such people think that there is sport to be had from throwing bricks and stones at a passing bus. On all occasions, however, there is a risk to the employees involved and to members of the public.

I supported the Home Secretary a few months ago when he called for tougher penalties against yobs who engage in mobile phone theft and assault people in doing so. There should be equally tough sanctions, penalties and action against the mindless yobs who carry out the violence that we are discussing against public servants who drive buses in our communities.

The issue does not solely concern employees, however, as passengers are affected too. Shortly, I will describe a particularly horrific incident in which one of my constituents was involved. Passengers can experience the full force of appalling attacks in which bricks and stones are thrown, and the community and the public are also affected when a service is withdrawn because it is under persistent threat. I am sure that we all support the promotion of public transport, though that is undermined and people are deterred once such violence is known to happen regularly.

Ms Drown: I am reminded that I, too, should declare that I am a member of the T&G, though not a lifelong member. My hon. Friend mentions bricks and stones, and the danger to passengers and drivers. In Swindon there have been incidents in which airgun pellets have been fired at buses. Has he heard of such incidents? They would clearly be a danger not only to the passengers and the driver, but to everyone around the bus, should pellets hit the driver and send the bus out of control. That is a real concern for bus drivers in my constituency.

Mr. Betts: Absolutely. I mentioned bricks and stones because they were involved in some of the most recent incidents in my constituency, but a couple of years ago a driver in Sheffield was shot by an airgun pellet. That can have horrific consequences, and not only for the driver—if the driver is so affected that the vehicle goes out of control, all the passengers on the bus and other members of the public are put at risk.

Incidents in my constituency, which occurred earlier this year, involved me in the matter. Throughout, I have kept in close touch with the local bus branch and its secretary, Martin Mayer. I give the branch praise and credit for its positive and constructive response, working with the police, the local authority and the bus company owners to try to find ways forward that will cause the least inconvenience to the public. On at least one occasion, however, several services were withdrawn, as the union and the management recognised that some Saturday evening services could not continue due to vandalism.

One of the most horrific incidents earlier in the year involved a group of youths in Handsworth in my constituency, who switched the bus's engine off by hitting the outside control mechanism. When the driver got out to switch the engine on again, he was subjected to a barrage of stones. When one of the passengers went to assist him, he got a brick in the face, which caused him to lose an eye. That was an absolutely appalling incident and, fortunately, the culprit was swiftly apprehended by the police.

A short time after that, a driver at Halfway, which is also in my constituency, was slashed across the face with a Stanley knife. Fortunately, he was wearing glasses, which deflected the blow so that it caused cuts to his forehead, not the loss of sight that could easily have resulted. He was also slashed in the stomach. On the same night, a passenger punched a driver in the face. Two days later, two youths beat a driver with a baseball bat for the sake of trying to steal his £70 takings. All that happened in Sheffield in a week—an appalling number of incidents in a very short time.

The police say that, unfortunately—my hon. Friend the Member for Eccles (Ian Stewart) mentioned this—copycat incidents happen. When some of the idiots in our communities see one incident such as a robbery, they spot an easy way to make gain, perhaps for drug expenditure, and go ahead and repeat it. We have not had as many such incidents recently, but the stoning of buses in my constituency and other parts of Sheffield has continued. Local TGWU officials tell me that they are due to meet the police and the local authority again in the next few days to try to find a way forward.

The problem is not only the physical damage to bus drivers that such incidents cause, but the long-term psychological impact on those drivers. Many will never return to work because they are simply too traumatised to go back and sit in that cab, facing the prospect of the same thing happening to them again. We are trying to widen bus driver recruitment and to encourage women to become bus drivers, but there is press publicity for such attacks and that simply will not happen. The approach that bus companies and the unions want to take is being damaged.

I note the comments of my hon. Friend on the increase in such incidents. We have certainly never seen anything like this before in Sheffield, although in the past few months there have been fewer very serious incidents. There have still been some, however, and mindless attacks on buses in which bottles, bricks and stones are thrown, have continued. Union members tell me that although the newer buses are better at attracting people—they have larger windows and are the sort of vehicle that passengers want to ride in—their design acts as an incentive to the mindless yobs who target them for brick throwing.

I listened with interest to the points made by my hon. Friend about how we could hope to deal with the problems. He is right that, although the most serious incidents are reported, many, such as verbal abuse and threats that do not lead to physical violence, are not. There should be a proper reporting system. Bus drivers are rightly trained in customer services, and today we accept that most are friendly, will pull up between stops, say "Hello" or "Good morning" and treat people civilly. However, they unfortunately need training to deal with difficult circumstances and aggressive people. That is also important.

A joint plan must be drawn up among police operators, trade unions and local authorities, and a risk assessment should be made of difficult situations and where they are likely to occur. We should consider the possibility of mandatory police response times to such incidents, bearing in mind that they are unlikely to catch people, or act as a deterrent, unless they are on the scene quickly. I am told that in Sheffield the police have not

[Mr. Betts]

always arrived in time, but have reached a scene very quickly on other occasions. There must therefore be a plan with times set down.

Local authorities have a role. Some incidents have occurred at terminuses that are badly lit, so we need to improve lighting to make it more likely that people will be seen and to make them think twice before engaging in such incidents.

My hon. Friend referred to what can be provided on buses to improve safety: digital cameras, alarm systems, two-way radios and security arrangements for cash. Many of the best bus operators are already taking action, but we all know that in these days of free-for-all public transport some cheapskate operators try to put on poor-quality buses that have no such facilities; they are happy to send drivers out with no protection whatever. We must consider making some requirements mandatory. The Department for Transport has issued guidance on those matters, which perhaps it should now update and reinforce, as well as naming and shaming those operators that refuse to take proper actions to ensure the safety of their employees.

As my hon. Friend said, we also need other measures. From time to time, incidents will unfortunately occur. When they cause drivers to be off sick, those drivers must be on full earnings, not partial sick pay, and they must not be left to bear the consequences. We must ensure that proper counselling is available, because of the trauma involved in such incidents, and have far tougher sentences to punish those involved and to act as a deterrent to others.

The very nature of the job means that employees are vulnerable; they are extremely vulnerable public servants who provide a valuable public service. As representatives of the public, we must offer protection to drivers and to the public who travel on those vehicles, and ensure that services are not withdrawn because of mindless vandalism. We will then be able to promote public transport as the right way to travel in our towns and cities—this issue has consequences for the whole community as well as for individual employees.

It is time to act. The T&G nationally, and locally in Sheffield, has behaved extremely responsibly by making sensible and proper proposals. I hope that the Government support them and ensure that bus operators act on them.

11.27 am

Mr. Brian H. Donohoe (Cunninghame, South): I am grateful to you, Mr. Deputy Speaker, for allowing me to participate in the debate. I, too, am a member of the Transport and General Workers Union, and exceptionally proud of that fact.

My interest in transport began when I was an official of the National and Local Government Officers Association. The T&G allowed me to become joint secretary of the negotiating committees of the Scottish bus group in 1981, so I have a wealth of experience of the problems that drivers faced in that period.

My colleagues are right that the situation has clearly been worsening. At the centre of it all is the driver who has become a victim of a changing society. Examples that have been given by my colleagues are particularly worrying; attacks on transport workers in Scotland that have come to my notice are equally worrying. The bus of a female driver ran out of fuel in an isolated area at 11.30 pm. Youths broke every window of the bus while the driver was inside, leading to her being off work for more then eight weeks due to stress. Another driver was slashed in the arm for asking for the correct fare from passengers boarding his bus. Another was assaulted by an attacker who used a knife, and when the ambulance driver turned up he was bitten by that same attacker. What happened when the matter went to court? The attacker was fined £25 and required to pay the miserable sum of £250 as compensation to the driver.

Those are just a few examples of the attacks that happen regularly in Scotland. A recent TGWU survey north of the border shows that some 57 per cent. of drivers expect to be attacked in their career. That is a frightening statistic and a clear demonstration that the matter must be addressed more urgently. Staff believe that more effort should be made to apprehend and seriously punish attackers. Short-term measures such as safety screens, CCTV, personal alarms and two-way radios are all very well, but I must emphasise that they alone are not the answer to the problem. We must consider the underlying causes of attacks.

How can we address the situation? We must consider positively how to improve drivers' health and safety at work. Bus drivers face ongoing problems with long hours and poor cab design, leading to increased stress, fatigue and injuries. I participated in and, indeed, started the process of regular bus inspections in my constituency and the whole of the west of Scotland. Some horror stories of buses that drivers are expected to drive are immensely interesting. I shall give one example.

A bus in my constituency had an open gas fire for a heater. The same bus had its axle held on with one screw. The driver, who was paid £5 an hour, was expected to drive that bus. If he did not, he would not have been employed. That shows the appalling circumstances in which some cowboy employers ask their drivers to work. If such employers are asked to fit screens and so on to their buses, it will not happen.

There are many good employers—Stagecoach, the First Group and others operating in my constituency, such as Docherty Buses—that offer professional counselling facilities to their employees and, in conjunction with trade unions, assess progress on health and safety matters. They put quality partnerships in place and local authorities, such as Strathclyde passenger transport authority, demand quality contracts with bus operators that are legally enforceable. We must regulate and address health and safety matters for transport workers. We also need local authorities to address the problem of attacks on drivers when they draft agreements.

Drivers provide a vital public service, and they deserve to be able to do their jobs without fear of being attacked or assaulted. One of the main changes that I have seen during my 20-year involvement with the industry is the introduction of one-man-operated buses, or OMOs, which have dispensed with conductors. I was involved in the negotiations. However, when buses are

operated outwith core hours, it would be sensible to have not just one person, but two on board. The Minister should consider that seriously.

My final and perhaps most important point, which is an example of what can be done, is that there is a responsibility on the public and the parents of the children and youths who go on the rampage. In my constituency, there was a threat to withdraw an important service to the main town. People relied on that service to travel to the shops and their entertainment, but it was withdrawn after hoodlums broke every pane of glass on the bus.

As in the case mentioned by my hon. Friend the Member for Sheffield, Attercliffe (Mr. Betts), hoodlums used the emergency switch when the bus was at a stop and let down its tyres. That issue had to be addressed and, given the circumstances, the bus company had absolutely no option but to withdraw the service from that bus-only route.

When the company withdrew the service, the public rose up and complained. They blamed the bus company; they blamed the drivers; they blamed everybody but themselves. When they came to see me, I said, "It's your responsibility to make darn sure that those hoodlums are not anywhere near the bus route and that they do not interfere with the service." The situation was resolved only when that issue was addressed, and parents kept their children in and knew where they were. The bus service has been reintroduced and has been running for eight months, fortunately without incident.

We can consider other options such as new technology, but the public need to stand up and pay attention to what is going on in society. We will be in a position to safeguard such bus routes only when the public have made darn sure that they have changed the situation.

Ian Stewart: My hon. Friend will remember that I said that it would be appropriate to debate the other issues that affect communities. I instituted round-table meetings two years ago on a particular estate in my constituency because the bus company had withdrawn a service. Initially, we all thought that we were meeting to discuss a transport problem with social implications, but it became clear that we were discussing a social problem with transport implications. There should be a series of Adjournment debates on those issues.

Mr. Donohoe: I am grateful to my hon. Friend, who is spot on. We should be discussing those issues, and my hon. Friends and I will help him to apply for a further Adjournment debate to consider social problems—we need to press the Minister to address the situation. Perhaps he will bring along a ministerial colleague from the Home Office who could introduce legislation.

I am glad to have taken part in the debate. I am also glad that at least some of my hon. Friends recognise that there is a need for further discussion, and I look forward to that with interest.

11.37 am

Rob Marris (Wolverhampton, South-West): I am grateful to you, Mr. Deputy Speaker. I was not sure whether I was going to speak in the debate, but I have been driven to do so.

First, I declare my interests: like my hon. Friends, I am member of the Transport and General Workers Union, and the law firm Thompson's, which works for the TGWU and for which I used to work, gives money to my constituency party. Hon. Members will perhaps be more interested to learn that I am in a unique position in the House, because although my curriculum vitae makes it appear that I should be an author—I am not an author—I have done many jobs, one of which was driving a bus. After doing that for several years, I became a trade union lawyer, and part of that work involved acting for bus drivers who had been assaulted, which means that I have an interest in and knowledge of the subject.

Earlier, some hon. Members referred to designing out problems. My hon. Friend the Member for Cunninghame, South (Mr. Donohoe) finished his speech by talking about social problems, which are important. I hope that they are the subject of another Adjournment debate. However, I want briefly to focus on designing out problems by, for example, introducing bus lanes, which can speed up services. On daytime services—this is obviously less of a problem at night—passengers can become frustrated by full vehicles, slow vehicles and services running late, and that can boil over into incidents that all too often are not only verbal but violent, which is unacceptable.

As regards night services, we must consider simple matters such as the location of bus stops, how well lit they are and the frequency of services. The problem often boils down to two factors: the frustration of passengers, which, of course, should never be expressed through verbal abuse, let alone physical action, and people who cause vandalism. Those are separate issues, although they can overlap when frustration leads to vandalism.

My hon. Friend the Member for Sheffield, Attercliffe (Mr. Betts) mentioned driver training in relation to customer service matters—charm school, as it used to be called. Drivers also need to be taught, as I was, how to try to defuse a situation. Social workers, who often face such circumstances, receive training in so-called breakaway techniques.

The perceived status of bus drivers can be a factor. Undeservedly, they are often regarded as having low status and as acceptable targets. Of course, they should not be accorded that low status and they are never acceptable targets, but that influences some of the little hellions who commit acts of vandalism or who physically or verbally abuse a driver.

We could address the problem by increasing bus drivers' pay and improving their training. As well as having been a driver, I am a regular bus user, so I know that some drivers—a minority—drive in a way that is not conducive to passenger comfort. That is not to say that it is acceptable for a passenger who has had an uncomfortable ride to take it out on the driver. Training is a management issue, and it can assist in designing out problems, as can CCTV, two-way radios and prompt police attendance when an incident is called in.

I hope that the Government are considering the role of the Criminal Injuries Compensation Authority scheme in cases where, sadly, a bus driver is off work owing to an incident of violence. Under the changes that have been introduced, that body does not reinstate sick

[Rob Marris]

pay unless a person has been off work for more than 28 weeks. Unless there is a full sick pay scheme at work—an employer matter—a bus driver who has been the victim of violence will not necessarily get their pay, let alone compensation for the physical or mental trauma that they have been through. A range of issues must be addressed, and I hope that the Minister takes them up.

The west midlands metro, some of which runs through my constituency, has been bedevilled by acts of vandalism that create huge problems. When a brick breaks the front windscreen of a metro tram, replacing it costs about £3,000. However, the question involves not only finance, but trauma to the driver and passengers and the impact on the transport network caused by suspended services and so on.

Travel West Midlands, which runs the west midlands metro, has taken the step of introducing clippies—mentioned by my hon. Friend the Member for Cunninghame, South—who provide a second person on the vehicle. That should be considered for buses, especially half-empty late-night services to estates with poor lighting, because such services are more likely to suffer acts of vandalism. Do the Government intend to consider changing how subsidies are offered to operators of routes that run infrequently and late at night to dark estates so that they can rejig them to provide a second member of staff?

I congratulate my hon. Friend the Member for Eccles (Ian Stewart) on securing the debate and hope that we can hold another.

11.43 am

Mr. David Marshall (Glasgow, Shettleston): Thank you, Mr. Deputy Speaker, for calling me to make a brief contribution. First, I congratulate my hon. Friend the Member for Eccles (Ian Stewart) on securing this worthwhile Adjournment debate. He is lucky to have done so this quickly, because many hon. Members have been trying for much longer to secure debates on other subjects. That shows how popular and worthwhile such debates are.

Like my hon. Friends, I must declare that I am a member of the Transport and General Workers Union. I have been a member since the age of 19, and a continuous member for the past 42 years. From 1960 to 1969, I worked for the Glasgow corporation transport department—two years as a tram car conductor and seven as a bus conductor when the trams were withdrawn from service. Unlike my hon. Friend the Member for Wolverhampton, South-West (Rob Marris), I never reached the giddy heights of driver, as I could not pass the eye test, nor was I a clippie.

For the last five of those nine years, I was a shop steward in Partick bus garage, and tragically one of my members was stabbed to death while collecting fares on his bus on a Saturday night. For two successive weekends, we took every single corporation vehicle off the streets of Glasgow on Fridays and Saturdays at 7 pm. That resulted in the fitting of two-way radios and alarm systems to the vehicles in 1968. I think that we were the first city in the UK to get those, although that has become standard practice in most transport operations, as has the installation of protective shields for drivers, now that most vehicles are operated by one person. Those measures have made it somewhat safer for passengers and drivers to travel on buses.

Sadly, in recent years, threats of assault and actual assaults aboard vehicles have increased. Equally sad and worrying is the huge increase in off-vehicle incidents, and acts of vandalism and violence against public service vehicles and those travelling in them. That also applies to trains. Mindless thugs drop bricks and other missiles from overhead bridges and hooligans throw bottles, or whatever they can get their hands on, at windows. I think that we are seeing the tip of the iceberg. There are many more such incidents than we are aware of, and perhaps injuries. It is only a matter of time before there is a major tragedy involving several people being killed, losing eyes or being crippled. We must do something about that.

The public have been deprived of services in many areas, especially cities, and at times when they need them. Women, children and elderly, vulnerable people are put in danger if they have to wait at bus stops only for vehicles that normally come along at a particular time not to turn up because the driver has had to report sick, or the vehicle has been taken out of commission because of broken windows or some other damage. It is common in many cities—Glasgow is one of the worst at the moment—for 20 or 30 vehicles to be out of service on a particular night, usually at weekends. That does not give the public the service that they desire. It puts them at risk, and it deprives crews of many aspects of their life. It can deprive them of earnings, make them feel insecure and make them look for alternative employment.

The cost of training drivers and then losing them to other occupations must be quite substantial, and their quality of life has decreased in many ways, through fear and the loss of earnings. People stay at home because they are afraid to go out, and the loss to businesses and to the quality of life of many citizens is growing as a result of that ever-increasing spiral of vandalism.

My hon. Friend the Member for Cunninghame, South (Mr. Donohoe) mentioned poor working conditions for many drivers. He could have added antisocial hours, as well as the worry that they suffer. Many drivers have to start at four in the morning. They are up long before most other people, but sometimes are not finished until midnight. They also work when everyone else has gone home from work, or after they have been enjoying themselves. Many have to work seven days a week, or certainly six days spread over seven, to earn a decent living. They also have to work many hours of overtime, which is essential if they want a living wage.

The poor pay and poor working conditions result in high staff turnover. That results in stresses and strains for the drivers and their families. Drivers give an excellent service in all kinds of weather. In fact, they have to take people out in conditions when the AA may say, "Do not travel unless your journey is absolutely necessary. Leave your car at home." However, the buses and trains are expected to run, and we tend to take our public services for granted. We really should do more to help them.

My hon. Friend the Member for Eccles referred to the practice of avoiding publicity and keeping quiet about problems because of the danger of copycats. Frankly,

that method is just not working. The people who commit such acts are well aware of them and there is very little danger of others doing the same. Therefore, the strategy is a failure. Perhaps the opposite approach might be more effective. Why not begin a high-profile campaign that explains the harm and tragedy that may result from throwing missiles at buses and other vehicles? That might be more effective. However, such a campaign must be linked to an effort to catch the offenders and punish them severely, because their acts are not petty vandalism or the result of youngsters letting off steam, as some would have us believe, but serious criminal acts that should be treated as such.

My hon. Friends have made many good points, and I welcome the joint initiatives by trade unions, employers, police and the Government. I look forward to the Minister's response, but again I make the point that the courts must play the major role in dealing with the problem. Severe sentences for the thugs are the greatest deterrent regarding stamping out vandalism and acts of violence.

11.50 am

Mr. John Randall (Uxbridge): I thank the hon. Member for Eccles (Ian Stewart) and congratulate him on introducing the debate. I am sorry that I missed the first five minutes of his contribution.

I am not a member of the Transport and General Workers Union. My closest interest is a bus stop outside my house, which I regard as a bonus rather than anything else. I have some experience, however, to which I shall allude briefly. In discussing violence against drivers and bus crews, the hon. Member for Wolverhampton, South-West (Rob Marris) referred to their lack of status. I spent a large part of my life behind a shop counter, and I believe that shop workers also suffer from violence and abuse. In a way, they are seen not as human beings, but as part of a service. Frustration and all sorts of things may play a part, but it is totally unacceptable that public workers in nearly every sector suffer violence.

I am appalled to hear of some of the acts that have been committed. I thought that we had serious problems in parts of my Uxbridge constituency, but I am relieved that, although our problems are significant, they are not on the scale that we have heard about today. It is right to discuss such difficulties.

I know many bus drivers, and I asked one who had worked for a company for several years why he was leaving his job. He said that the conditions were driving him out. When I asked what was the worst aspect of the conditions, thinking that it would be the antisocial hours and late-night shifts, he said that it was working after school. Although the incredibly violent incidents that we have heard about are not mirrored after school, one wonders whether the children who are responsible for the mindless vandalism and aggressive behaviour that happens during that period will grow up to be ever more violent against bus crews.

Ms Drown: Did the hon. Gentleman's discussion include the differences between single and double-decker buses? My local bus drivers worry about driving double-deckers with school children on board. That is regrettable, because it results in more buses on the roads, more congestion and pupils sometimes being unable to get on particular buses due to lack of capacity. That issue must also be addressed.

Mr. Randall: I thank the hon. Lady, who is absolutely right that that is a problem. We have single and double-deckers in my constituency. I am not sure whether the introduction of conductors would necessarily help greatly, however. The lack of respect shown by some kids towards adults of any status is such that I am not sure whether a conductor would achieve any improvement. Indeed, I have wondered whether Metropolitan police officers could sit on buses in uniform to get the message across.

At a presentation by our local branch of the Federation of Small Businesses, I saw a piece on covert surveillance and discovered that a small camera can be implanted in the strap of an ordinary-looking bag, such as a school bag. Sometimes when I visit schools and say that I have heard complaints about the pupils, they deny that it could possibly be theirs causing the problem and claim that people will have seen just a child in uniform. I would like to be able to present such head teachers with evidence of their pupils causing trouble. Brent has been quite successful with surveillance on the buses, and I shall recommend to my local authority that it take note of what is happening there.

Another important point, especially later at night, concerns bus shelters. Like the travelling public, we all welcome the arrival of more bus shelters, but in the evenings they tend to become a honey pot, especially in poor weather. Local youths gather around them and launch into abuse when a bus arrives. I am not sure what can be done about that, but, some years ago, the hon. Member for Cunninghame, South (Mr. Donohoe) and I served on a Select Committee that examined the problems of parks and open spaces—the introduction of youth shelters elsewhere could help.

I found the comments of the hon. Member for Eccles on the minibus night link scheme, particularly interesting and relevant. Many universities including Brunel in my constituency, are examining a similar scheme, which is considering one because the buses normally stop too early for people coming out of clubs. Despite legislation, many people are wary of minicabs late at night. Local authorities, together with bus companies and universities, could consider such schemes, which should be extended not only to students but to law-abiding members of the public.

I echo what all Members have said about the need for tougher measures, as the authorities do not perhaps treat such incidences of violence with the severity that they deserve. The message must be sent out that they are totally unacceptable. We are trying to get more people to use public transport, so it is essential that the travelling public and all public transport services employees feel absolutely safe. I support any measures to stamp out violence, particularly on our public transport.

11.58 am

Mr. Don Foster (Bath): I congratulate the hon. Member for Eccles (Ian Stewart) on securing this important debate. Like the hon. Member for Uxbridge (Mr. Randall), I must admit that I am not a member of

[Mr. Don Foster]

the Transport and General Workers Union, although the hon. Gentleman should know that I was briefly a bus conductor once, and use the buses in my constituency and elsewhere, so I have at least some experience.

In the main part of his contribution, the hon. Member for Eccles rightly drew our attention to the violence suffered by public transport workers, especially bus drivers. He urged us, as other Members have done, to take the issue far more seriously, and I fully support his comments. It was frightening to hear other hon. Members' experiences of the violence suffered by drivers in their constituencies. As the hon. Gentleman rightly pointed out, that affects not only those drivers' lives, but the rest of us. If a driver is injured or suffers from stress as a result of an attack, or the threat of an attack, and cannot therefore provide a service, bus reliability declines and we all lose out.

The hon. Gentleman also rightly touched on several issues, from the potential use of smart cards to reduce cash carried on vehicles, to the yellow bus experiment, which I shall mention shortly. He spoke for all of us when he said that he wanted the use of public transport, not least the buses, to increase to reduce pollution and congestion—and, I would add, to reduce social exclusion.

I note with concern that, under Conservative Governments from 1979 to 1997, bus passenger journeys fell by one third and car traffic increased by 82 per cent. Although in the past few months there has been a welcome increase in bus ridership, nevertheless, under the new Labour Administration overall ridership remains lower than it was when the Government came to power, so there is an urgent need to take action.

If we are to get people back on to the buses we must ensure that they are safe, reliable and affordable. Those features are linked, as reliability can have an impact on safety. As the hon. Member for Eccles said, if a bus is late or does not turn up at all, the passenger waiting at the bus stop is potentially at risk. It is therefore crucial to improve buses' reliability. I hope that the Minister will acknowledge that sadly, so far the targets set by the Deputy Prime Minister in 1999 for improving the reliability of buses, are not being met—and reliability is crucial to safety.

In their secure station initiative, the Government highlighted the importance of safety while people are waiting for a train. Although I was critical of the way in which that initiative was pursued, as far too few stations have so far been accredited, nevertheless it shows that the Government see the matter as crucial. I hope that the Minister will undertake to give safety while people are waiting at a bus stop or bus station an equally high priority, not least because more people use buses than use trains.

Safety when people are on buses is also important. However the statistics are analysed they show that buses and coaches are, on the whole, very safe forms of public transport. For example, bus passenger deaths are only 3 per cent. of all road casualties. None the less, a worrying number of people are injured while travelling by bus. Every year about 1,000 people are injured while seated on buses and a further 600 standing passengers are injured. Clearly, there is more to be done.

Hon. Members mentioned additional work; driver training was raised, not least by the hon. Member for Sheffield, Attercliffe (Mr. Betts). Improvements could be made to enhance vehicles' structural integrity—in the seat-to-floor mountings, for example. There is still a great deal more to be done with the interior design of buses; for example, the design should stop seated passengers falling to the floor when there is emergency braking, and the injury potential of vertical grab rails on some buses, seat backs and other interior features should be reduced. The average age of the bus fleet is eight and a half years, so many buses still in use do not benefit from recent research on interior design. We must find ways of modernising the fleet, especially older vehicles.

Many injuries occur when vehicles stop suddenly, which is often caused by pedestrians and other vehicles on the road. The hon. Member for Wolverhampton, South-West (Rob Marris) made an important reference to the great benefits of introducing more bus lanes, more priority left and right turns and other measures that give buses higher priority on our roads, for the sake not only of reliability but of safety.

The hon. Member for Eccles referred to the need for a wide range of different debates. He and the Minister will know about the continuing conflict between legislation to allow local authorities to introduce priority lanes and priority left and right turns through quality partnerships, and the competition legislation that tends to prohibit it. That would be an appropriate subject for a separate debate. The subject of improving bus ridership by giving the public more information about how to use buses and about the services that are available is relevant to this debate, but it would also be appropriate for a separate debate. In Perth, Australia, when a small amount was spent on promoting and explaining the bus service, bus ridership increased by 14 per cent.

Many other things can be done. The hon. Member for Wolverhampton, South-West referred not only to driver training, but to the way in which bus drivers sometimes drive. There is no doubt that several drivers could be given better advice about how to improve their driving, to make journeys safer and more comfortable for their passengers.

I pay tribute to First Group in my area. There were huge worries about drivers who set off quickly from bus stops when elderly and disabled passengers were not seated, causing several injuries. I discussed the matter with First Group, and Mr. Brian Noton, the managing director, agreed to put notices in all buses in my area to remind drivers of the importance of waiting for passengers to be seated to ensure that they were safe. The seated and safe campaign was a great success, for which I thank First Group.

Hon. Members have mentioned yellow buses, and I am sure that we are all aware of the benefits of those buses, which pick up school pupils at or near their homes, thus reducing safety problems. Hon. Members will also know about the benefits of specially designed ultra-safe vehicles. The hon. Member for Uxbridge spoke about the benefits of supervising passengers on the buses. I hope that the Government will take the experiments more seriously. The Deputy Prime Minister

referred to three trials, but I understand that the Government have had little or no input into the trials; I hope that they soon will have.

I am delighted that the hon. Member for Eccles has raised these important issues. The points that he has made, especially about violence toward bus drivers, deserve more attention.

12.8 pm

Miss Anne McIntosh (Vale of York): I am delighted to participate in this excellent debate. I join my hon. Friend the Member for Uxbridge (Mr. Randall) in declaring that I am not a member of the Transport and General Workers Union, but I admit to using buses frequently, especially in London. I declare a small interest in First Group. When I was a Member of the European Parliament, I sat on that august body's Committee on Transport and Tourism from 1989 to1999.

I congratulate the hon. Member for Eccles (Ian Stewart) on securing this important and timely debate. I pay tribute to the huge contribution that bus transport makes to our way of life. It is a greatly appreciated and central public service, and the extent to which buses run later in this country than in many continental countries is often not recognised. My experiences in Strasbourg, and during a recent weekend in Cannes, demonstrate that it is easier to catch a bus at night in a British city than in a French city.

Many hon. Members have had the opportunity to describe their truly frightening experiences this morning. A recent edition of the *Manchester Evening News* said that in Manchester

"Yobs are running up a yearly bill of more than £4m which has to be picked up by fare-payers and some services are under threat."

The article goes on:

"Aside from suffering to drivers and passengers, major bus companies in Greater Manchester estimate they spend around £1.5m a year repairing damage caused by bricks, stones, graffiti and fire.

One of the main rail companies says its annual bill is about £2.5m."

The Conservative party puts road safety very high on the political agenda. I am disappointed that we have not had the opportunity today to mention the particular vulnerability of school buses. The Minister might like to talk about that when summing up. Our intention, as has been set out by my hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins), is to give a high priority to fitting seat belts on buses, especially those carrying children to school. I understand that under EU principles of subsidiarity, it is perfectly proper for us to take that action on road safety.

Before I list some truly shocking statistics from the Library about bus transport over the past five years, I should say, as background, that bus use since privatisation and deregulation has been a success. There have been more services, increased investment and much reduced subsidies. Privatisation slowed the decline in bus passenger usage—a remarkable fact, given the growth in car ownership and the hostility of several urban local authorities to the private bus industry. It is of concern that bus passenger usage is apparently declining in rural areas. What specific measures will the Government take to increase bus usage in rural areas? Other hon. Members have paid tribute to the bus companies operating in their constituencies, and I shall do the same for those in my constituency, which provide a remarkable service.

Between 1997 and 2001 there was a 19 per cent. increase in the number of bus drivers killed or injured, and the number of bus passengers killed or injured on Britain's roads rose by 3 per cent. in the same period. There was also a 27 per cent. increase in the number of fatal accidents involving buses or coaches, and a 43 per cent. increase in the number of fatal accidents involving collisions between buses or coaches and pedestrians. Those figures speak for themselves; they have the authority of the Library, and they are deeply disturbing.

Many hon. Members will have received briefings from local bus operators. Stagecoach says:

"It is worth pointing out that crime on buses is low, however we are very aware that even the fear of crime can act as a deterrent in terms of people choosing to travel by bus or any other form of public transport."

Arriva says:

"Incidents of vandalism and attacks on employees and customers are thankfully rare."

First Group says—this supports what my hon. Friend the Member for Uxbridge said—that most bus crime occurs between 3 pm and 7 pm and involves youths, presumably as they are coming out of school. First Group in central Manchester says that it is involved with Crucial Crew. I should like to pay tribute to Crucial Crew for the work that it does across the country. I am sure that hon. Members on both sides of the House have been involved locally with informing youngsters.

First Group writes:

"In Central Manchester, First is fully involved with Crucial Crew, a multi-agency initiative designed to provide preventative education for nine and ten year olds in an entertaining, fun way."

That welcome measure helps youths to adopt a positive approach to buses—to see that they are to be used, not abused.

I have the distinction of having served, with the hon. Member for Cunninghame, South (Mr. Donohoe), among others, for a couple of years on the Select Committee on Transport, Local Government and the Regions, and I pay tribute to its report published on 12 September. That report identified an increase in passengers travelling by bus in urban areas and recognised that there had been a slight decline in passenger numbers in rural areas. The Committee's analysis of safety and security in part 3 of the report says that

"Actual and perceived safety and security problems can be a significant barrier to people using public transport. Women and older people feel most vulnerable, particularly at night. The Department believes"—

these are the Department's own predictions—

"that safety concerns are deterring around 10 per cent of potential public transport use mainly at off-peak times".

Perhaps the most worrying aspect of bus transport, which the Minister might like to address in his summing up, is that the proportion of users who are deterred—10 per cent.—corresponds to the 10 per cent. growth target that the Government set out in their 10-year plan. The Government have a good opportunity to revise and review their targets. All hon. Members would like increased passenger usage and increased safety on public transport.

[Miss Anne McIntosh]

The Select Committee report continues:

"The police must give greater priority to reducing anti-social behaviour in and around public transport. Attacks on public transport users and staff are as serious as any other form of anti-social behaviour."

That issue has come through strongly in the tone of the debate.

That part of the report concludes:

"Bus companies must use the Department's guidance on improving security in partnership with local authorities and police authorities."

I commend the report, with its horrific statistics, to the House and the Minister. The cost of vandalism and attacks, both for those who work for bus companies and for the companies themselves, is unacceptable, as are the threats to passengers. We have heard in graphic detail about some ghastly experiences.

I recognise that the Government have taken some action by setting out their guidance on safety and by creating the safer travel on buses and coaches panel. Have they done enough? From what we have heard this morning, the answer is: probably not.

12.18 am

The Parliamentary Under-Secretary of State for Transport (Mr. David Jamieson): This is the first time that I have spoken under your watchful and careful eye, Mr. Griffiths, and I look forward to many more such occasions.

I congratulate my hon. Friend the Member for Eccles (Ian Stewart) on securing the debate. He presented his well argued points powerfully, as is his custom. He speaks with considerable authority on several transport issues and we are always pleased to hear from him. Had you been in the Chamber earlier, Mr. Griffiths, you would have noticed that at times the debate began to resemble an address to the parliamentary branch of the Transport and General Workers Union. I have to declare that I am not a member of the TGWU—but after today's debate I will give it some careful consideration.

Miss McIntosh: Will the Minister give way?

Mr. Jamieson: No, I will not give way. I am coming to the hon. Lady's point.

There is widespread agreement on both sides about the subject of this debate, despite the fact that the hon. Lady finished her speech on rather a sour note. She asked whether bus provision in rural areas would be increased, and I have to respond that, after many years of decline in bus services in rural areas before the present Government came into office, we have turned the situation round.

The hon. Lady might want to consider her own local authority area. The local transport plan funding has increased two and a half times in her area in the past two years. That is funding that the local authority can use to assist in bus planning for urban and rural areas. Other grants, such as the rural bus grants, are also available for her area. None of those funds were available five years ago.

The Government are concerned about the fear of crime; we do not want that to inhibit people from using public transport. I shall take this opportunity to endorse many of the comments that have been made in the debate, and to make it clear that criminal and antisocial behaviour against bus staff and passengers is unacceptable. We are committed to reducing crime and the fear of crime in our transport system. I pay tribute to the campaign to highlight the issue that the Transport and General Workers Union successfully conducted earlier this year, which led to some positive outcomes.

Antisocial behaviour directed against buses or the people on board them is at best unpleasant, and at worst deeply dangerous to the people who use and operate them. As the hon. Member for Uxbridge (Mr. Randall) pointed out, some of those problems occur during school run time, which is disturbing. I reinforce the point that people who serve the public, such as teachers, nurses and bus drivers, have the right to carry out their work without suffering abuse, assault or violence. As a society, we should do everything to ensure that that right is upheld.

One good point was made by several hon. Members, including my hon. Friend the Member for Sheffield, Attercliffe (Mr. Betts). When such violence occurs it often leads to the buses being withdrawn, and the communities where it occurs are almost invariably those most in need of a bus service, the areas with the lowest car ownership statistics, where people are most vulnerable when buses are withdrawn. I liked the approach of my hon. Friend the Member for Cunninghame, South (Mr. Donohoe), which I have not heard applied to this subject before. It is not only the bus operators, the police and others who have to deal with such violence; the communities that are affected must take responsibility, too. If they are losing their bus service, or its quality is deteriorating, because of the behaviour of some people, it is up to the community to take action and ensure that those people are reported.

I would say the same about the point that the hon. Member for Uxbridge made about schools. Where there is poor behaviour on buses, the bus companies should liaise with the schools and the local education authorities, and get the minority—it is often a tiny minority—of children who are causing problems off the buses, so that perhaps they have to walk in the rain.

Mr. Donohoe: Will the Minister see one of his colleagues in the Department for Education and Skills and try to convince him or her that they could solve that problem by putting a teacher on the bus? I understand that teachers currently refuse to perform that duty.

Mr. Jamieson: Sadly, that would put more pressure on teachers, who will frequently have had to deal with the same children for six hours during the day; the further imposition of having to go on the bus could present them with yet another problem. However, there have been some innovative ideas, such as appointing a responsible older pupil—who may be granted free transport on the bus—to act as the eyes and ears, and report back any difficulties with specific children. That scheme has been working successfully in my area and in others. I take my hon. Friend's point on board, but I do not wish to put more pressure on teachers.

Mr. Don Foster: Today in particular, when the Government are stressing the benefits of classroom

assistants, is not the hon. Member for Cunninghame, South (Mr. Donohoe) right, in that it is possible to find responsible adults with additional training who could be brought in to supervise the buses? That is one of the key components of the yellow bus scheme.

Mr. Jamieson: That is correct.

Ian Stewart: What we must not do is examine such things in a unitary way. They are clearly all interrelated, which is why I have called for a series of Adjournment debates to try to link all the different aspects.

Mr. Jamieson: I am delighted to hear that my hon. Friend wants a series of Adjournment debates, and I look forward to joining him here on Tuesday and Wednesday mornings. I liked his comments when, in an intervention, he described the difficulties that we have been discussing as "social problems with transport implications". That is a useful way of looking at them

Despite the low recorded crime on public transport, we recognise the fear of crime and the impact that that has on the lives of ordinary people. For example, 44 per cent. of women and 19 per cent. of men feel unsafe waiting at bus stops at night. In April, my predecessor launched fresh guidance to help tackle crime on buses. The hon. Member for Bath (Mr. Foster) will find the answers to some of his questions in that guidance, "Get on board: an agenda for improving personal security in bus travel". It set out safety measures that can be taken by bus companies working with local authorities to improve the personal safety of both bus staff and passengers. Better lighting at bus stops, effective surveillance and better procedures for reporting incidents were all recommended by the guidance, as well as sharing examples of good practice and partnership initiatives.

My hon. Friend the Member for Eccles asked about STOP, the safer travel on buses and coaches panel. We have now launched that group at official level, which will deal specifically with security on buses and coaches, and will work to bring together those involved in dealing with safety. The STOP group is due to meet for the first time very soon, and is charged with the important task of facilitating the exchange of ideas and spreading best practice. My hon. Friend the Member for South Swindon (Ms Drown) asked about the quality of our statistics: the panel will also commission regular data collection so that we can determine the size of the problem and find a solution.

I am pleased to say that my hon. Friend the Minister for Transport met members and representatives of the Transport and General Workers Union earlier this year to discuss what could be done to reduce crime on buses. That meeting followed the highly successful campaign by the TGWU on behalf not only of its members but of bus passengers. My hon. Friend the Member for Eccles has taken a great interest in the matter and is taking the issue forward.

My hon. Friend also asked about the possibility of local authorities buying buses. I believe that it would be perfectly possible using local transport plan money—my hon. Friend is smiling at me now; perhaps he is going to ask me to renationalise the whole system. Although one could go down that avenue and purchase buses, that would have to be consistent with the objectives and priorities in the local transport plan, and must also satisfy the district auditor and the best value appraisal. The service would also have to be contracted out in some way through competitive tendering. I hope that that explanation is helpful to my hon. Friend.

My hon. Friend the Member for Sheffield, Attercliffe graphically described some of the appalling things that have happened on buses in his area, as did my hon. Friend the Member for Cunninghame, South. I assure my hon. Friend that if he passes on to the vehicle inspectorate any reports of open gas fires on buses, or parts of buses being held on with one screw, it will take urgent action and ensure that those buses are taken off the road.

Some hon. Members asked about the possibility of having buses operated by more than one person. That is an attractive idea, and it is open to the operator to make such a decision. Again, however, there would be huge cost implications. Every pound spent on putting an extra person on the bus to inhibit crime is a pound not spent on delivering other services. We need to find the balance.

My hon. Friend the Member for Wolverhampton, South-West (Rob Marris) made a studied and carefully argued contribution. I was interested in his valuable comments on designing out problems.

Time is against me, but this morning's debate has been most helpful, with some very good contributions. If my hon. Friend the Member for Eccles, or anyone else, is successful in securing a future debate, there will be more time to discuss such matters further and more fully.

Mr. Win Griffiths (in the Chair): We now come to the debate on the closure of West Freugh airfield and bombing range.

West Freugh Airfield

12.30 pm

Mr. Peter Duncan (Galloway and Upper Nithsdale): Thank you for your introduction of the debate, Mr. Griffiths. I congratulate you on your pronunciation.

I am delighted to have this opportunity to debate the twin announcements made in March and July that have caused such despair and dismay in my constituency. The Government's review of evaluation and research requirements was announced by a planted parliamentary question on 24 July, with the result that public and parliamentary scrutiny of the decision has had to wait almost exactly three months. That is surely not acceptable. If ever there was an advertisement for modernisation proposals to include a resumption of parliamentary business during September, this is it. Communities that have served the Ministry of Defence and related bodies impeccably for more than 60 years deserve better than such cynical politics, seeking a carpet under which to sweep bad news.

The announcement in the House was followed by a degree of buck passing between QinetiQ representatives and the MOD over the origins of the review. I hope that the Minister can throw more light on the nature of the examination of test and evaluation facilities.

To say that the announcement on 24 July caused dismay in Galloway is no exaggeration. I want the Minister to be fully aware of the strength of public opinion in this remote corner of Scotland. The area has been extremely supportive of MOD testing and operations since the 1930s. I was amused and confused to hear the Minister say in this very Chamber only one week ago that if he were starting from scratch he would not be designating a range at Shoeburyness. That was the result of a number of complaints received from locals about military activity. It is truly extraordinary that, so soon after, we face the closure of facilities in a place, Wigtownshire, that the MOD, if it did start with a blank sheet of paper, would surely deduce was an excellent location for such a testing range.

Stranraer and its surrounding communities have been dealt some cruel blows in recent months. Last year's foot and mouth crisis left the area severely weakened through agricultural decline and the sudden fall in tourism, as Dumfries and Galloway bore the brunt of Scotland's battle with the disease. In an area with few significant employers, this year has been similarly devastating. Stena Line ferries, Grasshopper and Aprilia have all announced significant job losses. For those in employment, Wigtownshire is one of the three or four areas in the UK with the lowest average wage level. Through all that, West Freugh has been regarded as a centre of significant employment, mitigating our huge dependence on the continued ferry traffic with Northern Ireland.

It would be helpful to examine the review process that has resulted in the announcements. I understand that the Government gave QinetiQ what it described, in discussions with me, as "stringent cost-saving targets", which have resulted in job losses at West Freugh and other UK sites. However, when did that process start, and what local involvement in decision making was there? I understand that there was almost no local input into the review, with the result that West Freugh was a major loser in the proposals put to the Government by QinetiQ.

That cost-saving process now sees the creation of a roving skills base, making use of various range facilities throughout the UK. Members of QinetiQ staff based elsewhere will be brought in to run exercises at West Freugh on an as-and-when basis. There seems to have been no assessment of the potential for staff resident in Wigtownshire to fill that roving role. Can the Minister justify the decision to exclude the West Freugh staff from that opportunity? A strong perception remains that West Freugh has been a punch-bag for this announcement—an easy target. Let me reassure QinetiQ and the MOD that we will certainly not take the decision quietly.

It is fair to say, however, that the announcements of the closure of the airfield and the rundown of the range were not entirely unexpected. Many, including me in parliamentary debate with the Minister, had predicted that action would be required to halt the decline. The airfield closure announcement was made in March, as the MOD claimed that Civil Aviation Authority regulations had insisted that insufficient flights were being handled for air traffic controllers to maintain a safe flying environment. In parliamentary answers last year, I learned that air traffic movements had declined from more than 11,000 in 1997 to fewer than 4,000 in 2001. Military movements have played a significant part in that decline, falling by than more than 40 per cent. in the three years since 1999. There remains a deep suspicion at the airfield that the decline in numbers is more attributable to internal accounting procedures between QinetiQ and the MOD than to any lack of demand.

Surely one of the effects of externalising some airfields is that landing for refuelling, say, at West Freugh is a more costly process for the RAF than landing at one of their own bases. What had caused the reduction in RAF traffic? Where is the traffic going? We live in dangerous times, as the Minister will appreciate. We put a premium on RAF expertise. The evaporation of RAF demand for West Freugh, without an instruction to favour other airfields, is inexplicable. If there has been such an instruction, perhaps word has not yet got through. I understand that there are still daily telephone calls to the airfield from the crew of RAF jets seeking permission to land.

I visited Campbeltown on parliamentary duties this month and was fascinated by the contrast between the seeming sustainability of the airfield RAF Machrihanish and West Freugh. Will the Minister explain why one airfield remains viable on air traffic grounds, although the other, apparently, does not?

Exactly what incentives are made available to private sector operators of MOD assets to develop new income streams? That is a key point. Can the Minister confirm that the MOD allows only 10 per cent. of the first year's income to be retained by the operator? Surely that is a guarantee that little or no effort will go into developing new ideas and markets. If we are to empower agencies and the private sector to create added value, it has to be in their interests to do so. To date, their interest has been, I am afraid to say, half-hearted to say the least.

The employment and redundancy terms that are being offered to those expected to leave West Freugh are one of the major items that require the personal intervention of the Minister. I remind him of the exceptional service that has been given by the work force at the airfield and the range. That service and dedication to duty runs the risk of being tarnished by heavy-handed and iniquitous treatment by employers.

Angus Robertson (Moray): Will the hon. Gentleman give way?

Mr. Duncan: I will give way briefly.

Angus Robertson: I intend to ask only a short question. Will the hon. Gentleman concede that had the facility not been effectively privatised by the Conservatives, workers would not be facing the iniquitous two-tier redundancy package that seems likely at West Freugh?

Mr. Duncan: One reason I was reluctant to give way, and wanted to give way briefly, is that, ironically, under the Scottish National party's defence policy there would be no evaluation or research.

The iniquitous treatment of workers at West Freugh, which follows their service and dedication to duty, requires ministerial attention. Many of the employees have worked at the base for many years. They have endured several changes to their working conditions and terms of employment, as successive Governments have changed the balance of out-sourced and in-sourced employment. Many of those now facing redundancy have been employed by the MOD, Serco and QinetiQ, although, in simple terms, they have always had the same job. I seek the direct intervention of the Minister to ensure that all the employees—whoever they have been employed by—receive a standard redundancy package.

It is unacceptable that a worker who was employed by the MOD in 1969 as an apprentice from school could face redundancy from his post as a technician with a package of £8,000, while a colleague at the same level could be offered £60,000. That difference could arise simply because the two workers had differing journeys through the privatisation maze. Surely even though the provisions of the Transfer of Undertakings (Protection of Employment) Regulations 1981 were predated by some of the changes that affected that loyal work force, the MOD must come forward with proposals to underwrite a common redundancy package for those who face an uncommonly bleak search for alternative employment. I seek an assurance that proposals will be forthcoming on that important point.

The closure announcement of 24 July referred to the downgrading of the range to campaign operation status. There has been much debate on the precise meaning of that term, particularly with regard to employment opportunities at the base. When we met the Minister in London on 7 August, I was keen to establish that the phrase did not mean that the site would be mothballed. The West Freugh range forms a significant part of the land area of that part of Wigtownshire. It is a valued resource and the MOD has regarded it as such for many years. It is also, however, valuable to the local community. Much of it is quality agricultural land; some of it is as well connected as any other area in Galloway. There is excellent potential for developing alternative employment, but that will be prevented if campaign operation status leads to the mothballing of the site. The mothballing of the site will not be deemed acceptable by the community if only 10 jobs are offered in potential recompense. I insist on an urgent, systematic and thoroughgoing appraisal of the estate at West Freugh in which a critical eye is cast over the assets that are no longer required for campaign operation status. Views are being sought from the armed forces on the continuing demand for the range for exercises.

We look to the Minister for leadership. The local communities will find it unacceptable to reserve the whole estate merely on the off chance that there will be a military requirement. If the Government are determined to press ahead with the downgrading of the site, with limited opportunities for significant employment—a policy that I deplore—there must be a presumption that the MOD will return assets to private ownership for development unless there is a pressing need for their retention. I understand that the Minister has experience of that kind of balance in respect of other ranges throughout the UK, but I ask him to insist on imagination and urgency from his Department.

After I expressed my fears that mothballing would constrain economic development, it was suggested that I was being overly dramatic, yet a memo from the Minister's office to mine, dated 3 September, explains "campaign status" as mothballing. Indeed, in this week's edition of the *Stranraer and Wigtownshire Free Press*—I am sure that the Minister has it on his desk across the road—QinetiQ's director of ranges talks openly of

"the impact something like the mothballing of the range has on the local community".

The local enterprise company is desperately in need of development land and opportunities to market to inward investors. I ask the Minister to pull back from mothballing and to make a significant contribution to economic regeneration by releasing unneeded assets.

Over 60 years, Wigtownshire has earned the right to fair treatment by the MOD. The proposed downgrading of the site and retention of as few as 10 jobs will not be acceptable to the work force and the local communities. The Minister needs to think again.

12.42 pm

The Parliamentary Under-Secretary of State for Defence (Dr. Lewis Moonie): I welcome the opportunity to debate the role of West Freugh airfield—and I was glad to hear the hon. Member for Galloway and Upper Nithsdale (Mr. Duncan) pronounce it correctly, as I would expect. When I heard my officials talking about it, I thought that, like Kirkcudbright, it must have an odd pronunciation, of which, perhaps, I was unaware.

I shall do my best to respond to hon. Members' concerns about the role of West Freugh airfield and the adjacent Luce bay bombing range. Sadly, over the past three years I have had extensive experience of the downsizing of our range operations throughout the United Kingdom. I must say at the outset that it gives me no pleasure at all to have to deal with such situations involving rural areas that have loyally supported our activities—in this case, for several generations. At his

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request, I have already met the hon. Member for Galloway and Upper Nithsdale, and at the end of September or beginning of October—I cannot remember the exact date—I had the opportunity to meet members of Dumfries and Galloway council and local trade unions.

West Freugh consists of the Torrs Warren area, the airfield with its surrounding agricultural land, and the Luce bay range. Torrs Warren covers some 5,900 acres in total and consists of about 2,600 acres of intertidal sand and mudflats, 3,000 acres of sand dunes and 300 acres of salt marsh. The whole of Torrs Warren is a site of special scientific interest. The airfield site covers about 650 acres. All but the 30 acres that are built on are covered by full agricultural tenancies.

There are two separate, but related, issues to address regarding West Freugh: the cessation of full-time operations at the airfield, and the campaigning of the bombing range.

Full-time operation of the airfield ceased in March as a direct consequence of the dwindling numbers of aircraft movements. They have declined on a steadily steepening curve over a five-year period. The number of aircraft movements, particularly fast jets, eventually reduced to levels below the safety minima set by the MOD regulatory authorities to keep air traffic controllers up to date with current practice. The statistics speak for themselves. The total number of air traffic movements handled at West Freugh reduced from 11,644 in 1997 to 3,861 in 2001. It was therefore decided to cease full-time operations and to put the airfield into care and maintenance for reactivation for limited periods as and when required. That decision means that the airfield is now closed for routine operations.

Mr. Duncan: What assessment has the Minister made of the reason for that decline? There was a substantial reduction in civil movements when the British Airways flying school moved, but there has also been a decline in military movements. Why is that?

Dr. Moonie: It is quite simple. There is a general reduction in requirement for the type of operations that we have been carrying out at West Freugh. I can assure the hon. Gentleman that there is nothing sinister about the reduction. It is merely a reflection of the way in which we do our business nowadays. Sadly, some areas of that business may contract as others may expand. There has been a contraction in the requirement for that type of work. When we are testing certain weapons, for example, eventually the weapon is accepted into service, and further testing is no longer needed, or only minimal testing is needed. The overall volume of work will contract over time.

The site will continue to be used for military exercises on a regular basis and will remain available for urgent operational requirements. Those activities will be supported using RAF or QinetiQ assets and manpower, including military air traffic controllers, who will be temporarily relocated to the site from other locations.

There have been rumours in the West Freugh area that the decision to cease full-time operations was taken as an expedient to avoid the projected maintenance costs of resurfacing the runway and replacing or upgrading other airfield facilities to meet current standards. That was not the case.

On the campaigning of the bombing range, I announced on 24 July that as part of QinetiQ's rationalisation proposals for the air sector of the test and evaluation ranges, the West Freugh range is to be reduced to operate on a campaign basis from April 2003. I made the announcement as soon as I came to a considered view on the QinetiQ proposals, which were put to me by officials. I fully accept that the timing of the announcement—falling on the last sitting day before the summer recess—was not ideal. In the circumstances, however, it was the right thing to do. Had I delayed an announcement until the House resumed, it would have needlessly prolonged the uncertainty of the West Freugh employees who were well aware that something was afoot. Alternatively, if I had made the announcement while the House was in recess, I could have been accused of discourtesy to the House.

Mr. Russell Brown (Dumfries): The Minister will be aware that QinetiQ has actually stated that trade unions could not be consulted until after that ministerial announcement. Is he able to confirm that such a protocol exists, and prevented early notification to the unions? After the meeting with local councillors, three Labour councillors from Stranraer contacted me to ask whether there was any further news for them on the points that they raised. Is the MOD committed to any further financial support for West Freugh, if the Secretary of State for Scotland and the First Minister of the Scottish Executive offer support, in whatever form that may come?

Dr. Moonie: I shall reply to the essential point about jobs retained, and what we are trying to do, as part of my speech. Consultation is now the subject of an employment tribunal, and unfortunately I cannot, therefore, give any comment today, but I will keep hon. Members informed, as I will inform them of any progress in the matter.

The West Freugh range is primarily a bombing range that supports development and in-service trials of weapons systems and their platforms. It also supports short-range missile firings, gun and rocket firings, explosive tests and other weapons systems trials and service exercises. The projected work load on the West Freugh range is mainly in support of two Ministry of Defence programmes, the BL755 trial and the batch acceptance testing of the high-velocity missile.

We accept that work on the HVM programme may last until 2014, generating up to 50 days a year of range activity including work-up and clear-up tasks. The BL755 trials work requires a further 12.5 days of activity per year on the range, again including work-up and clean tasks. There is also potential for a small number of one-off trials tasks that may be suitable for campaigning. QinetiQ's planning is therefore proceeding on the basis of an average annual requirement of some 65 to 70 days of range utilisation per year.

We also expect the site to host about three military exercises per year. Those, while making use of the estate and several buildings on site, will not make use of the

range infrastructure, and will require only a modest input from QinetiQ through the provision of health, safety and environmental oversight, together with some logistical assistance.

Mr. Duncan: I am grateful for the Minister's indulgence in giving way to me again. He cites the figure of 65 to 70 days of operations on the site. He will appreciate the concerns about outside labour undertaking work on the site that was previously done by Wigtownshire staff, so can he confirm how the 70-day figure compares with the ongoing situation? To what degree is it part of a rundown, or is it just a small decline, but a significant change in the sourcing of staff?

Dr. Moonie: I shall answer that question later in my speech, and the hon. Gentleman is welcome to ask it again if I do not answer it satisfactorily.

There is no question of QinetiQ running down operations at the site prior to submitting rationalisation proposals. Over the years, significant reductions have occurred in the work load at ranges that support the air programme, particularly at West Freugh. The same applies in Wales, where I have been faced with the same type of problem, as the hon. Member for Caernarfon, who is here today, knows—

Mr. Win Griffiths (in the Chair): Order. I think that the Minister means the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd).

Dr. Moonie: Thank you, Mr. Griffiths. I am glad to have a Welshman in the Chair to help me in my embarrassing lack of memory.

QinetiQ's proposals have been based on an extensive review of the facilities that it operates on behalf of the MOD. The review confirms that the MOD owns a large number of diverse sites and capabilities, but that substantial surplus exists in the testing and evaluation environment. The MOD still needs the West Freugh range for large-scale and specialist training exercises, but those activities can, and economically should, be supported on a more ad hoc basis than has been required in the past.

It would be easy for me to reply to an Adjournment debate such as this by saying that I shall do everything I can to bring as much MOD work as possible to the range under discussion. Much though I should like to be able to say that, I have to recognise that if I did, it would have the opposite, negative effect on other remote ranges. I am therefore caught between a rock and hard place. Requirements change, and who can say what the requirements will be 10 years down the road? Who can say, indeed, what the requirements would be if the Scottish Nationalist party were to win control of Scotland? I suspect that they would be considerably less than the 70 days that I have talked about. *[Interruption.]* I was being ironic.

We still need the range for our requirements, although at a reduced level. The decision to reduce the operation of the range to campaign status is expected to save £28 million in the first five years, with a reduction in annual running costs of some £5.9 million thereafter. Those figures compare with the significant financial loss that the range has been accruing over recent years. Last year, the full cost to QinetiQ of the range and the airfield was £7.4 million. The total value of charges recovered from customers was £2.1 million. Facilities therefore made a loss of some £5.3 million in a single year, and future income predictions showed that that position would continue to worsen, and would in fact be compounded by costs incurred through site and airfield maintenance programmes. The position was therefore unsustainable.

QinetiQ is conducting a consultation exercise to determine exactly how many full-time jobs will need to be retained at the site to support campaign operations. We expect the number to be about 10, but it could be as many as 15. We are having discussions about that.

We are sensitive to the local impact of calling in staff from other locations for campaigns. Therefore, QinetiQ is examining the possibility of issuing call-in contracts for local people to be employed as and when required. I am sorry to say that it is just not viable to retain more permanent staff at West Freugh, because there simply is not enough work to employ them all full-time.

Equally, as I have said, it is not viable to consider the wholesale relocation of additional capabilities to West Freugh. The transfer costs would be significant and would bear down on other ranges. In the end, the taxpayer would be the loser. It would also be wholly inappropriate when suitable trial facilities already exist elsewhere.

I assure hon. Members that the decisions affecting West Freugh have not been taken lightly, and that I have carefully considered what the MOD can do to minimise the impact on QinetiQ staff and on the region in general. Shortly after the announcement, I asked officials from Defence Estates and the Defence Diversification Agency to meet senior QinetiQ staff, local MPs, MSPs, trade unions, local councillors and Dumfries and Galloway Enterprise in an effort to identify the potential for exploiting alternative commercial activity at the site. As a result of the meeting, Defence Estates is examining the effects of campaigning the site on the possible alternatives for use of the property, and I expect to receive its findings shortly. In the meantime, the MOD is considering the detailed operational plot of the site to determine which property or land assets can be sold off for possible public use or diversification.

Angus Robertson: Does the Minister not concede the clear injustice of a two-tier redundancy package? Does not he also concede that the so-called downsizing is the latest rundown, effectively, of the total number of MOD and defence-related staff in Scotland under a UK Government?

Dr. Moonie: There are constant changes in MOD staffing. For example, we are planning to relocate a regiment to Scotland under our plans for the Department's footprint. Job requirements change all the time. One thing that I can say with absolute certainty is that the number of MOD-inspired jobs in Scotland, including those associated with the 60 fast jets based in the hon. Gentleman's constituency, is considerably greater than it would be were the country ever to become independent.

Under the Defence Evaluation and Research Agency—the MOD agency that preceded QinetiQ—significant investment was made in the hope of bringing

[Dr. Moonie]

other activities to the site. Several opportunities were pursued, including a high-speed rail test track, aviation explosives training and vehicle storing. Sadly, they all proved unsuccessful. DERA incentivised its support contract with Serco to encourage Serco to generate commercial income. Unfortunately, only a few tens of thousands of pounds per annum were ever raised. I appreciate that such sums may seem substantial in isolation, but they are only a small fraction of the cost of maintaining the site and are certainly not on the scale required to reinvigorate the area.

The staff who are being made redundant at West Freugh fall into two main groups: those who were brought into QinetiQ from DERA in July 2001 and staff more recently in-sourced from Serco as part of an overall programme to reduce QinetiQ's dependence on third parties for core activities. The issue causing concern to some is that the staff who joined QinetiQ from DERA will receive substantially better terms than the ex-Serco employees.

The terms and conditions of employment, including redundancy terms and conditions, of all site staff were transferred under Transfer of Undertakings (Protection of Employment) Regulations 1981 arrangements. That said, a range of conditions and entitlements will result in differing redundancy payments, according to the previous employment history of the affected staff.

The redundancy payments that will accrue to staff in-sourced from Serco are, however, greater than those due to the much smaller number of QinetiQ employees who joined the company after vesting. QinetiQ is acutely aware of the sometimes significant differences in redundancy benefit that that gives rise to, despite the fact that most of the former Serco staff can expect to receive a redundancy payment significantly above the statutory requirement.

It is imperative that we view the rationalisation plans in the correct context. The testing and evaluation environment is badly in need of radical restructuring if we are to ensure that it meets the MOD's current and future requirements. Furthermore, the MOD cannot be seen to be profligate with taxpayers' money, and we are bound by the regulations that govern us. Having said that, I shall look with others at any possible means of alleviating what, sadly, has to be done in that area, including how we transfer land or buildings to another enterprise.

Duchenne Muscular Dystrophy

1pm

Kevin Brennan (Cardiff, West): I hope that this important debate will raise awareness of the serious medical condition of Duchenne muscular dystrophy.

Duchenne muscular dystrophy is named after Dr. Duchenne de Boulogne, who worked in Paris in the mid-19th century and was one of the first people to study muscular dystrophy. The problem is known to result from a gene defect in a single important fibre in muscle fibres called dystrophin. Without dystrophin to strengthen them, the muscle cells become weaker and eventually waste away.

DMD is the most common, most progressive and most deadly type of muscular dystrophy. It is an X chromosome-linked disease, and as such predominantly affects boys; worldwide, it affects one in 3,500 boys. DMD is usually diagnosed when a child reaches two to three years of age and has not reached developmental milestones such as standing and walking. As such children progress through childhood they are often prone to falls and are eventually unable to walk—they usually need a wheelchair by the age of 11. Through their teen years, such children will become progressively disabled as their muscles seriously weaken and waste away. In the final years of their life, 24-hour care will be required including night-time ventilation and feeding support. A young adult with DMD is unlikely to live beyond their 21st birthday, and death is usually caused by heart or lung failure as the muscles supporting the vital organs finally become so weak that they are unable to maintain life.

DMD is sometimes called an equal opportunity condition. Although many cases of DMD are hereditary, an increasing number of cases seem to be caused by spontaneous mutations. As such, the condition could cast its shadow over anybody of any background or nationality. In more than one sense, it is a case of genetic roulette.

I was first alerted to DMD earlier this year when two of my constituents, Nick Catlin and Janet Hoskin, approached me for help. Nick and Janet have a two-year-old son called Saul, and, without breaching any parliamentary rules, I can say that I know that they are taking a close interest in today's proceedings. Saul was diagnosed as having DMD at the unusually young age of five months following a routine blood test for liver function. Saul is Nick and Janet's first child, and I am sure that you will allow me to take this opportunity, Mr. Griffiths, to congratulate them on the birth of their second child, a girl called Amelia, who was born last week. I wish them all the best for the future.

Saul was Nick and Janet's first child, and receiving and accepting Saul's diagnosis was devastating for the family. Writing in February, Nick told me:

> "There is a death sentence on the head of my son . . . A cure is not an impossible dream. We need more resources and facilities."

In the same letter, Janet added that they wanted the Government

> "to fund research into Duchenne muscular dystrophy so that our sons are given the chance to live full and happy lives."

At present, Saul is a healthy, busy toddler more concerned with cars and diggers than health matters. It is very hard for anyone to believe that such a vibrant little boy will be condemned to such a short life in which he will never be able to fulfil his potential. The plight of their son and the intense desire to find a cure for the condition led Nick and Janet to form their own charity, Parent Project UK, in February 2002. One of the main spurs behind the establishment of PPUK was the passing of the Muscular Dystrophy Community Assistance, Research and Education Act through the United States Congress on 21 December 2001, which effectively ring-fenced millions of dollars for research into DMD. The main aims of PPUK are to raise awareness of DMD, to raise money for research and, like any good lobbying group, to put pressure on the Government to release funds to find a cure. At present, only a limited amount of Government money is earmarked for research into this specific area and scientists are forced to compete for funds with research into other serious illnesses.

Since the charity was founded, Nick, Janet and the other helpers of PPUK have worked long and hard to raise awareness of Duchenne muscular dystrophy and campaign for funding for new research. Nick and Janet were lucky enough to receive a start-up grant of £5,000 from the National Lottery and on Saturday 27 July this year members of the Royal Monmouthshire Royal Engineers field support squadron took part in a relay organised by PPUK between Swansea and Cardiff. To date, that run has raised another £2,000. I am also pleased and delighted to say that PPUK has successfully bid for a grant of £48,950 from the community fund, which, over the coming year, will cover the cost of a project co-ordinator and the general running costs of the new charity.

As a relative newcomer on the scene, PPUK is following in the footsteps of two other charitable and lobbying organisations—the Muscular Dystrophy Campaign and the Duchenne Family Support Group. The Muscular Dystrophy Campaign is a national charity focusing on all the muscular dystrophies and allied disorders. It has pioneered the search for treatments and cures for more than 40 years and aims to provide medical and emotional support for sufferers and their families.

The Duchenne Family Support Group is a national charity. It was founded in 1987 and is run by and for families affected by DMD. The group strives to bring families together for mutual support, sharing of information and social activities. In recent months, the three charities have pooled their resources to co-ordinate a nationwide campaign called "The Right to Survive". The campaign aims to increase funding for research into finding a cure for Duchenne muscular dystrophy to give sufferers the right to survive into adulthood. Those charities are requesting that money be dedicated to research into treatments for this disease. Children born now with Duchenne muscular dystrophy could have the chance of a longer life. The UN convention on the rights of the child was adopted by the United Kingdom in 1991 and states that the Government are committed to children's right to life and to survival and development. The right to survive campaign calls in that pledge to give boys with Duchenne muscular dystrophy the right to survive into adulthood. The campaign has operated a three-pronged approach in its attempt to raise awareness. Earlier this year, on 20 May, I tabled early-day motion 1341, which has so far attracted 85 signatures from hon. Members of all parties in the House. I hope that as a result of this debate that figure will rise. The right to survive campaign has also been gaining pledges of support from the public. I shall be taking members of that campaign to No. 10 Downing street this afternoon to hand in petitions of support.

Tonight my hon. Friend the Member for Norwich, North (Dr. Gibson) and I will host a briefing in Committee Room 11, at which Members of both Houses of Parliament will be given the opportunity to hear some of the experiences of DMD sufferers' families and to discuss the issues surrounding DMD with campaigns from all three charities. I urge Members of this and the other place to spare time this evening to come to the briefing, for however short a time, and to find out more about Duchenne muscular dystrophy first hand.

The other main aim of the campaign is to try to persuade the Government, the Medical Research Council or anyone else to release more funding for research into a cure for Duchenne muscular dystrophy. At present, the Muscular Dystrophy Campaign is the only voluntary organisation in the United Kingdom funding scientific research into potential cures and treatments for all types of muscular dystrophy and related disorders. The charity supports a programme of around 30 research projects in the UK and Europe with an investment of £1.5 million in 2002. Those projects are working to characterise the genes and proteins responsible for different types of muscular dystrophy as well as investigating techniques for potential treatments and cures. Results from the projects are shared among the international science community to ensure that knowledge about the range of initiatives under investigation is pooled effectively.

The main agency through which the Government support medical and clinical research is the Medical Research Council. The MRC is an independent body and it receives its grant in aid from the Office of Science and Technology. As such, it operates under the auspices of the Department for Trade and Industry. MRC spending on muscular dystrophy research for 2001–02 is estimated at £950,000, or 0.24 per cent. of its £394 million gross expenditure. That proportion has been consistent over the past six years. In addition, the Department of Health funds the NHS research and development budget.

At current levels, the voluntary sector funds a third more research than the Government. Charities rightly find that unacceptable, and they are calling for increased ring-fenced funding for Duchenne muscular dystrophy. What plans, if any, do the Government have in that regard? I hope that my hon. Friend the Minister will say something about that.

Any change in Government funding will require a shift in strategy from the MRC. There is currently limited funding for projects associated with so-called rare conditions, and grant applications for research into muscular dystrophy often receive the highest technical ranking from the MRC only to be turned down on funding grounds. As part of the ongoing campaign, PPUK, the Muscular Dystrophy Campaign and the

[Kevin Brennan]

Duchenne Family Support Group intend to meet the MRC to discuss ways of overcoming the funding issue and to prepare the ground for potential clinical trials in the United Kingdom.

Dr. Ian Gibson (Norwich, North): My hon. Friend may be aware that the MRC now has a strategy of denying money to alpha-rated projects of great international prominence in the fields of brain function, leukaemia and asthma. It recently adopted a policy of funding only massive projects involving five or six groups. The chances of its funding what it may see as small problems, such as muscular dystrophy, seem remoter than ever. There must be pressure on the MRC to examine its funding strategy for research into rarer and more prominent diseases.

Kevin Brennan: I am grateful to my hon. Friend for that; he obviously speaks with great expertise and knowledge. He emphasises my point that it is vital for the MRC to reconsider its approach.

Another aspect of DMD that I want to mention is the method of genetic research employed. Dystrophin's role in the cell is not fully understood, and scientists are trying to determine it. One of its roles is thought to be structural, due to its position in the muscle cell membrane where it forms part of the dystrophin-glycoprotein complex, or DGC. It forms a link between the outside and the inside of the muscle membrane. Without it, the membrane becomes weak and breaks down, and the muscle cell dies.

The main body of research aims to pinpoint why dystrophin is absent in certain cases, and there are three main avenues of research: muscle cell transfer, gene therapy and more general pharmacological research. Muscle cell transfer utilises genetically modified self cells, and research using experimental models has shown that skin cells that are grown outside the body in a liquid medium that previously contained muscle cells may convert into muscle cells. Research is under way to find the factor responsible for that conversion—a reaction referred to as galectin 1—and to gain a better understanding of the type of cell that is capable of it. Should there be therapeutic potential, skin cells from a person with DMD could be removed and a correct version of the dystrophin gene could be inserted. The cells could then be grown and reintroduced into the person, where they would help to repopulate the muscle and form functional muscle tissue.

Gene therapy—or gene repair technology, to use the more technically accurate description—examines ways of repairing the gene in situ or outside the body and then putting the cells back. This new technology can use repair mechanisms that cells normally use to target and correct specific mutations. It does not involve introducing a new gene into cells, but repairs the existing, faulty gene. It may benefit 15 to 30 per cent. of individuals with DMD.

Both those types of research depend on stem cell research, and it is important that we applaud the Government's decision to continue it. It is a notable, if gloomy, irony that the United States has ring-fenced money for DMD research but at the same time called a moratorium on stem cell research, which may have the most potential for finding a cure. It would be a tragedy if progress towards a cure were held up due to lack of resolve in the US Administration when funds were available, which is why it is important that funding be available in the United Kingdom for stem cell research.

Pharmacological approaches to DMD treatment could bring a more traditional range of approaches to alleviating some of the symptoms, if not to finding an eventual cure. Perhaps a combination of the three approaches might be the answer.

Every hon. Member is likely to have a child like Saul in their constituency. Every one of us bears a responsibility to do all in our power to find a cure for this dreadful disease. I hope that the Government will confirm that they support research for such so-called rare diseases, and will ensure that public policy supports the medical research most likely to produce a cure for Duchenne muscular dystrophy.

1.15 pm

The Parliamentary Under-Secretary of State for Health (Mr. David Lammy): I commend my hon. Friend the Member for Cardiff, West (Kevin Brennan) on securing this important debate, which I welcome. No one could fail to be moved by the plight of children who suffer from Duchenne muscular dystrophy. I note the support of my hon. Friends the Members for Norwich, North (Dr. Gibson) and for Rhondda (Mr. Bryant), who are at his side.

My hon. Friend the Member for Cardiff, West mentioned Nick and Janet Catlin's charity, Parent Project UK. In preparing for the debate, I looked at the charity's website www.ppuk.org and read with great interest and humility about the plight of their son, Saul, and their work to raise awareness of the disease. There was a muscular dystrophy awareness week at the end of September, which I hope was successful in making the public more aware of these distressing diseases. I realise how serious the issue is for families whose children have the genetic defect that causes DMD. I admire Mark and Zoe Thein's effort to raise awareness of DMD by walking to Parliament from Peterborough.

As the hon. Gentleman mentioned, there is a meeting on the subject later today in the House. I am sad to say that my commitments mean that I cannot attend, but my hon. Friend the Member for Edmonton (Mr. Love), the Parliamentary Private Secretary to the Minister of State, Department of Health, my hon. Friend the Member for Redditch (Jacqui Smith), will attend to hear more about the condition first hand.

My hon. Friend the Member for Cardiff, West asked about some of the initiatives under way to help patients with this awful condition. They range from initiatives to look into the cause of the disease, through to the Department's providing much-needed assistance to those who suffer the condition so that they can maintain as good a quality of life as possible.

As my hon. Friend explained, DMD is an inherited, severe and progressive muscle-wasting disease that is estimated to affect around one in every 3,500 boys each year. It is caused by a genetic defect characterised by progressive weakness and degeneration of the skeletal or voluntary muscles that control movement. Most boys with the disease will be in a wheelchair by the age of 10.

Tragically, there is currently no effective cure or treatment for Duchenne muscular dystrophy. I therefore understand why the families of children with DMD call for a greater research effort to be applied. The main agency through which the Government support medical and clinical research is the Medical Research Council. The MRC is an independent body that receives its grant in aid from the Office of Science and Technology. However, it is a long-standing and important principle of successive Governments that they do not prescribe the detail of how individual research councils should distribute their resources between competing priorities. Researchers and research users should best decide that. I will, however, make sure that, through the offices of the chief medical officer, a copy of the report of the debate is placed before the Medical Research Council. I welcome the fact that my hon. Friend seeks to discuss the condition further.

The Government are committed to investing in genetic research. In 2001–02, the MRC will spend about £2 million on research into Duchenne muscular dystrophy. That is higher than the figure that we gave in April. The MRC is now funding five projects on various aspects of DMD, and I can provide details of them separately if my hon. Friend wishes. Other research projects are being carried out on muscular dystrophy, and on basic underpinning work that could apply to all forms of the disease.

The MRC does not usually earmark funds for particular topics: proposals for research in all areas compete for the available funding. When appropriate, high-quality research in the areas that we are prompting may be given priority in the competition for funds, but research excellence and importance to health will continue to be the primary considerations in funding decisions. In addition, although prevalence of a particular condition is an important factor, the MRC's funding decisions are based largely on scientific opportunity and the likelihood of significant development.

The report from the chief medical officer's expert group, published in 2000, is entitled "Stem cell research: medical progress with responsibility". It recognises that early research on stem cells is exciting and that it provides a real hope of new treatments becoming available in a few years for people with chronic diseases. I welcome my hon. Friend's comments in that regard.

The Government welcome the publication of the report of the House of Lords Health Committee on stem cell research, which endorsed the importance of research using embryonic stem cells. That report also upheld the Government's position that research using cell nuclear replacement—therapeutic cloning—is justified under the existing strict controls operated by the Human Fertilisation and Embryology Authority.

In January, the Secretary of State announced plans for the first national network of genetic knowledge parks. The aim is to put Britain at the leading edge of advances in genetic technology, which could transform treatments and services for NHS patients. We are investing £10 million in the genetics knowledge challenge fund, and the Department of Trade and Industry will contribute a further £5 million. There will be six genetics knowledge parks and two new national genetics reference laboratories. The genetics revolution is already under way. It is changing the world in which we live; it holds out the potential for new drugs and therapies, for new means of preventing ill health and for new ways of treating illness.

In time, we should be able to assess an individual's risk of developing not only single-gene disorders such as DMD and cystic fibrosis, but our country's biggest killer diseases—cancer and coronary heart disease—as well as other diseases such as diabetes which limit people's lives.

The potential of genetic research is immense. Although genetics will never lead to a disease-free existence, greater understanding of genetics is one of our best allies in the war against disease. Advances in genetics will lead to a greater understanding of the causes of genetic defects and possible treatments to resolve them. I know that there are exciting developments in America and elsewhere using mice, and these advances have given hope to the parents of boys with DMD. We must recognise that genetic interventions are probably still some years away, although with the amount of research currently being funded worldwide, it is impossible to predict where and when breakthroughs will come. In the meantime, we must try to ensure that those children who suffer from the disease are supported and cared for by the health service to the best of its ability.

An important recent development in the management of long-term conditions has been the recognition that people who live with illnesses such as DMD have considerable knowledge of their condition. That means that NHS health care services need to be reorientated to ensure a more equal partnership between patients and health and social care professionals.

The 1999 document "Saving Lives: Our Healthier Nation", a public health strategy White Paper, proposed a programme to provide NHS-based training in techniques of self-management, allowing people with chronic conditions to develop skills in partnership with their health and social care professionals to manage their condition from day to day. An expert task force with representatives from voluntary, professional and clinical organisations, health service users and carers was established. Its recommendations for an NHS expert patients programme formed the basis of the report "The Expert Patient: A New Approach to Chronic Disease Management for the 21st Century", published in September 2001. Where appropriate, it will also promote partnership between users, carers and care professionals in the development and delivery of training. It will feature a mix of generic and disease-specific training and be piloted between 2002 and 2004 in each primary care trust in England. We expect that it will become integral to the mainstream NHS health care provision between 2004 and 2007.

DMD does not only affect the patient; it has a major impact on the whole family. I do not underestimate the role played by carers and the difficulties that they face in trying to maintain a normal family life. During the past few years, our national carers strategy has achieved much in improving carers' access to breaks, information and support. The Government are increasing the amount of money put aside specifically to support carers in England through the carers grant. In 2002-03, the grant is worth £85 million. By 2005-06, it will more than double to £185 million. The increase in the carers grant

[Mr. David Lammy]

will ensure that 130,000 more carers benefit from short-term breaks and the extended care that enables them to continue to care.

The Carers and Disabled Children Act 2000 came into force in April 2001. The Act strengthens the rights of carers to an assessment of their needs. It gives local councils more powers directly to support carers by making direct payments to them. It makes provision for carers' services through the carers grant, as well as for flexible breaks through the short-term break voucher scheme, which will be implemented later this year.

During the past decade, the Department of Health has also provided support to the umbrella charity, the Genetic Interest Group, a national alliance of organisations that support children, families and individuals affected by genetic disorders, of which the Duchenne Family Support Group is a member.

In February 2001, the Secretary of State for Health announced the development of a national service framework for long-term conditions. The NSF will focus particularly on the needs of people with neurological conditions and brain and spinal injury. However, the NSF must also tackle some of the generic issues affecting a wide range of people with long-term conditions, and their families and carers. We hope that work to establish standards for neurological conditions will provide patterns of service provision that have wider application and will benefit people with non-neurological conditions.

I hope that my hon. Friend agrees with me that the Government are sympathetic to the needs of patients with Duchenne muscular dystrophy. The initiatives that I described, such as the important research work that is being done, the expert patients programme, the carers' strategy and the national service framework, will help make life better for patients with DMD, and for their families and carers.

Stromness Lighthouse Depot

1.30 pm

Mr. Alistair Carmichael (Orkney and Shetland): Mr. Griffiths, I hope that you will indulge me for a minute or two while I reminisce about my student days. As I prepared for this debate, I cast my mind back to the halcyon days at Aberdeen university when, as LLB undergraduates, we spent our time drinking coffee, putting the world to rights and occasionally speculating why we felt it was necessary or appropriate to study law. There were various reasons why we did so: some of my colleagues wanted to spend their days working in a family firm, while others felt it would be good to go into commercial practice and make a lot of money. Still others had their sights set for the stars and wanted to be High Court judges, sheriffs principal or something along those lines. I do not remember anyone saying that they were spending all that time studying delict contract, commercial contract, revenue law or criminal law so that they could become commissioners of the northern lighthouses. Likewise, I do not recall any of the many people who have carved out careers in local government in the fair cities of Edinburgh, Glasgow, Aberdeen, Inverness or even Argyll and Bute—where I was born and brought up—saying that their aim was to become a member of the northern lighthouse board.

In 2002, it is curious and anachronistic that we should constitute the general lighthouse authorities as we do. As I observed the manner in which the consultation on the proposed closure of the Stromness lighthouse depot took place, the words "curious" and "anachronistic" sprang to mind. In passing, I observe that there may be a case for examining the way in which we constitute those authorities, to bring them into the 19th or maybe even the 20th century, which would give them a springboard to join the rest of us in the 21st. I am not a supporter of change for change's sake, but the current set-up allows general lighthouse authorities to inhabit their own little dusty corner of the monolith of bureaucracy without the bright light of public accountability shining in on them. My personal feeling is that the jury is out on the constitution of general lighthouse authorities. I judge them on my own terms, and I hope that they and the Minister judge me in the same terms. I am not overly impressed by the way in which they have dealt with the concerns of my constituents or with their ability to engage with local communities over the closure of the Stromness base.

I have dealt with the lighthouse board on one other matter since I was elected—the withdrawal of attendants from several lighthouses. Having made local inquiries and taken advice from professional seafarers, I felt that the move was reasonable and justifiable and I decided not to go to the barricades to oppose it.

The consultation process for the proposed closure of the Stromness depot started on 28 August—at least, that is when it became a formal consultation process. A letter was sent to employees of the board and, on 30 August, a copy was sent to me with a covering letter similar to that sent to the employees. In the letter, the board advances three reasons for the closure, which seem to comprise the lighthouse board's case. There is no subsequent amplification of why it considers it necessary to close the depot.

We were first told that the Department for Transport had indicated that three general lighthouse authorities could justify the need for only one support facility each. We were told:

"This message was relayed to all 3 General Lighthouse Authorities in July, although even before that time we were looking closely at ways in which to rationalise our support structures."

The Minister has had sight of that letter—I have supplied him with copies. The letter also says:

"In order to realise fully the £4.2m investment made at Oban in 2001/2002, we should acknowledge the fact that the Board's base at Oban can now cope with all existing and planned work and likely spare capacity for commercial buoy work. ... Internal Maintenance and Health and Safety Inspections have taken place and both have confirmed the need to invest heavily in NLB Stromness to ensure that it is safe, fit-for-purpose, and matches the workplace standards now achieved at NLB Oban."

I shall deal briefly with those points in turn, and then with the Department for Transport. Let us consider the money spent on Oban. That is undeniable, and I do not begrudge the Oban depot a penny. It sounds like it has been well spent. However, my constituents who were employed by NLB raised their concerns at the time. NLB management told them that the spending should not be considered a threat to the Stromness depot. Now that the management have turned round and cited the spending as justification for the closure, hon. Members can see why that leaves a sour taste in the mouth.

As for money that was to be spent on health and safety improvements and internal maintenance, I understand from subsequent correspondence that the board intends to retain ownership of the base, to retain a small staff—two technicians—and possibly to lease the pier or other facilities. I assume that at least some money would have to be spent in any event, so I am not sure why that is an argument for the site's closure. However, we are left in the dark because the NLB will not put information in the public domain.

I pursued the first point in the letter—the Department for Transport's role—with the chief executive of the NLB. By 20 September, the position appeared to have changed because he told me:

"Separate and individual circumstances have arisen in both England and Ireland where Trinity House and the Commissioners of Irish Lights have both come to the conclusion that a single base for each might be a way to achieve service improvements in the future ... The Department for Transport has supported the aspiration of there being a single site for each Authority, but has not put any obligation or timescale on the Lighthouse Authorities to achieve it."

There might be a way in which a person who is cleverer than I could reconcile the two statements as mutually compatible, but I cannot understand how that can be the case. *[Interruption.]* The Minister says that that person is he, but I shall be interested to find out. Perhaps he sets himself up for a fall, but that is his choice.

Can the Minister tell me the stage at which the Department for Transport gave such an indication to the northern lighthouse board, and why it was given? That is an important question. What did the indication consist of, and what was the basis on which the assessment was reached? There is a clear implication in the first letter that it was done at the insistence of the Department for Transport, but that was later refuted.

I asked the northern lighthouse board the same question when the process began, although it has not yet properly answered me. It is not satisfactory that the chief executive of the board said in July that the plan had been considered by the board for some time when, in fact, on 20 March, he wrote to me, saying:

"The Board is not considering any job cuts at Stromness Depot."

The only answer that I have been able to get out of him came in a letter at the end of last week, when he wrote:

"The first date when the Commissioners formally considered withdrawal from the base at Stromness as an option was in August this year."

That did not answer my question. I knew that that was the first date on which board members had formally considered withdrawal, but I wanted to know when they had started planning it. If that was before they wrote to me in March, why did they tell me that they had no plans to make redundancies at the depot?

I apologise if I am labouring the issue, but I hope that hon. Members understand that we in the northern isles are not currently inclined to take on trust much that the board tells us.

The Minister will be aware that he has many powers. Section 194 of the Merchant Shipping Act 1995 gives him the power to ask the board for

"all such returns, explanations or information in relation to the lighthouses, buoys or beacons within their area and their management"

as he requires. On 16 September, I first sought the disclosure of information on the performance of the Stromness depot and on the board's reasons for wanting to close it. The chief executive has so far failed to provide that information and he has not even been able to give an indication of whether he intends to. When I ask a public body for information, I am generally naïve enough to expect it to be provided. Since June last year, I have become accustomed to sometimes being told that there are good reasons why information will not be made available, but I have never become accustomed to being ignored in the way that I have been in this case. As Mr. Spock of the Starship Enterprise might have said, "It's public accountability, Jim, but not as we know it."

Will the Minister use the powers that Parliament has given him to bring the necessary information into the public domain? Is he content with the manner in which the board has conducted the consultation? Would he be content for officials in his Department—I give it credit for consulting often and comprehensively on a number of issues—to conduct a consultation in the same way? Would he be content for them to treat the Stromness community and local employees in the same way? Is it fair for the NLB to leave my constituents and their employees to second-guess the reasons for closure and to make the case for retention?

I have further concerns about the board's conduct. The local council in Orkney requested information so that it could compile an economic impact assessment. The chief executive told it:

"The Northern Lighthouse Board advises on the appropriateness of the questions submitted to ensure that the information you request provides you with the fullest possible picture."

[Mr. Alistair Carmichael]

It sounds like the board is saying that it will answer questions only if they are the ones that it wants asked. That does not sound like an especially accountable or transparent way of doing business.

The other point that concerns me and many other people in Orkney is the length of the consultation. The chief executive consistently refers to a three-month consultation period. I may be a bit old-fashioned about these things, but I would never consider a consultation that starts on 30 August and concludes on 15 November to be three months long; at most, it will last for 11 weeks. I recently asked the chief executive to extend the consultation period because so many questions remained outstanding. He told me that he would not accede to the request because—this is the supreme irony—it would increase uncertainty among the employees of NLB Stromness. His concern is touching, if belated. A wee bit of uncertainty would be much appreciated by those employees, because they see the decision as a certainty. They see it as a done deal, cut and dried. They think that the board has decided to close the depot and the consultation is simply academic. I hope that that is not the case, but very little that I have seen of how the board has conducted itself would make me conclude otherwise.

Anyone who looks at a map can see the usefulness of a depot in Stromness. If the northern lighthouse board is to service lighthouses and buoys all the way down the east coast, in the northern isles, up to Shetland and down to the Isle of Man, it should maintain a facility there. This is not a question of some great contest between Oban and Stromness, as there is a good case for keeping both open. I want to know why the NLB think that it is necessary to close even one of them.

There is the possibility of bringing in extra commercial work that is compatible with the NLB functions in Stromness. Has that been explored? The NLB has what amounts to a commercial manager, but I understand that he has not brought in much work, although it is early days. If the board has been looking seriously at how to find extra work for such a facility, it should surely have considered the European marine energy test centre that is being established near Stromness, but I understand that there has been no consultation with any of the people involved. The base at Stromness has a high quality work force, who have many good ideas for improving the efficiency and operation of the depot. Have they ever been consulted? I do not know whether they have been now, but when I spoke to them on Friday morning, they had not.

Many people have noted, as I did, that although the basis for any change is supposed to be cost savings, no figures have ever been put in the public domain. We can see many ways in which it might end up costing more, but until we hear the board's case, we cannot judge that.

There is a feeling in the wider community that people in Orkney have been loyal to the NLB for many years. We are a seafaring and island community that appreciates the need for maritime safety. We know the pain caused to people when they lose a member of their family or friend at sea, especially as bodies are often not recovered. That is why we value the work of the NLB and others. The relationship is long and strong, but if the NLB has decided that it is to end that and turn its back on Orkney, we are at least entitled to an explanation as to why.

1.47 pm

The Parliamentary Under-Secretary of State for Transport (Mr. David Jamieson): I congratulate the hon. Member for Orkney and Shetland (Mr. Carmichael) on securing this debate. As always, he spoke powerfully on behalf of his constituents. He started by talking rather endearingly about his student days, which he said were spent drinking coffee and putting the world to rights. That may not have qualified him to become a member of the northern lighthouse board, but it certainly qualified him to become a Liberal Democrat MP. I appreciate his concerns, and I will attempt to answer at least some of his points. If I do not manage to answer them all, I will do so outside the scope of the sitting.

I should also like to say that I was delighted to visit the hon. Gentleman's constituency. He had invited me in a previous debate, and I managed to visit the Shetland isles this summer with my son. It was a very pleasant experience, and I was delighted to enjoy the hospitality of the hon. Gentleman and many others.

The hon. Gentleman's concerns result from the decision by the commissioners of the NLB in August to conduct a consultation exercise on the possible closure of the board's facility in Stromness in Orkney. I should make it clear that the depot's future is primarily for the NLB commissioners to decide. My Department will need to be consulted about the financial implications for the board, as it is accountable for the general lighthouse fund. The hon. Gentleman asked about the consultation process. We expect any consultation to be full and fair; it should provide those consulted with the maximum amount of information so that they can take part properly in that consultation. We also expect that the views expressed, including those of the hon. Gentleman and his constituents, will be fully considered. I do not know whether he has already done so, but I suggest that he seek a meeting with the chief executive. I understand that the chief executive may have written to him inviting him to a meeting and if that is so, I suggest that it take place.

Mr. Carmichael: My first letter to the chief executive stated that I was keen to meet him. I thought that it would be useful if he could provide me with information first. I have not received any information so there has not been a meeting yet.

Mr. Jamieson: I hope that in the light of the debate a meeting between the hon. Gentleman and the chief executive of the NLB will take place at an early opportunity. It may be a proper place for the hon. Gentleman to talk about some of the matters that concern him. If he then wants to explore them further with me, I shall be happy to do so.

The hon. Gentleman asked some specific questions about the Department's role in the matter, and I hope that I can clarify it for him. He may not yet have received my answer today to his written question about our advice to lighthouse authorities on the maintenance of their depots. The reply states:

"The Department discussed the overall requirements for aids to navigation support facilities with the lighthouse authorities in July. The Department has not given the authorities any specific advice on depot maintenance."

The original letter, dated 30 August, may have been slightly at variance with the advice that we gave. After the meeting, it was our view that possibly three depots would be appropriate for the United Kingdom, but not necessarily one for each of the areas. There may have been some misunderstanding of what we meant. We felt that three strategically placed depots might be sufficient to provide the coverage required.

The changes that have taken place in the use of lighthouses have substantially reduced the need for mainland support over the years, as the hon. Gentleman is aware. All three of the general lighthouse authorities are reviewing their support structures and all three recognise that they have spare capacity. All three authorities recognise the need to reduce overheads and their supporting structures so that they are more closely related to the statutory requirements. A useful side effect is likely to be that they will then be in a better position to compete for commercial work, especially the maintenance of aids to navigation that are the responsibility of other organisations. Success in that respect will further reduce costs to the authorities.

The GLAs have a good record of reducing operating costs. They are funded by the general lighthouse fund, which draws its income from the levy on light dues on commercial and fishing vessels using UK and Republic of Ireland ports. My Department is accountable for the fund and responsible for setting the light dues tariff. Rates rose rapidly during the time of automation in the 1990s, but the last increase was in 1993 and rates were reduced in 1997 and 2002. We have been able to fund major changes—new ships and improvements to depots—within the reduced rates. Even so, some shipping lines are paying more due to the increasing trade as more or bigger ships use our ports. Trinity House, the GLA for England, Wales and the Channel Islands, is also undertaking a depot review.

The northern lighthouse board, which is the GLA for the waters surrounding Scotland and the Isle of Man now operates from three locations: its headquarters in Edinburgh, and depots in Oban and Stromness, to which the hon. Gentleman referred. One depot —at Granton in Edinburgh—has already been closed. The Oban depot was almost 100 years old, and was not considered to be fit for purpose. The board considered that that site had the greatest development potential for a more efficient buoy-servicing facility, combined with the best access to support services—buoy storage potential, and helicopter handling capabilities.

The board therefore developed a detailed business case for updating the Oban depot. That case formed the basis for discussion with the officials in my Department who manage the general lighthouse fund. We were satisfied that a good case had been made for that investment, and, over the last three years, £4 million has been spent on creating that new facility, which was opened last year.

We understand that the commissioners now believe that the new depot at Oban has the capability to meet all of the board's requirements. The commissioners are therefore reviewing the future of their other depot facility at Stromness, because that depot, if it were to continue in its current use, is likely to require significant expenditure to update it to meet modern standards of health and safety. That expenditure might be difficult to justify if the facility was no longer required to meet the statutory obligations of the commissioners.

Mr. Carmichael: I know that the Minister will not be able to respond to this question at the moment, but perhaps he could do so in writing. When in consultation with the Department over the £4 million to be spent on Oban, did the lighthouse board give any indication of its intentions with regard to Stromness?

Mr. Jamieson: It is my understanding—if I am incorrect, I shall certainly write to the hon. Gentleman—that that indication was given after the July meeting. The indication came from the board itself, not from the Department. Our indication was that there needed to be a rationalisation, and that, possibly, three strategically placed depots might be appropriate. However, the northern lighthouse board came up with the proposal for Stromness.

The commissioners are currently consulting staff and the local community about the future use of the facility. That consultation is neither an exercise nor a procedural formality. It is about achieving the widest possible input of facts and understanding the feelings of those affected by the final decision. I should like to hear from the hon. Gentleman and from his constituents if they feel that that has not been the case. I should be interested to know how any improvements might have been made to that procedure, if needed.

I understand that the board's review should be completed within the next few weeks. The commissioners are expected to consider the conclusions at their meeting on 9 December. I also understand that the commissioners are very aware of the socio-economic impact that any decision on the future of the depot could have on the local community, and that that is being taken into consideration along with the business case. To that end, I understand that the northern lighthouse board is providing information to the Orkney Islands council, which is undertaking a socio-economic review, the results of which will be shared with the northern lighthouse board.

The United Kingdom has a marine navigation aid service of the highest quality. Sailors over many centuries have travelled in greater safety thanks to the lighthouse keepers, and to those who work in the depots and on board the ships that support the aids to navigation.

The three GLAs are facing change so as to meet the challenge of maintaining new types of aids to navigation. The way ahead is still under development, but in broad terms the authorities envisage a reduction in the requirement for traditional aids, and a greater

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reliance on satellite navigation and new aids such as automatic identification systems. I know that the GLAs are concerned about the welfare of staff, and that they will deal with the management of change in a sensitive manner. They wish to reduce the period of worry and uncertainty to the absolute minimum. I am sure that that will be of some consolation to the hon. Gentleman's constituents. My officials will keep in close touch with the northern lighthouse board, and with the other lighthouse authorities about the strategic decisions on the future of support facilities and related matters. I assure the hon. Gentleman that I will keep him, and the House, informed as those matters are taken forward.

This has been a short but helpful debate. As always, the hon. Gentleman has raised matters that are very pertinent to his constituency, and if he feels that any matter has not been considered properly in the debate, I will be happy to write to him. I urge him to seek a meeting with the chief executive, so that some of the issues that he has raised can be ironed out.

Question put and agreed to.

Adjourned accordingly at one minute to Two o'clock.

Westminster Hall

Wednesday 23 October 2002

[SYLVIA HEAL *in the Chair*]

International Terrorism (Indonesia)

Motion made, and Question proposed, That the sitting be now adjourned.—*[Mr. Ainger.]*

9.30 am

Mr. Win Griffiths (Bridgend): I must say at the outset that I take no pleasure in being here this morning to talk about Indonesia and its role in combating international terrorism. The Bali bomb was a shock to the world. It was a barbaric, mindless, Godless and faithless atrocity. It displayed among the perpetrators no concern for humanity and the human condition. For any normal person, it is still difficult to come to terms with the fact that people can perpetrate such atrocities against their fellow human beings.

It was cathartic yesterday to be at the Indonesian embassy, which held an inter-faith memorial service. Leaders of the Anglican community, the Roman Catholic Church and the Muslim, Hindu and Buddhist faiths participated in a service of remembrance.

Rather like last year's September massacre in the United States, the Bali bomb took us totally by surprise. I say that as someone who only a month before—at the end of July and beginning of August—led an inter-faith delegation to Indonesia. We visited Jakarta and the island of Sulawesi, a part of which has experienced inter-faith violence between Muslim and Christian communities for about three years. Our delegation contained four each from the Muslim and Christian traditions. My hon. Friends the Members for Easington (Mr. Cummings), for Birmingham, Perry Barr (Mr. Mahmood), and for Glasgow, Govan (Mr. Sarwar), and the hon. Member for Belfast, South (Rev. Martin Smyth) were there from the Commons, and Lord Bhatia, Baroness Cox, and Baroness Uddin came from the Lords for all or part of the visit.

Although the visit was partly to familiarise ourselves more with Indonesia, its Government and the general problems that it faces, we also specifically focused on the issue of inter-faith violence in central Sulawesi and Maluku, or the Moluccas as we have known them in the past. The Bali bombing put a totally new slant on our visit. It was undoubtedly perpetrated by Muslim extremists, and there have been a plethora of stories in the press about the information that allegedly was available to the security services. Stories in the press before then expressed concern about the possibility of Muslim extremists and al-Qaeda having connections in Indonesia and the potential to foment trouble there. That issue is relevant to the impression that members of the delegation formed on our visit.

Our visit was broadly based. We met a great variety of people, and I pay huge tribute to our staff at the embassy in Jakarta and the south-east Asia division in London for the superb programme that they put together for us. At our request, they even made changes at the eleventh hour and managed to slot them into the programme. We had a meeting alone with President Megawati—she had no officials there to guide her—for approximately three quarters of an hour, which was very interesting. We met the Speakers of both Houses of Parliament and the two Ministers responsible for implementing the Malino I and II peace agreements that cover central Sulawesi and Maluku. We also met members of the committee for security and politics in the People's Legislative Assembly, which is the most prestigious committee in that House. In a joint meeting, we met the leaders of the two largest Muslim organisations in Indonesia—Nahdlatul Ulama and Muhammadiyah. We also met the representative of the Catholic Church and the representative of the Protestant community in Indonesia.

That was at the top of the tree. We also had meetings with 20 Muslim and Christian rajas—village heads—from Maluku, and met representatives of local and international non-governmental organisations operating in Sulawesi and Maluku. In Jakarta, we met young people brought together by the British Council's connecting futures programme, people from the media who had been to Britain on a transition to democracy programme, and representatives of the British Chamber of Commerce. We then went to Sulawesi. We did not go to central Sulawesi, but to neighbouring south Sulawesi where we met the governor, the chief of police, members of the regional parliament, the signatories of the Malino I peace agreement covering central Sulawesi, members of an inter-faith communication forum in south Sulawesi, and staff and students from a Protestant theological college. We met all sorts of people, from the heights of the Government to the grass roots of local communities, who are directly involved in trying to resolve the problems of inter-faith violence between Christians and Muslims.

There have been three years of violence, during which we hesitate to guess how many people died. Although violence has been committed against Muslim communities, much more violence has been perpetrated against Christian communities in Maluku and central Sulawesi. At grass-roots level, local non-governmental organisations, signatories to the Malino agreements and the village heads in Maluku have made tremendous efforts to try to resolve problems and isolate extremists. They were most concerned about the lack of sufficient resources invested by the Indonesian Government in the peace process. Not enough troops were around to deal with incidents that broke out from time to time, which made it difficult to implement the agreement. While we were there, the Christian signatories of the Malino I agreement for central Sulawesi withdrew from the agreement committee until they were satisfied that the Government were responding more positively to the needs of the Christian community.

We gained the impression that the Indonesian Government were reluctant to talk in detail about Laskar Jihad, the main extremist militia on the Muslim side. In press reports about the Bali bombing, it is notable that Laskar Jihad barely gets a mention, perhaps because that organisation is principally concerned with an internal struggle through which it can impose its faith on the whole of Indonesia. Jemaah Islamiyah, which has had more publicity, has a wider aim in seeking with other groups to create a south-east Asian Muslim entity incorporating not only Indonesia,

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but Malaysia, Singapore and the Philippines. It carries out its work through terror and force. The Indonesian Government seemed reluctant to face up to that, but since we returned at the end of September they have created a new national security council. That shows that they are beginning to take these problems seriously.

The information on international terrorism provided to the Indonesian Government—the same point applies to the intelligence services of the British and American Governments—raised general concerns, but did not allow them to identify a specific incidence of violence. We could argue that the Indonesian Government should have responded to such generalised warnings, but that would have meant virtually shutting down the country, or at least the important parts of the country relating to the Indonesian economy and its citizens' way of life. When we look back at it, the surprise of this event stands out. Jemaah Islamiyah has been fingered as the most likely candidate for perpetrating the event, but it is not on the United Nations list of banned terrorist organisations. It is no wonder that the Indonesian Government were reluctant to act. They are in an incredibly difficult position.

I have read all the academic accounts saying how the Indonesian Government should have done A, B and C in moving against the extremists, but the warnings that they received were generalised rather than specific, so it was difficult for them. It may be salutary for us in the west to compare the position of the Indonesian Government with that of Russia or Yugoslavia.

We must remember that democracy in Indonesia is only three years old. It is struggling to maintain over 17,000 islands, half a dozen of which contain most of the Indonesian population. As they are islands, it is easy to talk about separation. Indonesia is struggling to keep the unity of a state, which, apart from its colonial experience, has not had any common statehood in the past. It is trying to keep the principle of a secular state where religious practice is protected and tolerated—"Unity in Diversity" is the Indonesian motto—while emerging from a barbaric dictatorship which kept order until its corruption and barbarities were such that the people eventually revolted.

That strong man Suharto, who had been in power for over 30 years, was removed and yet many of the heads of the army and the political establishment were part of that set-up. They had been involved in the corruption. The present Government is led by a woman in a Muslim state. The Vice-President, Hamzah Haz, at one time said that women should not be involved in politics, although he now happily serves under her. President Megawati does not have a majority for her party and is working in a coalition. There are separatist movements in north Sumatra, Kalimantan and to some extent in Papua. There was a separatist movement in Maluku, but most people on either side of the argument agree that that is totally insignificant now.

The Indonesian Government had an appalling human rights record under Suharto, but are now trying to keep the state together. They are trying to develop a democracy. They are trying to develop a state in which there is due process of law, yet they are told that, because of the potential danger from Muslim extremists, people should be rounded up. The two Ministers responsible for the two areas where there had been violence have to take action while at the same time respecting human rights and the due process. That juggling act is extremely difficult, bearing in mind the fact that human rights organisations within Indonesia and outside have complained bitterly about the fact that human rights have not been respected in Aceh, for example.

Vice-President Hamzah Haz certainly did not want to recognise that there were terrorists in Indonesia. In May of this year he was quoted in *The Jakarta Post* as saying:

> "There are no terrorists here. I guarantee that. If they exist, don't arrest any Muslim clerics, arrest me."

We know that Abu Bakar Bashir has been arrested. On 18 October, Hamzah Haz said:

> "The alleged existence of an international terrorist network in Indonesia cannot be detected until legal process shows it ... People should not think negatively about the move to summon Bashir."

So the Vice-President of Indonesia is still in denial about the possibility of there being international terrorists operating in the country. Is it any wonder that the Government of Indonesia have been grappling with more balls than a juggler would throw into the air in trying simultaneously to deal with extremism and to maintain the reform process and the efforts to create a democracy, justice and human rights, along the lines that we in the west would wish?

We might consider for a moment what happened in the old Russian empire and in Yugoslavia when the rule of dictators was removed and people were allowed to develop their own Governments. It was total chaos. In Yugoslavia, it was so bad that we and other states had to intervene to protect Muslims from genocide, and we need consider only briefly the current problems with regard to law and order and terrorism in some of the old satellite states of the Soviet Union.

In that context, we might think that the Indonesian Government are not doing so badly. Nevertheless, we should not just wipe the slate clean and tell them that, compared with Yugoslavia, they are not doing a bad job. That would not reflect what I have told the Indonesian Government over the past few years, by word of mouth and in letters, about their failure to deal sufficiently strongly with Muslim extremists.

We may regret the fact that the Indonesian Government did not take stronger action, but there are understandable reasons why they were not in a position to do so. Laskar Jihad is an example of that. Even before the disbandment of that group—on 15 October, fairly soon after the Bali bombing—there had been allegations about connections between the group and the military. The group officially disbanded in a very disciplined way. Without looking into the possible reasons for the disbandment, I can tell hon. Members that there seems to have been a strong element of military direction within it, or from those in the military who were involved with it, to ensure that it was disbanded, at least for the time being. Although I do not believe that Laskar Jihad were implicated in the Bali bombing, the investigation of Muslim extremists might well have drawn the investigators' attention to some elements in the army that were involved with Laskar Jihad. That illustrates the difficulties that the Indonesian Government face in trying to deal with those extremists.

Are there any grounds for hope in fighting international terrorism? I believe that there are. Towards the end of September, the Indonesian Government began to take seriously the need to deal with international terrorism and Muslim extremists in the state by setting up a national security council. In addition, we should not forget that, in June, they handed over Omar al-Faruq—a Kuwaiti involved in international terrorism—to the Americans. He is still, I believe, in Guantanamo bay, and has been questioned. Some of the information received from him appears to have credence, but some does not seem to accord with what the intelligence services have. That, again, is one of the problems in dealing with the international terrorist threat. There are pages and pages of information, but they often contain contradictions. I shall not go into details, but I have seen the names of at least four or five Muslim extremists credited with responsibility for masterminding the Bali bombing. Who was it, or were they all involved? To what extent were Muslims in Indonesia involved? The impression is that the whole escapade was planned and developed by outside forces, although there could have been some help from local extremists in planning and preparing for the attack.

Mr. Simon Thomas (Ceredigion): I am listening to the hon. Gentleman with great interest. He has intimated that until the very recent past the Indonesian Government, although perhaps not the present democracy, have been involved in internal terror and used terror against their own citizens. He also said that some of those individuals have carried on in the military and in the current Government. Is the hon. Gentleman satisfied from his talks with the Indonesian Government and other parliamentarians that the present Government have woken up to the reality of that? Surely they need to rid themselves of those elements in their military and Government as well as tackle international terrorism. The two go together, as I think he is moving on to say.

Mr. Griffiths: The two do go together. We did not discuss in detail whether the military were implicated or whether senior people in the political establishment were involved in past wrongdoings. However, the Speaker of the People's Legislative Assembly has, I believe, been charged with and found guilty of corrupt practices. In the past week, President Megawati has asked the Attorney General to resign because of his failure to maintain high standards in political life, in that he has kept back information about the sources of his wealth.

The Government are, therefore, aware of these matters and are trying to sort them out, but there are tremendous difficulties because many people in leading positions in the military and the political establishment were enmeshed in what happened in the past.

Jeremy Corbyn (Islington, North): I am very interested in what my hon. Friend has to say. In his discussions, did he get a handle on any current relationship between the military and the militia, particularly in West Papua and Aceh? Appalling acts of violence are being perpetrated there by the militia, and it is said that many of those militia are close to the army.

Mr. Griffiths: I think we can be fairly certain of that in the case of Laskar Jihad, although that is speculative because we do not have the evidence in chapter and verse. However, it is fair to assume that some of the military have connections with some of the extremist groups operating in various parts of the Indonesian state. That is one of the Government's great difficulties.

Nevertheless, the Indonesian Government are trying to tackle the problems, although not with the alacrity that we would like. They have set up the national security council and now recognise that there are problems with al-Qaeda and other international terrorists making links with local Muslim extremists. They dealt with Omar al-Faruq and have arrested a number of other people. Indeed, while we were there, the leader of Laskar Jihad, Jafar Umar Thalib, was on trial, although the trial was proceeding slowly. According to the latest information, there are recordings of him calling on Muslims to kill every Christian in Maluku. A local police commander attests that Thalib made that statement on the radio and that it is his voice on the tape recording, but Thalib denies that it is him speaking on the tape. The Government have rounded up several other groups involved in, for example, attacks on nightclubs. Some of the leaders of the Islamic Defenders Front have been arrested. Action is being undertaken.

The Malino I and II accords are meant to try to solve the problems of local inter-faith violence. The main grass-roots Muslim organisation, Nahdlatul Ulama, has come out strongly against such violence. Its leader, Hasyim Muzadi, was in Britain under the auspices of the British Council only a week or two ago, and I and one or two other parliamentarians met him. He made it plain that moderate Muslims must stand up to Muslim extremists. He has created the national moral movement, which includes NU and Muhammadiyah, the other large Muslim organisation. Between the two, they have about 70 million members.

The head of the Catholic Church and representatives of Protestant Churches are included in the national moral movement, as are intellectuals, the non-religious political establishment, Hindus and Buddhists. All those elements have leadership roles in the movement, which is trying to ensure on a national level that clear guidance is given to Muslims in particular. It also deals with some extremists involved in unsavoury gangs in the name of Christianity. As with the IRA in Northern Ireland, perhaps there is a residual Catholic connection, although we know that there is really no connection with religion. However, I do not want to get into that issue.

The movement is trying to set a national example so that most ordinary people will be prepared to stand up against the extremists. We met 20 village heads, Christian and Muslim, who were clear that they had to stand up to Laskar Jihad and other extremists in their communities. Plenty of positive work is taking place, but undoubtedly the Indonesian Government need help and support.

The British Government have provided advice to the army and police in Indonesia on how to work in a publicly accountable way, which they have not had to do in the past. Our Government have also started aid programmes to deal with some longer-term problems of poverty and economic development. The non-governmental organisations there try to work positively. With the support that the Indonesian Government are receiving from outside, there is the prospect that

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extremism can be dealt with in the incredibly difficult terrain of the Indonesian state. However, in a state of 17,000 islands, we should not underestimate the ability of Muslim extremists to set up camps and perhaps go undetected for a long time.

Mr. Khalid Mahmood (Birmingham, Perry Barr): Does my hon. Friend agree that we should congratulate the ambassador to Indonesia, Richard Gozney, and his staff on their tremendous work? He has already mentioned it, but will he reiterate our congratulations? Does my hon. Friend agree that we should offer more support on the security and protection of small Christian and Muslim groups, to try to bring them back into the mainstream? The charities provide a lot of funding, but would the Minister not agree that the Government should provide funding for the existing security structures? It is a fledgling democracy, and we need to ensure that it has security support so that it can better establish itself.

Mr. Griffiths: I have no hesitation in approving what my hon. Friend says; he was with me on the delegation.

Uli Ubhar Abdullah, an NU leader and a great scholar, said:

"The government should use the Bali attacks as a momentum to show the world that it is serious in its acts against extremism".

That reflects what the leadership is saying. This tragedy gives the Indonesian Government the opportunity to re-establish harmonious inter-faith relationships and to tackle the problem of international terrorism in its own country.

One final thing came up in our talks that cannot be avoided, and it is doubtless being considered by our Government and by the United States. The Indonesian Government said that their efforts to tackle the problems of extremism would be made more difficult if Iraq were to be attacked without the support of the United Nations. That is something else that needs to be considered when trying to deal with international terrorism, and in particular with the situation that prevails in Indonesia.

10.6 am

Bob Spink (Castle Point): I congratulate the hon. Member for Bridgend (Mr. Griffiths) not only on initiating this important and tragically timely debate, but on his efforts to seek an end to sectarian violence and terrorism in Indonesia, particularly in the eastern part of the country. His efforts are often spoken of in the House, and are much appreciated by all Members.

I worked in Indonesia in the 1980s; I was funded as a consultant by the tripartite organisations—the International Labour Organisation, the World Bank and the United Nations—on technology transfer projects. I worked closely with Pertamina, the Indonesian national oil company, so I know that the Indonesian people can be wonderful and gentle, how beautiful the country is and how much potential it has. However, I also know also how many problems remain to be solved in that part of the world. Again, I congratulate the hon. Gentleman on introducing a debate on the subject.

In two previous debates, and with much help from the Jubilee 200 campaign for debt cancellation, I have raised concerns about continuing sectarian violence and terrorist activity in Indonesia, especially in the Moluccas and Sulawesi. The violence and sectarian terrorism has been fuelled and perpetuated by the extremist Islamic group, Laskar Jihad, aided and abetted by al-Qaeda. I told the House on 17 July that the al-Qaeda terrorist network was joining Laskar Jihad in fighting Christians in Indonesia. I continued:

"The British Government should pressure the Indonesian authorities to ensure that there are enough police and troops in the Moluccas and Sulawesi to enforce the peace"—[*Official Report, Westminster Hall*, 17 July 2002; Vol. 388, c. 104WH.]

I also said that failure to do so would give succour to Islamic death squads. I take no pleasure in saying that I have been proved right.

When I made that statement, I thought that terrorism would be exported from Indonesia to other nations; I guess that the British Government and Governments throughout the world thought so too. Little did I think that terrorism would be used in Bali—a serene and beautiful haven of peace. While our hearts go out to the victims of that terrible atrocity and to their families, our thoughts must also be with the Indonesian people, who will suffer tremendous trauma and take a long time to recover from this tragedy. We have a duty to help them to recover from it in every way we can, and to rebuild Bali and Indonesia as a strong country in the international community.

Over the past two years, the Jubilee campaign, the British human rights group, has called for Laskar Jihad to be removed from the Moluccas and Sulawesi, and for Jafar Umar Thalib, the organisation's leader, to be brought to justice. I heartily support that call. Laskar Jihad is responsible for killing thousands of Christians in Indonesia during its jihad, or so-called holy war. Moderate Muslims who disagree with Laskar Jihad's harsh, intolerant and improper interpretation of Islam have also been victimised and have suffered terribly. We must fight to eradicate all sectarianism, religious intolerance and violence, whether from the Muslim or the Christian community, whatever its source. In that part of the world, however, the source is the harsh interpretation of Islam perpetrated by Laskar Jihad.

The low-end estimate is that about 5,000 or more Christians have been killed in the Moluccas alone in the sectarian conflict that has raged there. In early 2000, the situation was relatively calm, but the peace was violently broken in May by the arrival of Laskar Jihad, when about 7,000 fighters—or terrorists, as some would call them—invaded the Moluccas. That extremist group is composed of fighters from other provinces of Indonesia outside the Moluccas and of terrorists from other Islamic countries such as Pakistan and Afghanistan.

Laskar Jihad's invasion caused unprecedented violence in the Moluccas and resulted in the deaths of thousands of people, simply because they were Christian. Killing in such a way is evil, but killing in the name of God compounds that evil, as people were told by a rabbi from Israel at the national prayer breakfast in Westminster Hall this morning.

Despite widespread destruction and violence caused by Laskar Jihad, the Indonesian Government did nothing to have those people removed from the

Moluccas and Sulawesi. Indeed, elements of the Indonesian military supported Laskar Jihad with weapons and training. Throughout the Moluccas and Sulawesi conflicts, it has been commonplace for the Indonesian security forces to take the side of aggressive Islamic fighters against the defensive Christians. Despite the participation of Indonesian soldiers and police in numerous attacks on Christians, which have been well documented and witnessed, the Indonesian Government have not sought to punish such prejudiced members of their security forces.

As a result of the Indonesian Government's complacency, and their helpful attitude towards the violence of militant Islamic groups such as Laskar Jihad, the country has become a haven for Islamic terrorists. In December 2001, the head of Indonesia's national intelligence agency, Lieutenant-General Hendropriyono, publicly confirmed that members of the al-Qaeda terrorist network were joining Laskar Jihad in fighting Christians in Sulawesi. Due to pressure from fundamentalist Indonesian politicians, Lieutenant-General Hendropriyono later retracted that statement. However, as the Jubilee campaign and I have frequently pointed out, he did so only because of political pressure. The facts that he quoted about al-Qaeda were right, as we have now learned to our cost.

So far, the Indonesian Government have done little to crack down on militant Islamic extremists in Indonesia. Unlike neighbouring Governments such as those of Singapore, Malaysia and the Philippines, who have tried to apprehend such extremists, the Indonesian Government have until now practised a policy of accommodation with respect to Muslim militants, even at the expense of the safety and lives of thousands of Christians and non-fundamentalist Muslims in the Moluccas and Sulawesi.

Indonesia's reluctance to rein in Islamic extremists and detain suspected terrorists prompted much concern in Washington and in neighbouring Asian capitals about whether the world's most populous Muslim country could become a base from which to plot new terrorist atrocities. That concern proved well placed.

Omar al-Faruq was arrested by Indonesian police in 2002 and handed over to the United States authorities. Al-Faruq is reported to have confessed to being a senior al-Qaeda operative with responsibility for planning and co-ordinating attacks against targets in south-east Asia. Al-Faruq has also spent time fighting Christians for the Muslims in Ambon in the Moluccas, and he stayed in a Laskar Jihad stronghold, with its support, while he was there. That is strong evidence, if we needed it, of a link between Laskar Jihad and al-Qaeda.

The Indonesian Government's short-sighted policy of accommodating Islamic militants such as Laskar Jihad led to the devastating result of the terrorist bombing in Bali on 12 October, which killed at least 180 people. Until then, the international response, including that of the British Government, to the deaths of thousands of Christians at the hands of Islamic extremists in the Moluccas and Sulawesi was relatively low key. I say that with deep regret.

Western Governments and the world media have been slow to recognise the active role played by Islamic terrorists in perpetuating the sectarian conflict in the Moluccas and Sulawesi. Now, however, the world has finally begun to wake up to the dangers of Islamic terrorism in Indonesia, because, for the first time, Muslim militants have killed many westerners there.

Around the time of the terrorist attack in Bali, Laskar Jihad closed its head office in Yogyakarta and claimed that it was disbanding the organisation. Since Tuesday 15 October, Laskar Jihad fighters have been seen leaving Ambon in the Moluccas and Poso in central Sulawesi. There is widespread speculation that the timing of the closure of Laskar Jihad and its parent organisation, the Communication Forum for Ahlusunnah Waljamaah, is directly connected with the attack in Bali.

There is more than a possibility that the purported disbanding of Laskar Jihad is a strategic move, with a view to going underground to avoid attention in the event of a general crackdown on militant groups following the Bali bombing. It is also possible that Laskar Jihad fighters will simply re-emerge under a new name and carry on their violent activities in a different guise.

Close monitoring of Laskar Jihad and its former members is essential, and only time will tell whether its disbandment truly marks the end of the conflict in the Moluccas and central Sulawesi. That must form a main part of Indonesia's role in combating Islamic terrorism.

Some may question Laskar Jihad's capacity to carry out an attack as devastating as the Bali bombing and suspect that al-Qaeda played a key part in the atrocity, but we cannot claim to know the full capability of Laskar Jihad. Therefore, we cannot simply assume that the Bali attack was beyond its abilities. In any event, without Laskar Jihad, al-Qaeda would find it difficult to operate in Indonesia, so Indonesia must co-operate internationally to rid itself of such terrorists and their safe havens there. Others who have provided support to Laskar Jihad may have had prior knowledge of, or involvement in, the Sari club bombing, and thus planned in advance to dissolve Laskar Jihad in anticipation of a crackdown on Islamic militants following the bombing.

Furthermore, while the apparent withdrawal of Laskar Jihad fighters from the Moluccas and Sulawesi is to be welcomed, many remain in the northern Moluccas and in West Papua, where there are reportedly still more than 1,000 Laskar Jihad fighters. Since June 2001, Laskar Jihad in West Papua has been reported to be positioning itself for a Moluccas-style attack against the mainly Christian local population. I therefore again urge the Government to put strong pressure on the Indonesian Government to ensure that all Laskar Jihad fighters and other terrorists leave the Moluccas, Sulawesi, West Papua, and, indeed, Indonesia.

The Indonesian Government must ensure that the Laskar Jihad leader, Jafar Umar Thalib, who is on trial, is given a lengthy prison sentence if he is found guilty to prevent him from inciting violence, as he did before, or engaging in any further terrorist attacks. The Indonesian authorities should be encouraged to deal firmly with all violent Islamic groups in Indonesia. There also needs to be a tough, independent and transparent investigation of the links between Laskar Jihad and the Indonesian military. Only time will reveal whether Laskar Jihad has truly ended its war against

[Bob Spink]

Christians, and whether the Indonesian Government will diligently pursue and punish terrorists in their country.

Much closer and more serious scrutiny by the international community of the militant Islamic groups in Indonesia, such as Laskar Jihad and Jemaah Islamiah, is urgently needed, and continuing pressure must be put on the Indonesian Government to crack down on Islamic extremists. If the Indonesian Government continue to be complacent in their handling of extremist groups, the British Government and their European Union partners—and, I suppose, America and other countries—should seriously consider imposing sanctions, including an arms embargo on Indonesia.

10.22 am

Rev. Martin Smyth (Belfast, South): I agree with the hon. Member for Castle Point (Bob Spink) that such groups may reorganise under another name. As we discovered in Northern Ireland, groups disband, or at least say that they are going down the road of peace, but then reorganise using names such as "continuity" or "real", and even continue as "provos".

However, it is important to bear in mind the fact that there are other issues as well. The hon. Gentleman referred to the possibility of Laskar Jihad moving into Papua. It is equally possible that it is regrouping in Aceh, especially given that President Megawati made it abundantly plain while we were there that she would use the military to stem the separatist movement in Aceh, which is trying to separate from Indonesia and set up a sharia state. It is possible that people are moving into that situation to advance that separatist cause.

Some people have persistently argued that the separatist movement in the Moluccas has been the cause of the problems. That is a red herring. The separatist movement in the Moluccas is small and has been around for many years. Some of us remember the incidents in Holland in the early 1970s, when some of its extremists were brought to justice. That movement is not the problem. The problem in the Moluccas has been those elements, such as Laskar Jihad and others, who are seeking to eliminate the Christian witness.

Just two weeks ago, Professor James Haire, the president of the Uniting Church in Australia, spoke on the "Sunday Sequence" programme in Northern Ireland. He pleaded with western powers not to take extreme and harsh measures after Bali, saying that they could be counterproductive. We were colleagues in the Presbyterian ministry, and his family would have been constituents but he went to the Moluccas, Halmahera and Darwin, and he is now based in Brisbane, where he is a professor at Griffiths college.

I think that James Haire has something to say. He returned to the Moluccas after the massacre to see for himself what was happening. He was walking across the ground, when he suddenly realised that it was very brittle. To his horror, he discovered that he was walking on the bones of people he had baptised and of students he had lectured. Those people had been brutalised, and their bodies had been left there without being interred. When a man of James Haire's ilk calls on us to react carefully, we should at least listen.

I pay tribute to the leadership of the hon. Member for Bridgend (Mr. Griffiths), who took our delegation to Indonesia. We were unable to go to the Moluccas, because people were trying to get foreigners to leave and they did not want our visit to act as an excuse. Indeed, Laskar Jihad issued a very detrimental and negative press statement about our visit. In fairness to the Indonesian authorities, however, they did expel six or seven people from Saudi Arabia, who were working in the Moluccas at the time. It was apparent that the authorities were trying to do something to tackle the problem.

The situation in Sulawesi was interesting. We regularly discovered that people were not prepared to say too much publicly: whether Muslim or Christian, they were very careful in the expressions that they used. Before we left, some of us had a private conversation with one of the Reformed pastors. We asked whether it was true that more Muslims than Christians had been killed in Poso, and I can still visualise him hanging his head. Earlier, he had not been prepared to say who was responsible, and people obviously did not want to name Laskar Jihad. However, we already had information to the effect that things had been going on for some time before they erupted and that outside forces were responsible. When we pressed the pastor, he told us, with his head held down, that more Muslims than Christians had been killed. When the Christians who lived in the area were attacked, they took to the higher ground. The folk who had come to exterminate them did not know the country and they suffered most as a result. We must put the record straight. We must understand that a community that is attacked has a right to defend itself, which, tragically, is what happened on this occasion.

Since our return, we have discovered another problem, to which hon. Members have alluded—the collusion between the military, elements of the police and the Muslim extremists. A Reformed pastor, who was a leader of the Protestant side in the Malino agreement, has been arrested on a false charge. It has been claimed that he had weapons and that he was the leader of the insurrection, but all the evidence is clearly to the contrary.

In Sulawesi, we gained another insight. Some argue that the United Kingdom should be doing more to help the people by supplying them with the necessary equipment. However, the police officer with whom we spoke told us that he did not need more equipment; he needed more intelligence. In other words, they need help to lead their police service out of its corrupt state because they are unable to do their work properly. Some people do not realise that the police service in Indonesia is working on the old pattern—officers pay to get in, and get very little pay in return. It is a do-it-yourself business. A police officer sets up checkpoints where he can catch people and imposes on-the-spot fines to help him to eek out his wages. That is one of the problems.

I discovered that an English police officer, who was in Indonesia on secondment for at least a year, if not two years, stuck it for only six months. The event that finally sickened him was when a senior officer, with whom he was working trying to raise moral standards and end corrupt practices, knocked at his hotel door and presented him with a bevy of beauties for his entertainment. He left Indonesia and returned to the United Kingdom.

We pay tribute to those in the embassy who have done a great deal and are held in the highest respect. I say that specifically in the light of some criticism of one of the consuls in Bali. We formed an entirely different opinion, and observed the respect in which the ambassador is held because of his fluency in the language, among other things. It was fascinating. We had fine interpreters with us, but on about five occasions, when the ambassador realised that they had not understood the nuance of our questions, he politely interjected in Indonesian, and one could see immediately that the other authorities and interpreters understood what he was saying. I pay tribute to him and to those who have regularly gone out to Indonesia to try to help. However, until we marshal the moderate forces of Islam to work with the Government in Indonesia, there will be more difficulties.

The United Kingdom Parliament must raise these issues publicly and keep pressure on the Indonesian authorities, encouraging them when they are doing well. The hon. Member for Castle Point referred to the situation in the Moluccas. We recognise that the authorities tried to stop the Laskar Jihad. The naval forces stopped and searched the extremists, but as they found no weapons, they had no grounds for keeping them out, so the extremists landed. However, the military had already brought in the weapons, which were at the disposal of Laskar Jihad. Elements of the military co-operated with extreme Islamists in corrupt practices to try to exterminate not only the Christian population but moderate Muslims. The head man in the area around Poso, a Muslim who was involved in the Malino agreement, was himself a victim, so we must be careful not to see just one side of the argument but the deeper issue. There is an attempt to extend an extremist power block across south-east Asia, which has terrified even the Malaysian and Singaporean Governments.

10.34 am

Jeremy Corbyn (Islington, North): I shall be brief, as there is not much time and the Front-Bench spokesmen wish to reply. I apologise for missing most of the speech that was made by the hon. Member for Castle Point (Bob Spink), but I was attending the annual meeting of the all-party group on human rights.

I should like the Minister to reply to a few points. We are all appalled by the Bali bombing: the loss of life, the callous way in which the bomb was placed and the young people who were destroyed. I hope that the culprits are brought to justice.

Indonesia has serious problems of fundamental instabili[illegible] following decolonisation, disputes arose a[illegible] Indonesia's territorial integrity. East Timor, where an international settlement was finally established, was the most obvious example of that. I was asked to visit as a United Nations observer during the referendum, and I thought that the situation was horrific. The UN did a good job in holding the referendum and the vote was fair, so far as I could tell. The problem was, however, that the Indonesian army and police did not provide adequate security for the UN staff who undertook the referendum. As soon as the result was known, the militia took over. I do not know the death toll for the period after the referendum, but it ran into thousands. That was in addition to the 200,000 people who died during the period of Indonesian terror in East Timor from 1974. One hopes that East Timor will have a peaceful and prosperous future.

East Timor is not the only place in Indonesia where there have been huge problems. I attended a conference in this country last week with West Papuan representatives, some of whom had travelled from West Papua and Indonesia. The level of violence, killing and the consistently high death rates in West Papua are appalling. There is a demand for independence in West Papua, and the people point to the colonial history, which shows that West Papua was not part of the Dutch-administered colony. It was only after the hotly disputed 1969 Act of Free Choice that West Papua was brought into Indonesia.

We would do well to try to understand a bit more about the desperate situation in West Papua. Huge outside interests are involved there. That applies to most conflicts around the world that involve arguments about self-determination. Outside interests include those of the Freeport mine, which is a powerful, prosperous and deeply polluting mine, and BP, which is keen to exploit oil reserves. Will the Minister tell me what contact his Department has with Freeport mine and BP and what representations those companies have made regarding the activities of the militia and the behaviour of the army in West Papua? Many serious allegations of brutality have been made about them.

I will put my last two points quickly to the Minister, because I know that he needs time in which to reply. I recognise that a small amount of training has been offered to the Indonesian military. Indeed, I have had a parliamentary written answer about that matter. The fundamental problem is that the Indonesian military operates virtually independently of the civilian Government. The civilian Government have to negotiate with the military about what they want done, and whether the military does it or not depends on its current interests and mood. The military has its own independent sources of funding.

The hon. Member for Belfast, South (Rev. Martin Smyth) pointed out that that problem runs through the police and other services. Pay levels are very low, and that becomes a laissez-passer to make money out of criminal or semi-criminal activities. Until there is civilian political control of the police and the armed forces, I suspect that there will be serious, long-term problems. It is clear that the militia are close to the military: indeed, in some parts they are exactly the same organisation.

I am concerned that this country has traditionally sold large amounts of arms to Indonesia during the period of oppression in East Timor. I understand that we are considering further arms sales to Indonesia. We have to think very carefully about that. It is no good complaining about human rights abuses by military forces that are out of control around the world, if we have provided the equipment that enables them to behave in that manner in the first place. I hope that, if the Minister cannot give an answer today, there will be further correspondence on British arms sales to Indonesia and support for the military. We need to know how many of those arms end up with the militia.

10.40 am

Mr. Michael Moore (Tweeddale, Ettrick and Lauderdale): This has been a sombre and serious debate, in keeping with the serious issues that we are discussing.

[Mr. Michael Moore]

I am conscious of the time and of the need for the Minister, in particular, to respond, so I shall keep my remarks brief.

I congratulate the hon. Member for Bridgend (Mr. Griffiths) and his colleagues who recently visited Indonesia on their contributions and on securing the debate. We cannot let the appalling events of 12 October recede from our minds. It is important that we record our sympathy for the enduring pain suffered by those who lost loved ones and those who were seriously injured, from whatever part of the globe they come. We also have anxieties about the recovery of those in Bali and the future of those for whom tourism is their livelihood and a key source of income. The international reaction has been one of horror, condemnation and anger. That is entirely appropriate. Just one short year after 11 September, we are right to be anxious about what the events in Bali may signify.

We have heard discussions on different aspects of the crisis in Indonesia and on the importance of Indonesia tackling its own problems. It is important that outside observers tread carefully and try to understand the situation in the country and the wider region. There has been a series of bombings in the past year. They were believed to be the work primarily of local Islamic militants. Other countries, such as the Philippines, have also endured attacks. Careful scrutiny of the possible links between the country-based or region-based groups and international terrorist groups such as al-Qaeda is under way. Clearly Indonesia and the international community must understand more about the possible links before jumping to conclusions. Any danger of complacency has been stripped away.

Many Members have remarked on the need to be sensitive to the religious and ethnic considerations within Indonesia. There has been heavy media emphasis on the militant Islamic groups, who are only a tiny minority in a large country. While being sensitive to the religious and ethnic composition of the country, we must also have an understanding of its recent history, including the fall of Suharto after 30 years of dictatorship, the south-east Asian economic collapse, and the endemic corruption. None of those things should be used as excuses, but they provide some insight into an element of the current difficulties.

Indonesia has, of course, taken action. Recently, decrees were issued to clamp down on terrorism. That followed a period in which anti-terror legislation had been gathering dust. We must understand that as a result of the Suharto regime there was strong political pressure to resist measures that could be interpreted as anti-Islamic. The country's human rights record, however, has not been good in the past and is now perhaps not as good as it should be.

The role of the military is critical. The military retains a strong position within the state. We need a better understanding of the links with terrorists, whether they are formed out of sympathy or with the aim of causing trouble, which can then be exploited. Tackling elements that want to undermine democracy must be a priority. I echo the comments made by the hon. Member for Islington, North (Jeremy Corbyn), who talked about the need for the Government to reconsider their links with arms sales to Indonesia.

For those in Indonesia, denial of problems can no longer be an option. As the hon. Member for Bridgend commented, Vice-President Hamzah Haz has had to reconsider some of his recent positions. That is welcome, but needs to be more widely understood. There are obvious weaknesses in the country's infrastructure: a lack of a properly funded intelligence gathering force, poor quality policing and a lack of adequate resources for a country where vast geographical issues complicate the delicate ethnic and religious situation.

Clearly, Indonesia must tackle those problems, but the world must help. Fostering democracy, which is still so young and vulnerable in that country, is crucial. The technical assistance on offer from our Government is important, and I would particularly welcome the Government's support. Adequate development systems will also be fundamental. The weaknesses in Indonesia have exposed many problems. There is a duty on its leadership to tackle those issues, and there is a significant duty on us to support their efforts.

10.45 am

Mr. Richard Spring (West Suffolk): I congratulate the hon. Member for Bridgend (Mr. Griffiths) on introducing the debate, which reflects his profound knowledge, understanding and sympathy for the situation in Indonesia. The contributions by my hon. Friend the Member for Castle Point (Bob Spink) and the hon. Members for Belfast, South (Rev. Martin Smyth) and for Islington, North (Jeremy Corbyn) all showed a considerable knowledge and understanding of the situation in Indonesia.

I have been to Bali twice: I have been to Kuta beach and travelled around Java. It is worth remembering that if one goes back five years, Indonesia was regarded as one of the Asian tigers—an immense success story before its economic collapse. Huge investment went into the country. Since then, the meltdown in Asia has led to a very different economic situation from the potential that was there before. It has a huge level of unemployment, which stands at about 40 million out of 220 million people. Many experts acknowledge that the most important factor in the economic recovery that is crucial for Indonesia is for the country to put its own house in order on terrorism. Without that, vital external investors will stay away. It is becoming something of an unvirtuous circle.

Jusuf Wanandi of the Centre for Strategic and International Studies has said that the economy of Indonesia will "go down the drain" if President Megawati does not act against terrorism. The terrorist outrage in Bali is a dramatic example of how violence and human tragedy can lead to further economic disaster.

We have heard about the pattern of terrorist violence in Indonesia over many years. In the past few years, political and social instability has increased in Indonesia and old sores and divisions have opened up. However, one of the most prominent Islamic groups, Laskar Jihad, announced last week that it was disbanding. Hopefully, that is the case. It has particularly undesirable characteristics. On its website, it says that it will "deal" with Christian problems "by force". It is a most unattractive organisation. The United States

Government believe that the announcement by Laskar Jihad that it will disband needs more study. The group should be judged on its actions rather than its words. It is also said that al-Qaeda has been heavily implicated in the tragic and murderous attack on the innocent people of Bali, and I hope that the Minister will comment on whether some link has been established.

The important thing is that Indonesia needs our support in curbing extremism and attacking terrorism. It needs all our skills to help the country to come through this difficult stage. That is why it is important that the President has taken steps to increase her powers to tackle terrorism. The two presidential anti-terrorism decrees on 19 October, combined with increased powers of arrest, are to be welcomed. I look forward to the further package of anti-terrorist Bills that are in the pipeline.

With hindsight, it would have been beneficial for the international community to place more pressure on Indonesia to follow the lead of Singapore and Malaysia in taking a robust stance against organised terrorism in the months preceding 12 October. However, any debate on Indonesia must also acknowledge the precarious political situation faced by President Megawati. She is walking on a political tightrope. Fringe extremist elements in Indonesia have strong appeal, and much of it is anti-American. However, she must guard against any action that might restore the army and its paramilitary allies to power in Indonesia, which is such a new democracy.

If anything good has come out of the truly terrible bombing in Bali, it is that the recent steps taken by the Indonesian Government show a willingness to act against terrorism that did not exist previously. That means separating the violent Islamic tributaries from the more secular mainstream that accepts democratic rules, and using the full force of law against those tributaries. Alongside the tough action already taken by the authorities in Singapore and Malaysia and the international community's collective will to tackle terrorism, there is now hope for a more comprehensive, robust and considered approach. I hope that that will reduce the chance of organised terrorists claiming yet more innocent lives in south-east Asia.

10.50 am

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Denis MacShane): This has been a good debate, and I am especially grateful to the Opposition spokesman, the hon. Member for West Suffolk (Mr. Spring), for cutting his speech in order to allow me to reply to the points that hon. Members have made.

I congratulate my hon. Friend the Member for Bridgend (Mr. Griffiths) on securing the debate and on his work in leading the delegation to Indonesia, which is part of this year's wide-ranging engagement with that country by British parliamentarians and Ministers. I congratulate other hon. Members on their contributions. I hope that the debate will be studied and read, because unfortunately our media—especially our broadcast media—find immense space for the antics of Swedish weather forecasters, but little space for such grave international problems.

The atrocity in Bali shocked us all. I also know Kuta beach; I went there when I worked in the region during the 1980s, and I was often in the company of American friends. I think of that haven of peace—the Hindu island of Bali, which is inhabited by the most welcoming people on earth—being scarred and destroyed, and I hope that the perpetrators of the atrocity are caught.

It is a little early to rush to judgment. The Indonesian and Australian authorities are working closely, and Britain has sent forensic experts. Although I do not doubt that a link with international terrorism will be established, let us not rush to too early a judgment today. The perpetrators of the atrocity should be brought to justice and Bali should be restored to its rightful role as one of the most wonderful places on the planet to visit. We mourn with Australia and we mourn the victims from many other countries, including the British people who were killed. One of my constituents from Rotherham was injured. We also mourn the workers in the club, the Indonesian citizens and the people of Bali who have suffered so horribly.

The debate is about international terrorism and Indonesia in general. Many points made by hon. Members do not need a reply because there is not much disagreement. We all acknowledge that Indonesia has found its way to democracy only during the past three or four years. Indonesia was ruled on an authoritarian basis from the time it left Dutch rule after the second world war until the first parliamentary elections several years ago. It has developed dramatically since the fall of Suharto less than five years ago. Indonesia is now a democracy. Its political prisoners have been released, its press is among the freest in the region and its Parliament has a strong voice. Surely it is our duty to try to strengthen the authority of the democratic state, not to weaken democracy by turning back the clock to an authoritarian state. If that means that loud, aggressive, sectarian and separatist voices make their views known, so be it, because the silence of an authoritarian state does not remove the causes of the anger of those voices.

Some of this debate—arguably a little too much of it—has focused on inter-religious strife. I do not seek to diminish the appalling religious and sectarian violence that has occurred in Indonesia. We have to face the fact that the notion of the secular state, and of secularism as the guiding force under which international relations are conducted and the rule of law is sustained within individual countries, is coming under challenge. Within the next 25 years, there will be 2.6 billion Christians and Christianity will be the largest religion on earth. More Catholics are being baptised in the Philippines than in all the traditional Catholic states of Europe. Alas, the rough edge that is created where one expanding faith meets up with another can give rise to considerable sectarian problems.

We must assert that Indonesia is essentially a secular state: its character has of course been influenced by Islam, but that has been one of many influences, and its history is marked by a moderate and inclusive form of Islam. The vast majority of Indonesians reject violence. The moderate Indonesian NGOs, Nahdlatul Ulama or NU and Muhammadiyah—which were referred to by my hon. Friend the Member for Bridgend—claim memberships of at least 30 million, so the two memberships together add up to 70 million. Those groups are central to the way of life in Indonesia; they are important, peaceful NGOs. This House must again affirm that Indonesia is not a radical Islamic state, and I believe that it will not become one so long as its people can choose their own leaders.

[Mr. Denis MacShane]

Millions of Indonesians were reduced to poverty by the economic collapse of the mid-1990s, and that has inevitably led to an increase in social tension. The economic recovery has been slow. The Indonesian Government face a host of complex challenges. They must tackle the culture of corruption of the old regime, which has been referred to by hon. Members. They must reform the military and install a framework of democratic accountability for it. They have to deal with inter-communal violence and separatist threats. They also need to rebuild an economy that has been ravaged by the east-Asian financial crisis, and to loosen the old forces of control while building new frameworks for political expression.

I am unsure whether I can completely go along with my hon. Friend the Member for Islington, North (Jeremy Corbyn), who asked about the role of BP. I would welcome more foreign investment in Indonesia. In answer to another point that he made, I stress that we support Indonesian territorial integrity. The UN and the international community never recognised East Timor as part of Indonesia: it had been a Portuguese colony, whereas Papua was part of the Dutch East Indies, almost all of which the Indonesian Government inherited when they took power shortly after the second world war.

In addition to condemning sectarianism, we must look carefully at those who raise separatist flags, regardless of whether they are Christian separatists in the Moluccas or Papuan separatists. They can create a response from a democratic Government that want to hold their state together. We will work with the Indonesian authorities: we will urge them to take the measures in the campaign against terrorism that many hon. Members have called for, but we welcome Indonesia's commitment to the democratic path. While our hearts go out to its victims, the Bali bombing is a call to reinforce our international campaign to tackle global terrorism. We must tackle its causes and deal with the perpetrators to bring to justice those responsible for the Bali atrocity.

Mr. Deputy Speaker (Mr. John McWilliam): I invite those hon. Members not wishing to take part in the following debate to leave quickly and quietly.

West Coast Main Line

11 am

Mrs. Patsy Calton (Cheadle): I am pleased to bring to this debate the concerns of my constituents in Cheadle about travel on the west coast main line. I believe that those concerns are shared by the wider public, by business interests and by those involved in tourism, not only in the north-west but throughout a large part of the country.

The line is multi-purpose, carrying slower local trains, inter-city trains and freight. It should form part of the high-speed European network linking continental cities with major cities in Britain. Although I recognise that balancing the needs of each of those sectors is not easy, promises to upgrade the line have been made over the years—by this Government as much as any—and delivery is still not forthcoming.

I regularly use the line between London and Stockport, and my constituents have written to me with increasing distress in recent weeks. The trains—if they turn up at all—are so unreliable that travel in the Stockport area and from my village, Bramhall, to Stockport and Manchester has become a joke. There have been improvements to some stations in the Manchester area and work on the tracks has been going on in preparation for new signalling systems in the Cheadle Hulme area for some time. However, the news announced over the summer that work on the lines would continue for another four years has been greeted with dismay.

The west coast main line is a vital part of the rail infrastructure serving the midlands, the north-west and Scotland, including vital tourist areas such as the lake district, the Fylde coast and Scotland. It is the busiest line in the country, and, with the exception of the Heathrow Express, its fares are also the most expensive. Successive Governments have failed to invest in the line, and when they should have taken command of deteriorating situations, they failed to do so. Indeed, the escalating costs and bungled decision making associated with bringing the line up to the standard expected of a high-speed line is nothing short of a national scandal.

In 1998 Railtrack expected to cut journey times, double capacity and improve safety—all for £2.1 billion. By the summer of 2001, the cost had risen to £10 billion. When the Strategic Rail Authority consultation document was released this month, the estimate was £13 billion. Untried and untested technology, essential to the success of the project, was not delivered. When the Conservative Government broke up and sold off the rail system, the Liberal Democrats called the action "poll tax on wheels", so politically damaging did we expect it to be.

When Virgin won the contract, the negotiations to upgrade the line took place with all the hype associated with the Government when they need an exciting project to take people's minds off a situation. The Railtrack negotiating team was outclassed by the team from Virgin when it came to negotiating the upgrade. According to the Strategic Rail Authority consultation document, concern was expressed that Railtrack would have difficulty in delivering and Virgin ensured that it had built-in financial protection; nobody can blame Virgin for that.

From 1999, it was clear that commitments made by Railtrack under PUG 2—passenger upgrade 2—which followed the earlier, undelivered, PUG 1 contract of 1996, were not achievable, but no solution was identified. Amazingly, the plethora of watchdogs associated with the industry seemed to stand by and watch matters go from bad to worse. Where was the Deputy Prime Minister? Where was the Transport Minister?

I have read the Strategic Rail Authority strategy document, which was published on 10 October, it now looks as if someone is trying to get a grip at last. However, the Government have got a long way to go before the travelling public—or, for that matter, the rail or any other industry—are convinced. The travelling public have heard it all before, and all that they know is that they have been disappointed time after time.

Such is the uncertainty associated with setting out on a local or national journey from the Stockport area that people are being forced to choose unsustainable forms of transport—cars and planes—which no Government should seek to encourage in preference to trains. The bus service is usually not a viable alternative. If we add to that the often lower costs and fares of such unsustainable forms of transport, it is easy to see the vicious downward spiral that is being generated. Industrial disputes, as we shall see, make bad matters worse.

I have a letter from a constituent, who writes:

"I am writing to add my name to what I suspect is a growing list of frustrated rail commuters in your Constituency who have already contacted you. I am at screaming point with both North Western Trains and ASLEF. In eleven and a half years of commuting daily into Manchester from Bramhall, I have never until now been reduced to driving in by car on a daily basis to the City Centre but there is now realistically no other option. The ASLEF ban on rest day working has so badly affected the service from Bramhall that in the morning those who do attempt to travel by train are extremely lucky if as many as two of the five early morning trains turn up at all. They think they've died and gone to heaven if they turn up anywhere near the time they are supposed to! I cannot cope with this uncertainty about when or even if I am going to get to work. The bus is not a viable alternative as it takes nearly an hour and a half to travel from Bramhall to Manchester"—

a distance of less than eight miles—

"in the early morning peak period.

I have been reduced to the misery of getting up at the crack of dawn to get into the city whilst the roads are still passable and there is space in the cheaper all day car parks, and coming home later than I would normally in order to avoid the same jams coming home."

Another letter that I received says:

"This dispute seems to be attracting very little publicity, and very little seems to be happening to solve it. Meanwhile the rail passengers suffer, who will be our champion? Why is the government not bringing the two sides together to try to settle this dispute? I thought it was government policy to improve public transport, to make it more attractive, so that more people will want to use it, but this dispute will have the opposite effect."

A traveller to London writes:

"The cost of a standard class return ticket for a poor service, Stockport to London, is now £172.00. There are no cheaper tickets available to anyone who needs to arrive in London before 2.00pm or leave London before 6.30pm. Pre-Virgin there were less restrictions and loopholes that enabled frequent travellers to reduce the overall cost of travel—Virgin has systematically tightened restrictions resulting in fourfold fare increases for many journeys over the past few years.

For business travel and commuting these incredibly high fares are unjust, giving any North West based business an immediate disadvantage over companies that happen to have fairly priced trains. We also have an office in Warwick, approximately half way to London. The fare from Warwick is £50.00 (or £21.00 after 8am)—half the price per mile (or much less) for a more punctual, comfortable service.

It is now far cheaper to fly the 200 miles than use the train—I got a ticket for next week on BA for £58 including taxes arriving in London in time for a 10am meeting. I know friends in the Bramhall area who are instructed by their company to travel to London either by plane or company car—environmentally, this is madness.

I have written to Virgin trains and John Prescott but received no satisfactory reply, only a suggestion that I travel off-peak—this is rather missing the point."

I also have a letter that was sent to my hon. Friend the Member for Hazel Grove (Mr. Stunell), because my constituency covers part of Hazel Grove. The letter says:

"On the 16th September, I had booked a seat from Stockport to Paddock Wood in Kent on the 9.37 am. Arriving at Stockport in good time, luckily, it was announced the 9.37 train was cancelled and all passengers going to London would have to travel on the 9.31 via Stafford. So the booked seat was useless!

Getting on the 9.31 meant that we had to stand all the way to Macclesfield. This is fine if you are young, but being older and in a lot of pain with arthritis it was no fun. The reason for standing was that the first and last coaches were business class for each section of the train, so there was no through access. Even the trolley girls were annoyed as they had to take the drinks trolley off the train and then wheel it along the platform to gain access to the next coach! . . . My grandfather, Father and all my Uncles worked on the Railway all their working life, and from being a small child, I have always used the Railways. I do not like travelling by motor but the episode I have experienced has not given me any hope for the future of the Railways. I was looking forward to easy, fast, clean and efficient travel that is kept being promised to us. It does not seem as though it will be in my lifetime or anyone else's come to that . . . please do not give me glib answers like the Railway is under various managements. What about when it was under different regions you could still go from one Region to another without all this hassle and everyone took a pride in their Region."

As a frequent user of the line, I have my own stories to tell about doors and windows that are stuck open when it is cold so the carriage is freezing, and air conditioning that does not work in the summer so everyone cooks. I recently travelled on a fully booked but almost empty train; I do not understand how that happens. Virgin has obviously given its staff good training, as it is clear that they are very experienced in conflict management and their good humour is always a joy to see.

The warning that I want to give the Government is that the public in the north-west know that the rail system is in a mess. They are not stupid. Promise after promise has not been delivered. That is not all the Government's fault; they inherited a largely unworkable system in which Railtrack simply did not have the management structures in place to achieve the necessary changes. This is a question not only of money, but of receiving value for money and achieving the Government's economic and environmental objectives.

After five years of this Government, the Strategic Rail Authority's strategy must deliver or the Government will pay the price at the ballot box. The north-west depends on that vital rail link. So far, failure to deliver has cost the economy more than BSE and foot and mouth disease together. The project has overrun by more than the channel tunnel.

[Mrs. Patsy Calton]

In many ways, the issue is a microcosm of the Government's major problem: they promise, spin, and minimise the difficulties, but it is the difficulties that people see. No one believes the Government any more. My advice to the Government, if I may offer some, is to come clean and tell the whole truth about the mess that we are in. When they have done that, they should tell us honestly what can and cannot be done, within proper timescales, and stop operators giving misleading information to the public.

Mr. Eric Martlew (Carlisle): Does the west coast strategy report not tell us what has gone wrong and how to put it right, so should the Government not be congratulated on commissioning it?

Mrs. Calton: That point is addressed in the rest of my speech.

As I said, the issue is a microcosm of the Government's major problem: they promise, spin, and minimise difficulties. They should prevent operators from giving misleading information to the public, and insist that Network Rail publish proper timely plans in advance so that the world of business, the rail operators and the travelling public can plan. What worries me is the mismatch between the impression that the Strategic Rail Authority and the Department are giving about what they intend to deliver and what the consultation document actually says.

In a letter to MPs on 10 October, the Secretary of State said:

"The SRA have this week published their strategy for delivering the West Coast Main Line . . . it sets out a clear and coherent package of renewals and enhancements, and a programme for delivering them, which will provide significant benefits to users from 2004 onwards."

I shall demonstrate, however, that things are not as clear as that. The Strategic Rail Authority chairman, Richard Bowker, acknowledges:

"The West Coast project is a mess, and it is time for bold action."

As he states in his foreword:

"This Strategy will bring large benefits to passengers and freight customers from 2004 onwards . . . What is clear is that the vast bulk of the expenditure required to return WCML to acceptable modern standards needs to be spent on renewals."

The document describes the strategy as "envisaging" something—an interesting word, suggesting a lack of commitment. How much more definite to start with something like, "The strategy will deliver". It is "envisaged" that the line will become a 125 mph tilt railway route with a London to Manchester journey time of two hours. I hear that the Labour party conference special managed the journey from Blackpool to London in three hours—without, I assume, putting anyone at risk. Why can Virgin do it for the Labour party, but not for the rest of us?

Alterations to existing freight services are mentioned, including capacity for two-thirds more freight volume. Does that mean more evening traffic up to 10 pm, passing within a few feet of people's homes? The document also refers to key commuter services being provided with sufficient capacity,

"even though the service patterns in some cases will differ from those to which some stakeholders aspire."

Does that mean that there will be trains, but not necessarily when people want them?

In paragraph 3.27, the document states:

"The impact of the increased frequency of West Coast and Cross Country trains on the availability of capacity for regional, local and PTE services is being assessed in detail."

That sounds more than a little worrying and I hope that the Minister will not tell us that the price of a better service to London is the continuation of a diabolical service at local level.

Paragraph 5.5 states that the Strategic Rail Authority and the Office of the Rail Regulator will review whether the proposed renewal specification is the most efficient way of sustaining the network to deliver the outputs, and also the efficiency of the proposed method of delivery of the renewal specification. In other words, there will be a review. Will the Minister tell us whether the document is truly a "strategy document" or a staging post towards a strategy? Is the Minister simply buying time? I note that the final strategy will not be published until early 2003, so things could conceivably take six-months. What is the Minister's deadline for the publication of the final strategy?

In paragraph 5.10, we read that the busiest sections of the route

"may, depending on the maintenance regime, need renewal every six to ten years, simply because of the intensity of usage".

Will the Minister clarify what that means for the travelling public? Is it the equivalent of putting up a red flag to announce that passengers' misery over the past few years will go on and on?

It is sensible to implement longer possession periods. Weekend and night-time working have undoubtedly led to a loss of efficiency and difficulty in monitoring progress. It appears that monitoring has been a failure, so I hope that the Minister will ensure that sufficient resources are devoted to it—and, indeed, to a proper communications strategy—in future.

I note that paragraphs 7.4 and 7.5 acknowledge that prior knowledge of engineering works is helpful. Several local authorities offered help with publicity, but Network Rail had to be pressed hard to give advance notice of anything to Stockport council, which does not bode well for the future.

Appendix 4 states that freight and commuter services will have to have their power to weight ratio altered to deliver train service outputs, necessitating increased power supply requirements and new rolling stock. No doubt the service providers will have something to say about that.

Given the concerns about new technology and the wish not to test it on this line, can the Minister give an assurance about the reliability of the new GSM-R—Global System for Mobile Communications for Railway—train radio system that is to be used as an additional communication link to support axle counters, which determine whether a train is clear, before allowing another train to use a section of the track? How reliable are axle counters? Are there circumstances in which both systems could fail?

The irony of a Government who talk the environmental talk but fail to deliver the sustainable walk is not lost on the rail industry. It is in disarray, as my postbag shows, but the future prosperity of the north-west depends on a modern and reliable heavy rail system. Manchester airport, which is covered by the Secretary of State's consultation on the expansion of air travel, needs improved heavy rail east-west trans-Pennine links to reduce unsustainable car travel to the area of the airport. That is another matter that directly affects my constituents in Cheadle.

Where is the industry going? Where is the strategy to produce the railway industry that the north-west, the industry, the public and business want? Do the Government have a plan? Will they act to reduce the uncertainty crippling business? The north-west needs the upgrade, as do the midlands, Cumbria and Scotland, for local, national and, ultimately, international traffic. The country needs to hear from the Minister that the Government have at last got a grip on this out-of-control project.

11.21 am

Mrs. Louise Ellman (Liverpool, Riverside): I congratulate the hon. Member for Cheadle (Mrs. Calton) on securing the debate, because the future of the west coast main line is extremely important, and it is abundantly clear that Railtrack failed that line and all the communities along it. There is now a new structure: Railtrack has gone and we have Network Rail, together with a strengthened and much more focused Strategic Rail Authority. Therefore we have important new opportunities, which must be grasped.

My comments this morning will centre on Liverpool. I make a plea that, as we consider the SRA's consultative document and those new opportunities, Liverpool not be left out in the cold. It is an extremely important city of the north-west, which is fast regenerating itself and increasingly successful. It is the north-west's candidate for European capital of culture in 2008. However, if Liverpool's regeneration is to continue effectively, it needs effective and reliable communications for passengers and freight. I have considered the consultative document submitted by the SRA and I have several observations about both the proposals in the document and those that are absent.

First, the document contains a number of statements about improving freight capacity, but I am increasingly concerned by the SRA's silence about the future of the central railway route proposal—the dedicated line for freight. I am concerned about the lack of reference to the importance of west-east communications—links from west to east through the Humber ports to Europe—to develop trade, which must work in collaboration with a west coast main line in which we have reinvested.

I shall concentrate on key issues directly relating to proposals for the west coast main line. I am sorry that it now appears that the promised 140 mph fast route on that line has been abandoned. I hope that it has not been abandoned for ever, because we must not abandon our position as an important part of Europe. According to the proposals in the document, the Manchester-London line is destined to reach 125 mph by 2004, and there is a promise of regular two-hourly trains between Manchester and London. I see with regret that there is no such commitment for Liverpool; indeed, there is no commitment at all. Through further questioning I have ascertained that the line from Liverpool to London will not reach similar standards until at least 2006, because works north of Crewe and works that do not involve Manchester are to be put back until then.

It appears from the correspondence that I have received from the Under-Secretary of State for Transport that Liverpool will get some new trains and some tilting trains, but we are to have the tilt without the speed. That simply is not good enough. I also note with concern the proposals in the consultative document about dealing with the inevitable disruption that will take place when the essential upgrading and modernisation go ahead. The document says how important the upgrading and modernisation is. Indeed, it cannot come too soon. We must all accept that such major works will cause some disruption.

The document states:

"In summary, it must be stressed that with the exception of only a few short periods the WCML will remain for business"—

That is good. It continues:

"There will *always* be direct trains from London to Birmingham, Manchester and Glasgow."

What about Liverpool? What is good enough for Manchester is good enough for Liverpool. I call on the SRA to give Liverpool equal treatment and priority. If it is important that Manchester continue to have a fast direct line service to the capital while the works take place, then why not Liverpool? Are we not as important? It is important for the people of Liverpool and the whole of the north-west.

Then there are the stations. Lime Street station now has a good new roof, which is a considerable improvement. It no longer leaks, so we do not have to put up our umbrellas as we wait in the station. However, the improvements seem to have finished with that new roof. Lime Street, a major station in a major city, is a dismal station. Piccadilly station in Manchester is a fine example of what can be achieved. Why can we not have a station in Liverpool comparable with the best? Surely we deserve no less. If First Northwestern, the current owners cannot deliver, Network Rail should turn its attention to Lime Street station, as it is an important gateway to the major city of Liverpool.

In short, I welcome proposals to go ahead with modernisation of the west coast main line, which has been far too long delayed. It is essential that we move ahead, and that we do so quickly. Liverpool matters. It is not good enough to sideline Liverpool and give us a lower priority than our sister city, Manchester. We are a fast growing, increasingly successful city. We need a modern station and we require fast reliable trains. I call on my right hon. Friend the Minister to give his commitment to improvements in Liverpool, and his assurance that as part of the consultation, he will make representations to the SRA to give Liverpool, as part of the north-west, a fair deal.

11.29 am

Mr. George Osborne (Tatton): I too congratulate the hon. Member for Cheadle (Mrs. Calton), my constituency neighbour, on securing this important debate. The four hours that I spent stuck on the west coast main line on Monday gave me plenty of time to

[Mr. George Osborne]

reflect on the issues that I might raise in the debate. As I had my extremely vocal 16-month-old son with me, all the other passengers in the carriage had a lot of opportunity to reflect on the problems of that line. The west coast main line is a crucial link for my constituents, as it is for those of the hon. Member for Cheadle, and its Manchester branch runs through my constituency.

Looking around the Chamber today, it is interesting to observe the number of hon. Members whose constituencies are affected by that train line. My hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins), who will speak for the Opposition, is directly affected, as are my hon. Friend the Member for Galloway and Upper Nithsdale (Mr. Duncan) and other Scottish Members, a Welsh Member who has left the Chamber, and the hon. Members for Carlisle (Mr. Martlew), and for Liverpool, Riverside (Mrs. Ellman). The line is a crucial link along the backbone of Britain.

In my own constituency, communities such as Wilmslow and Alderley Edge exist because of the train line. They are commuter towns that grew up in the nineteenth century. Every day since the lines were opened, people from those towns have been able to travel to work in Manchester. That is one of the reasons why people live in my constituency—it is in the Manchester commuter belt. Next year, however, all that will stop for four months. The train line through my constituency, used by thousands of people every day, will be closed for 17 weeks, because the line between Colwich in Staffordshire and central Manchester will be closed.

I take a reasonable view of that, because I can see that there is quite a strong argument, given the problems with the west coast main line, for closing the line rather than letting the delays increase. However, it is because of the soaring costs and delays that we are having to close the principal rail line in the United Kingdom. We might ask ourselves whether France, Japan or Germany would find themselves having to cut the main train line between their major cities.

As Richard Bowker, the chairman of the Strategic Rail Authority, who I believe is a good thing, and an improvement, said:

> "The west coast upgrade was a project that was clearly drifting, without a real end point or a clear direction. It is time that the industry got to grips with challenges facing it."

I agree with that absolutely. The costs have rocketed, as the hon. Member for Cheadle pointed out, making it the most expensive construction project in the country, and perhaps in the whole of Europe.

I ask the Minister for specific assurances on behalf of my constituents. Will the closures next year, and the closures planned for the following year between Crewe and Cheadle, mean that the west coast main line will be delivered in accordance with the new timetable? I would like a guarantee from the Minister, so that we can hold him to account in a couple of years' time. I want it confirmed that, by September 2004—*[Interruption.]* Yes, I want a promise of resignation, such as the Home Secretary once made, if those targets are not met—not that that promise did any good. I would like confirmation that, by September 2004, the London to Manchester journey time will be cut by 35 minutes, and the upgrade will be finished by May 2006.

The Minister for Transport (Mr. John Spellar): No chance.

Mr. Osborne: It would be good to hear the Minister repeat that in his speech. Will he also assure us that the provision of faster trains will not be at the expense of a worse service for my constituents? At present, all trains to Manchester stop at Macclesfield and Stockport, and I want an assurance that even if a direct non-stop London to Manchester service is introduced, faster trains will not mean a worse service for my constituents. Extra trains must be provided, and the number of trains that stop at Wilmslow, in my constituency, should remain the same. My constituents, who are currently bearing the brunt of the problems with the upgrade, should at least have the assurance that the resulting service will not be worse for them.

Will the Minister also assure us that everything will be done to help my constituents while the commuter towns in my constituency are cut off? The letter that I received from his colleague the Under-Secretary said:

"the aim is to minimise disruption".

He also referred to the high-quality, dedicated coach service that would be laid on. We will wait to see what those high-quality coaches are like. Coaches, however, will add to the travelling time for people in my constituency, and to the congestion on local roads.

I will therefore ask a specific question. I accept that the Minister may not have the answer today, but he could write to me. Would it be possible to open an old branch line—I think that it is in occasional use—that runs from Wilmslow in my constituency through Styal near Manchester airport and straight into the centre of Manchester? First North Western Trains has proposed the idea, and says that in principle it is prepared to run trains along it. That would hugely ease the problems for my constituents, as it would minimise the disruption. Frankly, the idea strikes me as common sense. It would remove the need for all the coaches on our local roads. If that is not possible, why not?

The Government's decision to close the west coast main line was taken without local consultation. We heard of it when the Secretary of State went on Radio 4 and started to tell us about it. There does not appear to have been any consideration of the effects on local people. The closure has been brought about by incompetence and delay for many years. The least the Government could do is make an effort to minimise disruption for the people whom I represent.

11.36 am

Mr. Tony Lloyd (Manchester, Central): I too congratulate the hon. Member for Cheadle (Mrs. Calton). Although she made a fairly partisan, party political speech, the issues will probably echo across all parties. I hope that the Opposition spokesman will profoundly apologise to the people along the west coast for the disaster that the Conservative Government—

Mr. Tim Collins (Westmorland and Lonsdale): Very cross-party.

Mr. Lloyd: Yes, the issue is cross-party, and there would be enormous sympathy for the hon. Gentleman if

he were honest enough to mention that the problems that we now suffer are due to the massive under-investment under the Thatcher-Major Governments. Those who are fortunate enough to have access to the east coast main line, such as you Mr. Deputy Speaker, would not believe how bad the west coast main line is in comparison unless they had travelled on it in recent years—unlike unfortunates such as myself who live on that line of misery and incompetence.

I am talking not only about speed—although the speeds on the west coast main line are ridiculous, given what is now technologically achievable—but about the quality of service. Hon. Members have referred to delays. The rolling stock is massively outdated and not well maintained.

Tony Cunningham (Workington): I do not know whether my hon. Friend is aware of it, but people drive from my constituency in west Cumbria to Penrith, and then to Scotch Corner, to go to Darlington so that they can travel on the east coast main line. They drive an additional 50 or 60 miles past the west coast main line railway station for a better service on the east coast.

Mr. Lloyd: My hon. Friend makes a good point, which is true at various points of east-west convergence. I have often wondered whether it was worth driving from Manchester to Doncaster. Journey times are so much better from Doncaster to London that it would nearly justify the extra cost. Environmentally, it is plain stupidity to ask people to use cars on part of a journey that they ought to be able to travel comfortably by rail.

All the way from Scotland, down to those who access the west coast main line in the west of England, it is enormously irritating to people that the promises made in the past will not be kept. There is a question as to whether the Strategic Rail Authority thinks strategically. Given the estimates of the money needed to upgrade the west coast main line, I ask the Minister whether there are better ways to do it. We are now talking about at least £10 billion and possibly £13 billion.

The upgrade to trains that run at 125 mph is not good enough. Five years ago, we were promised that the 125 mph service would be in operation and that we would be looking forward to 140 mph trains. I believe that my hon. Friend the Member for Liverpool, Riverside (Mrs. Ellman) made the point that we still want those faster trains. That is not a mere aspiration; to treat that aim as achievable in a reasonable time should be part and parcel of the strategy that we are considering.

If we are to spend the amount of money in question, but to receive only a modest upgrade, the question arises whether elsewhere there are better forms of investment that might bring about an improved rail service. The planned journey times of two hours and 10 minutes, if the 125 mph service is brought in, will not be a massive improvement on what already exists for Manchester. Things improve a little further north, and I appreciate the relative value of those gains; they are proportionately more important. However, I wonder whether the total strategic package stands up.

Among the consequences of the upgrade of the west coast main line will be a knock-on effect—and I say this as someone who of course wants the line to be improved, because I, and many of my constituents, use it. The hon. Member for Tatton (Mr. Osborne) referred to commuter services to Manchester. One of the capacity constraints is the route into Manchester. An improvement to and greater frequency of main line services from London to Manchester must be coupled with investment to deal with that capacity limitation in the run in to the city. Without that, there will be marginal improvement in the long distance service to London and a deterioration in the commuter services into the city and in cross-country services.

Cross-country services are important; my hon. Friend the Member for Liverpool, Riverside mentioned the need to upgrade the east-west route. That is important for the economic development of the whole of the north. What is now seen as the M62 corridor should be thought of as the Liverpool-Hull rail corridor, where freight on rail would be important. That will suffer from the same capacity constraints if piecemeal strategies are adopted instead of a strategy that deals with the overall issues.

I want to press my right hon. Friend the Minister on one issue: last week in the House, when I asked about through trains from cities such as Manchester, Liverpool and Glasgow using the channel tunnel, he said that the priority was upgrading the west coast main line. I understand that priorities and spending constraints are necessary. However, unequivocal promises that we would all have access to the channel tunnel were given by the then Mrs. Thatcher, when she was Prime Minister, and by her various Transport Secretaries. That was part of the bargain through which the Bill permitting the development of the channel tunnel passed through the House. We are still waiting, and I do not think it unreasonable to keep that demand on the table. The Government's official stance should be to agree that that is part of our ambition for our rail system.

Mr. Osborne: Is the hon. Gentleman aware that in continental Europe, destinations for channel tunnel trains are being expanded to include, for example, Amsterdam, while in Britain we still have only one destination—Waterloo?

Mr. Lloyd: The hon. Gentleman is right. That is great for those who can easily gain access to the channel tunnel from London, but not so great for the rest of us who have a different geographical perspective—and it is not acceptable. It is ironic that in the run in to Piccadilly station are sheds on which it says, "Ici habite le Eurostar". The Eurostar has never lived in them, so far as I am aware, and is not likely to for a long time—or if it did, it would have to travel a long way before it got to the channel tunnel.

I hope that the Minister can tell us that there will come a time, in the not too distant future, when the Eurostar will actually habite in the sheds outside Piccadilly station. I am not sure whether we are allowed to use such language, but I assure you, Mr. Deputy Speaker, that it must be English, because it is written on a shed in Manchester—

Mr. Deputy Speaker (Mr. John McWilliam): Order. May I help the hon. Gentleman? The rule is that the occupant of the Chair must be able to understand what is said—and I speak pretty good French.

Mr. Lloyd: I have the utmost admiration for your ability to comprehend what is said by hon. Members in

[Mr. Lloyd]

many languages, often including that of your native Scotland, Mr. Deputy Speaker. You are in that sense the best person to make the judgment.

Mrs. Ellman: Does my hon. Friend agree that the whole issue of a regional Eurostar is part of regional economic development? Should not the Strategic Rail Authority consult the regional development agencies and regional assemblies in drawing up proposals?

Mr. Lloyd: My hon. Friend is right. I was about to refer to that point. The Government have undoubtedly made enormous progress in getting rid of the totally discredited Railtrack and building a structure to tackle some of the system's long-standing problems. However, it is difficult to see in that an overall strategy that recognises the railway system as the lifeblood not only of passenger travel but of the link between regional economies, and with economies on the European land mass. The west coast main line should be upgraded along with other regional services, but extended access should also be given to European destinations as part of the overall strategy. I appeal to the Minister to give us some idea of the bigger picture for the future.

I want to raise one particular point, although it may not seem especially important in the grand scheme of things. I was surprised to learn that, in the agreement between Virgin and the new rail structure, Virgin has been offered compensation of more than £100 million. Virgin has delivered an extremely poor service to the people of the north-west since it took over, and the company should acknowledge to those people that it has ripped them off. For example, the company put fares up massively—the hon. Member for Cheadle referred to the very high fares. It is bizarre that Virgin is being compensated so handsomely, because it means that the taxpayer has agreed to underwrite the company's failure to run a business competently. We are underwriting the risk that the company, as the commercial operator, ought to have taken.

There should be an upgrade to the west coast main line because we want a high-quality service, especially to Manchester and Liverpool. I agree with my hon. Friend the Member for Liverpool, Riverside that it is vital that the twin major city in the north-west should be provided with excellent rail links. However, it is also important that there should be a strategy that allows the people of the north-west, in the west of Scotland and further south to see that the rail system between our towns and cities is excellent. The service should not be devoted to getting us to London alone, but should link us into the wider rail pattern on the continent of Europe.

11.47 am

Pete Wishart (North Tayside): I too congratulate the hon. Member for Cheadle (Mrs. Calton) on securing this timely debate.

It has to be said that the whole sorry saga of the west coast main line puts the saga of the millennium dome to shame. There have been costs spiralling beyond control, delays beyond belief, bad decisions and a revolving door management that would shame many Premiership football clubs. Under plans announced this month, we find that there is to be a delay to the modernisation programme for the part of the west coast main line that lies within Scotland, which means that the purgatory and misery will go on for those poor souls in Scotland who continue to use that line in the next few years.

There is a north-south divide in railway policy in the United Kingdom, and Government policy clearly puts Scotland at the end of some branch route to absolutely nowhere. The delay in modernisation plans for the west coast main line is the latest and possibly the best example of this new transport divide. Many people in Scotland have long suspected that this Government have no interest in railways north of Preston, and the decision to single out for delay the modernisation programme for the line in Scotland will only confirm that view. England will benefit from the modernisation, and the new 125 mph pendolino trains will run from English stations within two years—from London to Birmingham, London to Manchester and London to Preston. They will not run from London to a station in Scotland until 2006.

Mr. Martlew: We in Carlisle have the same problem as people in Scotland, although we are south of the border. Does the hon. Gentleman not accept that improvements on the southern part of the line will mean that trains get from London to Glasgow more quickly? If they get from London to Crewe more quickly, they will get to Glasgow sooner than they do at present.

Pete Wishart: I follow the hon. Gentleman's logic, and I understand his predicament—

Mr. Deputy Speaker: Order. For the benefit of *Hansard*, I ask the hon. Gentleman to speak up. His words are not being reported by the lady who is here in the Chamber, but by someone who will hear them through the microphone somewhere else.

Pete Wishart: Thank you, Mr. Deputy Speaker. I shall attempt to speak up.

I understand the hon. Gentleman's predicament, and I mentioned that Preston was the stopping point for the Government's interest in the railways. I follow his logic, and it is true that the modernisation programme south of the border will benefit people in Scotland. However, I am trying to determine why there has been a delay in the modernisation programme for services north of Preston to Glasgow. Such problems will mean that people in the west of Scotland still have to endure delays.

The proposal in the modernisation programme is to link Glasgow to the west coast main line by 2006. In the meantime, Scots will be deprived of a modern service and they are likely to use their cars, or the low-cost airlines that now fly between Scottish airports and London, in preference to unreliable rail services. Imagine the outcry if it were decided to delay a much required national modernisation programme south of Birmingham, rather than the programme for the west coast main line in Scotland. The squeals would be heard all the way from Solihull to Streatham. The Government and the SRA are prepared to treat Scotland as a distant stop on their modernisation journey. I do not know why the SRA continues to believe that Scotland can be conveniently discarded. The rail-using public there are growing increasingly disillusioned with the Government's contempt for them.

I had the opportunity to travel on one of the new pendolino trains last week, although it was not in Scotland, because we do not have any. I was visiting my Plaid Cymru colleagues in Cardiff, and the journey was quite pleasant. The service was comfortable, if predictably delayed, and I enjoyed it. However, the earliest we will see a pendolino train in Scotland will be the middle of 2004.

Mr. Spellar: Is the hon. Gentleman sure that he was travelling on a pendolino, rather than a Virgin Crosscountry voyager, on the route that he described?

Pete Wishart: The train may have been a voyager, but I looked at it and at the map, and unless the trains are going in disguise—

Mr. Martlew: I am sure that the hon. Gentleman is talking about the super voyager, because the pendolino does not run in Wales—or, indeed, anywhere else at present. The super voyager, however, passes my house on the way to Scotland.

Pete Wishart: I am grateful for the hon. Gentleman's correction. The train may indeed have been a super voyager, but it was very comfortable; it was certainly not like the decrepit rolling stock on the railways in Scotland at the beginning of the 21st century. Given the state of the rolling stock, it will take five hours and 20 minutes to travel from Glasgow to London, and that is a very optimistic estimate. That is how things will remain until the middle of next year, when much required modernisation work in northern England will mean that the journey will take an indeterminate time. Is it not ironic that we are having this debate at the end of 2002—almost 16 years to the month after the British Rail super service managed the journey in three hours and 52 minutes? That is still the record; it was set 16 years ago and it is likely to remain unbroken for the foreseeable future, given the chaos that we are about to experience on the west coast main line.

The new transport divide is developing not only on the west coast main line. The Strategic Rail Authority announced plans earlier this year, and of the 17 projects listed as geographically specific, 15 were south of the border, and 11 of those were for London and the south-east. There was no mention of priority projects for Scotland, such as the electrification of the east coast line north of Edinburgh. The last time I was in this Chamber with the Minister—for an Adjournment debate in the name of the hon. Member for Dundee, East (Mr. Luke)—he gave a categorical no to the further electrification of the east coast line north of Edinburgh. The SRA plan also makes no mention of opening the Waverley loop, which would serve the region from the borders to Edinburgh. This week we have heard that Scotland is to get no TGVs, for the bizarre reason that we are too far away from central Europe and would not benefit from the service. That is the most ridiculous argument that I have heard.

There are still doubts about the development of the Waverley station in Edinburgh, which is absolutely necessary if we are to start to deal with congestion in Scotland. The SRA plan that we saw earlier this year was so obviously a plan to deal with issues south of the border that even the chair of the forum for UK passengers was forced to concede that it was, indeed, a plan for London and the south-east.

What will be the economic impact of the delay on the west coast main line? According to Labour-controlled Glasgow city council it will be a disaster. The council went as far as submitting an emergency motion, stating that the delay in the improvements to the main line will be damaging to the economy of the west of Scotland. The motion called on the UK Transport Minister to ensure that Scotland would not be hit unfairly by those delays, and demanded an urgent meeting with the Scottish Minister with responsibility for transport, Iain Gray. The new Labour convener said:

"We should tell the Transport Secretary this is so important to the west of Scotland economy that it's a fight we are determined to win."

Good on him, and good luck to him. I hope that I can join him in that fight.

I have no doubt that the Government are trying to put things right after the disaster formerly known as Railtrack. After a disaster of such proportions, things could only get better, as they always like to tell us. With characteristic new Labour incompetence, however, they have conspired to make things worse. If I received a pound for every time a Labour Transport Minister said to us, "We're putting this right after decades of under-investment," I would be a rich man indeed.

Mrs. Ellman: Does the hon. Gentleman accept that it took a Labour Government to see the demise of the failure that was Railtrack? The Opposition wished to keep it in being, and even minor opposition parties were reluctant to support the brave action of the then Secretary of State for Transport, Local Government and the Regions.

Pete Wishart: I have no doubt that the major problem with the railways is historic under-investment and the disaster formerly known as Railtrack. After five years, however, there is still massive chaos on the railways. The Government have had five years to put that right, yet only now are they starting to get to grips with the problem. I am a long way from congratulating the Government on any success in putting the railways right.

I concede, though, that money is going into the railways—quite significant sums of money at that. I want to ensure equality of distribution of that extra investment across the nations and regions of the United Kingdom. That is what today's debate is about for me. It simply is not good enough to leave Scotland with a second-class service. The Scottish National party is trying to be helpful to the Minister. We have a neat and convenient solution: give the powers of the railway transport system to the Scottish Parliament. Surely even Labour Scottish Executive Ministers would have been able to run the Scottish railways better than the body that previously had responsibility for it, the Department for Transport, Local Government and the Regions. Even the fat controller in "Thomas the Tank Engine" could have run the Scottish railways better than the previous incumbent.

We need a distinct Scottish approach and a Scottish solution to the significant problems we have in the Scottish railways. Transport is already a devolved

[Pete Wishart]

matter. We run the roads in Scotland, but somehow we cannot be trusted to run the railways, even though 90 per cent. of all journeys that start in Scotland end in Scotland. Scotrail and Scottish Financial Enterprise now agree with that view. They see the compelling argument that Scotland is a small country with an uncomplicated rail system and few operators, and would dramatically benefit by being run from Holyrood.

Now, however, the responsibility for the main rail line out of Scotland rests in London. Scotland may be at the end of the line both geographically and in the Government's thinking when it comes to real investment—but passengers who pay high fares certainly do not deserve to be shunted aside as they have been in the past few years.

11.58 am

Tom Brake (Carshalton and Wallington): I congratulate my hon. Friend the Member for Cheadle (Mrs. Calton) on securing the debate and on highlighting the environmental consequences of the failure to invest in railways, a point that other Members made.

I wish the hon. Member for Tatton (Mr. Osborne) success in securing his guarantee from the Minister. I remind him of the Deputy Prime Minister's pledge, made five years ago, to be held to account if he did not reduce road traffic within the following five years. He did not reduce road traffic and we have held him to account, but that has not made the slightest difference, because he is still with us.

The hon. Member for Manchester, Central (Mr. Lloyd) castigated the previous Conservative Government for their failure to invest in the railways. That is a legitimate point, but it surely cannot have escaped his notice that a Labour Government have been in power for the past five years.

As hon. Members have said, the west coast main line is the busiest in the country and one of the busiest in Europe. The upgrade has been one of the most expensive and mismanaged projects in recent memory. We know that the line has not been properly modernised since the 1960s, but we must question, as the *Financial Times* did in a recent article, how the upgrade of 400 miles of railway can run up a bill greater than the income of some developing countries and how the French can build entire TGV lines from scratch for less.

It is worth remembering that, at the outset, Railtrack said that the upgrade would cost £2.1 billion. It promised to slash journey times, double capacity, increase passenger numbers and dramatically improve safety. Regrettably, it adopted untested technology, an unrealistic time scale and an onerous contract, which meant that the project was doomed from the start, at least while Railtrack was in charge.

What will UK plc and passengers get from the upgrade? We have heard that Virgin will run tilting trains at 125 mph rather than at 140 mph and that some of the works will be completed in two years. What of the cost of the project? The Strategic Rail Authority estimates that it will be £12 billion, and we know that a substantial proportion of that will be spent on a renewal process rather than on enhancing the line, but it is highly questionable whether even the figure of £10 billion is correct, especially in the light of the European directives on fast-speed trains and the lack of an asset register.

I hope that the Minister says what he thinks the impact of the European directive will be. During a debate earlier this week, I asked him whether it will cover Eurostar trains. I now want to ask him whether it will apply to trains that travel at 125 mph, because I understand that the cut-off speed for it to apply is 200 kph.

We know that Richard Bowker, the SRA chairman, recently called for bonds to be considered as a means to raise private finance under the golden arrow project. A poisoned arrow from the Chancellor and his resounding "non"—I am sure that Mr. Deputy Speaker understands that French word—swiftly killed that idea. Will the Minister explain why the Chancellor has come down so hard against bonds, given that Richard Bowker, who presumably knows his stuff, proposed the idea? If bonds are not to be the means of raising private finance, what is? How much of the west coast main line's cost does the Minister expect to be covered by private finance, a point on which we still have not received clarification?

One of the key things that the project tells us is that the Government were right to put Railtrack into administration—a decision on which we supported them. The project has been appallingly mismanaged. Perhaps the costs were worked out by accountants, rather than by engineers, who did not really understand the full consequences of the works being planned. There is no full asset register that would have enabled them properly to calculate the costs, so can we be certain that the figure of £10 billion that is being quoted is correct? How do we know that the same mistakes will not be made in the new cost estimate and that the same contractor cost overruns will not be experienced again?

The Government must not use Railtrack's appalling mismanagement of the project as an excuse to scale down their plans for a railways renaissance. We need them to succeed, because the alternative is a Britain permanently gridlocked as a result of a modal switch in the wrong direction. As some hon. Members have noted, people are switching from trains to cars, because cars are a more reliable means of transport.

As well as questions of funding and finance, we need to consider the impact on freight, particularly north of Rugby. Under the original proposals, freight would have been pushed out in favour of passenger services, particularly Virgin's inter-city trains, which are familiar to Mr. Bowker, but there are still serious misgivings about the impact on freight. I hope that the Minister says whether guarantees can be given on freight access and whether the European directives will have an impact on freight on that line.

Mr. Spellar: Is the hon. Gentleman campaigning for an increase in freight on that line?

Tom Brake: The Liberal Democrats are certainly campaigning for an increase in freight on lines where it is appropriate.

Mr. Spellar: I think that means no.

Tom Brake: If a means can be found to run freight and passenger services together—I believe that there is a

question mark over that—it may be appropriate to increase the amount of freight. However, it is important that the Minister responds to the hon. Member for Liverpool, Riverside (Mrs. Ellman) about the impact on central railways, because trying to run freight and passenger services on the same lines can be a problem. As a result, we suffer significant costs that are not experienced in countries with segregated lines.

The hon. Member for North Tayside (Pete Wishart) highlighted the impact of delays in Scotland, which, equally, have an impact in Wales. Services there are being scaled back, so it is important that the Minister provides another guarantee—that speeds of 125 mph will be guaranteed on all parts of the west coast main line and that such speeds will be achieved everywhere on the line.

Mr. Martlew: On parts of the west coast main line, it is physically impossible for trains to achieve that speed, as the tunnels, which were built 150 years ago, prevent it. Is the hon. Gentleman saying that we should rebuild the tunnels so that trains can go at 125 mph everywhere?

Tom Brake: It is incumbent on the Minister to set out exactly where 125 mph is applicable. The achievements of the 125 mph trains should be trumpeted, but that speed can be reached only on limited stretches of track. The Government should set that out clearly, so that people understand what they are getting. The lesson to be learned is that Railtrack needed to be put out of its misery, and I am pleased that that was done. When it was in control, there was no single contractor to take charge of projects. Unfortunately, the Government kept pumping money into it, despite the huge losses caused by the fact that proper contracts were not in place, because costs were not controlled and because there were poorly specified outputs.

The emergence of the SRA as a specifier and a project sponsor, as well as that of Network Rail as the delivery agent, marks a vital shift. Railtrack was both client and deliverer, so that shift is important. I agree that the SRA and Network Rail should work in partnership with the rest of the rail industry, and with the co-operation of the passenger and freight operating companies. If so, things can only get better. I sincerely hope that that is true for the west coast main line—for the sake of passengers and of UK plc.

12.9 pm

Mr. Tim Collins (Westmorland and Lonsdale): I, too, begin by congratulating the hon. Member for Cheadle (Mrs. Calton) on securing the debate and on how she introduced it. She knows that it is not a personal comment when I say that she follows in distinguished footsteps: her predecessor, Stephen Day, was a friend to Members on all sides of the House and a dedicated, effective and persuasive advocate for the west coast main line throughout his time here. The hon. Member for Carlisle (Mr. Martlew) recognises, as I know many others do, that Stephen played a big role in the all-party group that campaigned on the issue for many years.

I should also point out that, in common with many others here, my constituency is directly affected by the west coast main line, as it is home to Oxenholme, the Lake district station. Fortunately for me, it is less than 10 minutes from my home in Kendal. Therefore, in common with many other hon. Members, I have spent a lot of time on that line. I might exempt the hon. Member for Carshalton and Wallington (Tom Brake), given some of his comments, but generally speaking it is clear that in all political parties, throughout England and Scotland and for a range of business and employment reasons, the west coast main line has immense national strategic significance. It is enormously important to us all.

On that note, I take up the challenge issued by the hon. Member for Manchester, Central (Mr. Lloyd), who said that we should approach the matter in a non-partisan way, but then slightly spoiled it by saying that all the fault lies with the Thatcher and Major Governments. He will forgive me if I prefer the slightly more gracious and accurate, but none the less telling, comments made by the Secretary of State earlier this month when he announced the change:

"This is a line that has needed investment for some 30 or 40 years now."

I accept that entirely. Indeed, he said on "Channel 4 News" on 9 October:

"I suspect blame attaches to just about every government since 1970."

I accept that entirely as well.

To pick up on a comment from the hon. Member for Liverpool, Riverside (Mrs. Ellman), who said that everything is Railtrack's fault, in that Channel 4 interview the Secretary of State said, and I agree, that it would be a mistake to blame

"the failure to grasp the true cost of doing up this line on the fact that there was the presence of a private sector company. I don't accept that. I think Railtrack itself was clearly culpable but before that I don't think British Rail ever had a clear grasp as to exactly how much money needed to be spent on the West Coast Mainline."

Once again, he put it extremely well.

It is worth observing that there have been a few comments suggesting that all we are talking about is upgrading the line and that it should not require a terribly complicated effort, querying why everything has not been done in five minutes flat. In September, *The Guardian* put it rather well:

"To call the project an 'upgrade' is something of a misnomer. It involves entirely replacing the vast bulk of the track, sleepers, signalling and power cables."

Much of the equipment

"is reaching the end of its life and needs replacing anyway, whether with ultra-modern high-speed gadgets or simply with fresh basic kit."

It is a huge project. Some 75 per cent. or more of the cost is estimated by the Strategic Rail Authority to cover simply the cost of upgrading the track. Only the remaining quarter of the money will make the difference between trains being able to run at current speeds or at 125 mph along much of the line's length.

My hon. Friend the Member for Tatton (Mr. Osborne) rightly addressed services being suspended next summer, and the summer beyond, to enable faster progress with the upgrade. I share his balanced assessment of that. We all recognise that we would not like to be at such a stage, but it is probably better, as the Rail Passengers Council has put it, to take the pain all at once in a relatively short and concentrated period, rather than endlessly stretching it out year after year.

[Mr. Tim Collins]

However, my hon. Friend also rightly said that the SRA proposals are not a model of advance consultation. Concerns were expressed by a huge number of businesses, and he referred to commuters in his constituency. Many others commute along the line, between the midlands and London, and between the north-west, Scotland and London.

Of course, I have to be conscious, as the hon. Members for Carlisle and for Workington (Tony Cunningham) are, of the potential impact on tourism in Cumbria, which was hugely affected by foot and mouth and which relies on the ability to deliver fast, reliable and consistent transport facilities to the county. None the less, on balance, most of us would conclude that the SRA made an appropriate judgment. I have not sought to make political capital by attacking that decision, but there are important assurances to be given that the quality of the alternative service will be properly maintained.

I have a series of quick questions for the Minister. Will he address the question that has been raised by all parties on the quality of that alternative transport? Clearly there are issues relating to who will be responsible for providing it and what the standard will be.

The BBC website quotes a Railtrack spokesman—this was a few days before Network Rail took over, so I imagine that that person now works for the new company—who said that

"the difference in journey times for intercity commuters would be just two minutes and no Virgin passengers would have to use buses."

That is extremely reassuring, but it is also slightly implausible. It would be helpful to know whether the Government will take a role in achieving that.

Several Members have made the point that there is widespread disappointment that the 140 mph full speed of the pendolinos is unlikely to be achieved in the near future. Will the Minister comment on the remarks made by the SRA in its original announcement? Point one of the SRA note to editors, at the end of its press release, states:

"140-mile hour tilt running on WCML is the subject of further analysis and examination."

That is an interesting phrase, which may or may not mean something. The general expectation is that we will not have 140 mph capacity for at least a decade. Will the Minister comment on whether such capacity is a possibility, perhaps in the next decade, or should we accept that it will not exist for a very long time, if ever?

There are also financial implications. The Minister has had conversations with people in and around Network Rail and thus will be even more familiar than I am with some of the financial issues that are arising. I am told that Network Rail's expenditure on basic maintenance work across the whole national rail network runs about 37 per cent. ahead of budget and that its overall expenditure runs about 50 per cent. ahead. It will be interesting to hear whether he can confirm that.

I am also told that there are serious concerns in the company. Although Network Rail believes that is has improved the management compared with Railtrack, there is, none the less, concern that a large proportion of the funds allocated by the Government in the 10-year transport plan may end up being used on basic maintenance work, before upgrades are even considered. The SRA has predicted that, although the cost of the west coast main line upgrade will be less than the worst-case scenario of £13 billion, it will still be more than the Government originally budgeted for. Will the Minister clarify whether additional Government funding will be available if that proves to be the case?

On the website of the European Commission—bless it—the west coast main line is referred to as an "EU priority transport project". The website claims that that is

"being funded by loans from the European Investment Bank."

The Minister will be reassured to learn that there is no reference to anybody else putting in money, although I suspect that the Government are putting in rather more than the European investment bank. Does the Minister know whether the EU might be prepared to provide more funding?

I want to leave time for the Minister to reply, so I will keep my remaining points brief. Will he address the implications of the fire dispute for the west coast main line and the national rail network as a whole? Yesterday in the House, the Deputy Prime Minister pointed out, entirely appropriately, that safety considerations should be taken into account by the Health and Safety Executive and that the HSE is an independent body that will reach its own conclusions. He also said that if the HSE rules that a service is safe to be provided, that service should go ahead. The Minister knows that those involved in providing our rail service are anxious about the implications of the fire brigades strike.

The Minister also knows that train operators are concerned about legal liability. We live in a much more litigious society than we did 20 or 30 years ago. If the HSE, as an independent part, yet still a part, of the Government, rules that it is safe for train operating companies to provide a service on a day when the Fire Brigades Union is on strike, will the Government work with insurance companies and others to ensure that the HSE's determination provides, in effect, a legal indemnity for train operating companies, in the event of action being taken against them as the result of an accident? We all hope that there will not be accidents, but the train operating companies need to know that they are acting with proper legal and insurance cover if they are to provide a service that is close to normal, which I hope they do, even on days when the fire brigade is on strike.

The west coast main line is an asset of immense national importance, and I hope that all of us, on a cross-party basis, pay tribute to, and urge success for, those who are working extremely hard to deliver a much better service on it. If they were to achieve that, it would benefit the constituents of many hon. Members who are present, and the entire nation. I hope that the Minister takes this message from the debate: anything and everything that he can do to deliver an improved west coast main line will earn a hearty three cheers from many people throughout the country.

12.20 pm

The Minister for Transport (Mr. John Spellar): I congratulate the hon. Member for Cheadle (Mrs. Calton) on securing the debate, although much of her contribution was like a "Focus" leaflet. She even referred to the Liberal Democrats being all in favour of freight, although concerned that freight trains might run at night—which is, of course, when freight normally runs on the rail network. She also raised questions about work on the line, many of which are addressed in the consultation document. At least that is now in the public domain. That is the opposite of the normal way of doing things, which is to find out when the pavements are going to be repaired and demand that it happens in the near future.

I also wish to stress that this is a consultation document. The Strategic Rail Authority is asking for early comments by November, if that is possible, and for final comments by 16 December. I urge those colleagues—and the local organisations on whose behalf they are speaking—who wish to make comments and suggestions to input them to the SRA. Indeed, some of them have already been taken on board. For example, the hon. Member for Tatton (Mr. Osborne) made a point about the Wilmslow-Styal-Manchester line, and I understand that the local service can be confirmed. Since the publication of the draft strategy, Network Rail has confirmed that trains will still be able to get to Wilmslow. I will follow up that matter with a letter to the hon. Gentleman.

I now wish to rattle quickly through the overall picture with regard to the west coast main line. There are a lot of questions to deal with, and I hope to answer as many of them as possible during my contribution, and to write to several hon. Members on other matters.

The importance of the west coast main line has been clearly stated by hon. Members. It is the key artery from London to the midlands, and on to north-western Scotland, for both passengers and freight. There was substantial investment in the line when it was electrified in the 1960s and the early-1970s. Since then, as the hon. Member for Westmorland and Lonsdale (Mr. Collins) said—in an unusually consensual manner—Governments of both main parties have neglected their responsibilities on maintenance and renewal.

Mr. Martlew: I am optimistic that the upgrade of the west coast main line will be completed. Indeed, comments have been made today that the vast majority of it is renewable. However, I seek an assurance that once the upgrade is completed, sufficient money will be put into the line to keep it in a reasonable state, so that our successors will not have to debate this issue again in 20 or 30 years' time.

Mr. Spellar: My hon. Friend is right. One of the lessons that has been painfully learned from the condition of the rail network is that maintaining the system is as important as, and frequently more important than, considering extensions, although several of those will be significant. However, we must not return to the position in which we are saving money in the short term, but that results in considerable costs to the service, including a financial cost.

There was growing demand, and major renewals were becoming increasingly urgent and necessary. Therefore, there was a need and an opportunity to upgrade the line to increase capacity and improve performance. That was the logic behind the contract that Railtrack entered into in 1997-98. I am sure that I do not need to remind the House of the mess that Railtrack made of that crucial investment. "We will do it for £2.3 billion" it said, and it mentioned new signalling technology and speeds of 140 mph. However, it could not deliver those things, and it could not deliver them at that price. Costs spiralled, without any hint of their being controlled. It was not only that Railtrack could not control its costs; it did not understand them, either. There were indications that the estimated cost could have risen to some £13 billion. Certainly, with modernisation, the figure could have gone even beyond that amount.

Railtrack could not deliver the outputs. What worked on a blank piece of paper did not work in practice. There are some 16 train operators on the west coast main line running passenger and freight services, fast and slow services and transporting long-distance and local commuters. It eventually dawned on Railtrack that it would not be sensible to rely on signalling systems that were yet to be developed in order to cope with that complex mix of traffic. That led to more redesigning and cost increases. Even then, Railtrack did not know what assets needed to be renewed on the line, and it still had not begun to attempt to produce a workable timetable that would provide slots to allow the different services to operate.

It became clear, particularly last year after the company had gone into administration, that Railtrack had made commitments without knowing the extent of the necessary works and how it could deliver the ambitious outputs that were promised. With the necessary signalling technology still years away, there was no way of providing a 140 mph operation without eating massively into the capacity for other services. The resulting problems led to the severe cost overruns and slippage that I mentioned.

We all know that Railtrack struggled, and failed, to find a workable and affordable solution. Under its management the project was undeliverable. Thankfully, Railtrack is history. Network Rail has taken over. That is a significant advance. Prior to that, however, the new Railtrack management under John Armitt—a much more engineering-orientated organisation—was already making a difference.

Faced with the mess that was left by Railtrack, we acted decisively with the SRA. On 9 October, the SRA published a consultation document on the strategy for the west coast main line route modernisation project, which has already been mentioned. The SRA has worked with Network Rail and in partnership with the rest of the railway industry and thoroughly reviewed the upgrade project. It has worked up coherent measures that, for the first time, have been matched against a clear and deliverable set of outputs. That massive undertaking will deliver more than 780 miles of upgraded railway, the renewal of 585 miles of overhead wires and equipment and more than 1,000 switches and crossings.

Tony Cunningham: I will make a quick point on the replacement of track. I have always been concerned about the security of supply. My constituency contains

[Tony Cunningham]

the only plant in the entire United Kingdom that makes railway lines, and it has been under threat. Will the Minister continue to support that plant?

Mr. Spellar: My hon. Friend is aware that I am concerned about the viability of the manufacturing and supply side of the railway industry. That is precisely to ensure that the rail system in this country continues to receive the appropriate service in manufacturing and replacement. As he knows, we have had regular discussions with him, the trade union that represents the work force, the rail companies and the company that he mentioned.

The new strategy will include a provision for tilting trains operating at 125 mph along the full route. That will result in significant improvements to journey times. For example, the journey time from London to Manchester will be cut by half an hour. I can tell my hon. Friend the Member for Liverpool, Riverside (Mrs. Ellman) that Liverpool will benefit substantially. The 125 mph service will run most of the way to Liverpool in 2004. That will be some 34 minutes quicker than the present service and will be of considerable advantage. As I understand it, Liverpool will face only a short period of closure.

I can also tell Manchester Members that we are considering, in individual cases, whether to divert trains along one or another arm towards Manchester. That also applies to the Scottish route. The idea that the route to Scotland is cut off is incorrect. I put it to the hon. Member for North Tayside (Pete Wishart) that if the trains go faster between London and the north-west, they will get to Glasgow earlier. I think that they are already getting to Glasgow about half an hour earlier, which is of considerable advantage.

There will be more frequent inter-city trains—an increase of 80 per cent. in the number of services—and four trains an hour from London to Birmingham. Hon. Members who were perhaps understandably critical of Virgin should consider the Virgin voyager system that was mentioned by the hon. Member for North Tayside. That is significantly enhancing this country's cross-country services.

We are looking for better performance and increased reliability. The SRA's target is for 90 per cent. of trains to arrive within 10 minutes by 2008 and an increase of freight capacity by 60 to 70 per cent., which is obviously significant—

Mr. Deputy Speaker (Mr. Frank Cook): Order. It is time for us to move on to our next topic for consideration, which is about the protection of the green belt in Morley and Rothwell.

Green Belt (Morley and Rothwell)

12.30 pm

Mr. Colin Challen (Morley and Rothwell): Thank you, Mr. Deputy Speaker. May I thank Mr. Speaker for allowing me the opportunity to raise this important local subject? The debate comes at a timely moment.

According to the latest issue of the House of Commons research paper "Social Indicators", there are now about 120,000 homeless people in England, despite the fact that there are 750,000 empty dwellings. That telling comparison confirms the old estate agents' adage, "It's all about location, location, location." That is because many such empty dwellings are in places in which people do not want to live.

I am sure that a similar pattern exists in the district covered by Leeds city council. There are many people who want to move elsewhere and there are unpopular estates. Such a shift of population, together with different lifestyles and, most importantly, the economic success of Leeds, has placed almost intolerable burdens on the green belt. That has led to parts of my constituency becoming overburdened with new housing.

I have been given figures that suggest that over one quarter of the population growth in the Leeds district over the next five years will occur in Morley and Rothwell. I suggest that much of that population will be accommodated on greenfield sites. Indeed, my rough estimate is that, because half the projected population growth in Leeds is destined for the Leeds, Central constituency and my constituency, and because Leeds, Central contains little, if any, green belt, my area seems destined to take a disproportionate hit on the green belt.

Such growth is unsustainable. The problem is not only that large, new housing estates are being built without extra infrastructure, which forces more people to drive to shops or to make other small journeys by car, but that several communities face the prospect of being joined up. I fear that, if we are not careful, small communities on the edge of the city will lose their identity entirely. There are several examples of that happening in my constituency, and further erosion of green belt must be resisted. One only needs to look at a map of Leeds to see the danger to the south of the city.

People often mix up green belt with greenfield, which is understandable. I draw the Minister's attention to a case about which we have corresponded: a planning application to build on greenfield on Haigh Moor road, West Ardsley. Plans were submitted to build houses on a field that had never been developed. However, it was adjacent to a former slaughterhouse and, decades ago, livestock were kept in the field prior to slaughter. After a few misfires, the council eventually approved a planning application for housing on that site on the ground that the land was brownfield because it had been associated with the slaughterhouse and there was a consequent, but highly unlikely, possibility that it could be used for that purpose again.

Local people have been left scratching their heads about how a green field, which had always been a green field, could be described as brownfield. It seemed to

them—it certainly seemed to me—that the definition of brownfield had been stretched beyond reason. What if a farmer had a vegetable freezing plant of some description next to a field in which he grew peas? We all know how we like our fresh, frozen produce. Would that make such a field brownfield?

A further 30-odd houses are to spring up. I wrote to the Office of the Deputy Prime Minister about the decision, which had been upheld on appeal. I asked whether the decision could be called in, in the light of decisions taken elsewhere throughout the country. I was told that the regional government office had considered the matter carefully. In what context, I wonder? Perhaps by meeting the recommendations of the regional policy guidance on housing under which Leeds city council has agreed to take a large share. I am not happy that we have a system that can produce glaring inconsistencies, and I could quote other examples from my constituency.

When inconsistency arises, it is clear that local people cannot see the transparency in planning decisions and they are the ones that must live with the consequences. It is possible that, in the wake of PPG 3, every council will want windfall sites to fall into their laps to relieve the pressures arising from brownfield capacity reviews.

Leeds city council has done an excellent job in encouraging a housing renaissance in the centre of Leeds—the population in the constituency of Leeds, Central is growing again. That is healthy and should be encouraged. It relieves pressure on the green belt, puts a brake on traffic congestion and has the potential to protect inner-city schools, for example.

The urban renaissance would be even more vibrant, however, if the Government ended the incentive of charging value added tax on brownfield but not on greenfield developments. Surely, PPG 3 demands the reversal of such a perverse incentive, but, in Treasury-speak, the matter remains "under review". The Treasury does have some useful measures, such as targeted tax credits for cleaning up contaminated land and enhanced capital allowances for the creation of flats over shops. Indeed, there are reduced VAT rates for renovating old buildings. However, somebody wanting to build new houses on sites that do not qualify is at a great disadvantage compared with somebody building on virgin land. I hope that my hon. Friend the Minister agrees with my assessment and will press the Chancellor to change the VAT rate. That would do much to assist the successful impact of PPG 3.

The Leeds unitary development plan, which was confirmed only last August after 10 years in the making, is up for review. Because of the impact of PPG 3, we will hopefully see a lot of former greenbelt land returned to that status. That is land currently classified as PAS—protected area of search. Those are often sites to which I have already alluded, which lie between villages or provide essential green lungs in developed areas. After PPG 3 and its brownfield capacity study, the council accepts that PAS sites should be returned to greenbelt status.

Local people should be able to air their views about such matters and see change happen as a result, but there has been such a top-down approach to planning in the past that we will have to wait and see. I have a high regard for the professional expertise of planners, but I sometimes wonder whether they genuinely want to open up their decision making to the non-qualified general public. For example, I have a paper that outlines the planner's approach in Leeds. With regard to the unitary development plan it states:

> "It is important that there is widespread awareness of the review and its purpose. The limited scope of the exercise needs to be understood. It would be the council that sets the agenda, but it can be anticipated that others will wish to re-open the debate on other issues. Maintaining tight control of the agenda will be important to ensure that: the plan is made more relevant to today's agenda as soon as possible, the scope for debate at and hence the timetable for the public inquiry is limited, and the impact of the proposed changes in the development plan system is anticipated and minimised."

To help to limit the period for consultation, it will start just six shopping days before Christmas and is due to end on some unstated day in February. The period allowed for public engagement, excluding holidays, could last barely more than one month, in a process that goes on for 18 months. That is not good enough. Nobody wants to tear down the carefully crafted edifice of the urban development programme, but the strength of feeling about the seemingly unchecked growth of new housing developments must be addressed or the impact of PPG 3 will be blunted and Government guidance will be seen as toothless and meaningless.

I want new housing, but it must be sensitive to the needs of the people who live in and around it. I want the old buildings in my constituency to be brought back into use, and estates to be refurbished and brought back to life. On that last point, council tenants were consulted at length about the creation of ALMOs—arm's length management organisations—and whether they should have more democratic control over their areas. I urged council tenants to agree to that new approach, as I believe in local democracy. I now want there to be a similar approach to planning. We no longer live in the discredited era of predict and provide, but we must make better use of what we have. The Government's approach is right, and I expect PPG 3 to bring tangible benefits to my constituents by being fully incorporated into the UDP after proper local consultation.

12.40 pm

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Mr. Tony McNulty): I very much welcome the opportunity to respond to my hon. Friend the Member for Morley and Rothwell (Mr. Challen) on this important matter, and I congratulate him on securing the debate. I share his view that, in the main, Leeds city council is at the forefront of urban renaissance, and much of what it has done to secure the future and sustainability of Leeds city centre is to be praised.

Leeds, Central will, I am sure, be considerably different and better off in the future. I spent a rainy weekend there just before a particular by-election that was responsible for the Under-Secretary of State for the Home Department, my hon. Friend the Member for Leeds, Central (Hilary Benn), taking his place in the House.

I shall first set out the planning framework for the protection of the green belt. The framework is well established and it applies as much to the green belt in Morley and Rothwell as it does to the rest of the country. National policy and guidance on the green belt

[Mr. Tony McNulty]

is set out in planning policy guidance note 2, which was published in January 1995. Its fundamental aim, which underpins much of what my hon. Friend the Member for Morley and Rothwell said, is to prevent urban sprawl by keeping land permanently open. The green belt's most important attribute is its openness, but it can also assist in moving towards more sustainable patterns of development.

There are five key reasons for including land in the green belt: to stop the unrestricted sprawl of large built-up areas; to prevent neighbouring towns from merging with one another, which my hon. Friend mentioned; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist urban regeneration by encouraging the recycling of derelict and other urban land.

Those aims are paramount and they take precedence over the six key objectives of the green belt, which are: to provide the urban population with opportunities for access to the open countryside; to provide opportunities for outdoor sport and outdoor recreation near urban areas; to retain attractive landscapes and to enhance landscapes near to where people live; to improve damaged and derelict land in and around towns; to secure nature conservation interests; and to retain land for agriculture, forestry and related uses. I agree with my hon. Friend that there is not much of that in Leeds, Central.

The green belt is designated in development plans in accordance with PPG 2 and regional planning guidance. The detailed boundary should be altered exceptionally only once it has been defined in an adopted local plan or UDP. To help to achieve that, local authorities must consider the need to safeguard land between the urban area and the green belt that may be required to meet longer-term development needs.

Mr. Challen: Does my hon. Friend agree that windfall sites could become significant after the introduction of PPG 3, if it puts pressure on councils actively to encourage them? Has he had many representations on that?

Mr. McNulty: To be perfectly honest, I have not, although I take the point. That is part of what we seek to address with the reform of the planning system, which also aims to tackle the time it takes some authorities to develop, deposit and get approval for their plan. If that process has taken a decade or more, as in the case of Leeds, any windfall is very sudden once the plan is adopted in the context of PPG. There will be a much sharper focus on rapidity and flexibility in developing plans and continually updating them more responsively.

I stress the importance that the Government attach to green belt policy. There are no plans to change it, and my hon. Friend will be pleased to know that, since 1997, the green belt in England has increased by some 30,000 hectares. Guidance on control of development in the green belt is clearly set out in PPG 2. The presumption is against inappropriate development—inappropriate is defined as outside the curtilage of the criteria and objectives that I have already mentioned. Most development in the green belt is inappropriate and should not be approved except in special circumstances. Those circumstances are not defined in PPG 2, but are up to the applicant to prove. They vary from case to case.

Mr. Challen: The Council for the Protection of Rural England sent me a paper before today's debate to say that those exceptional circumstances are becoming more like the norm. Is there any way to monitor whether that is true?

Mr. McNulty: As far as I know, we monitor exceptional circumstances. I happily undertake to inform my hon. Friend of whether we do and, if so, of some exceptional circumstances from particular cases. I disagree with the CPRE view and say that, in quantity if not quality, no more exceptional circumstances are granted now than at any other stage. I shall happily write to my hon. Friend on that.

My hon. Friend will also appreciate that it would not be appropriate for me to comment on the details of current cases. We have exchanged correspondence on Haigh Moor road in West Ardsley. That issue is back with the authority, if not determined, and it would be inappropriate for me to refer to that or any of the numerous other sites in the Morley and Rothwell area about which my hon. Friend is concerned.

As my hon. Friend said, not all greenfield land is green belt. The protection of greenfield sites is provided for in several Government policies, in particular those relating to new housing development and PPG 3, which was published in March 2000. The Government's commitment to promoting more sustainable patterns of development will be achieved by concentrating most new housing developments in urban areas, making more efficient use of land by maximising the re-use of previously developed land, assessing the capacity of urban areas to accommodate more housing, adopting a sequential approach to the allocation of land for housing development, managing the release of housing land and reviewing existing allocations of housing land in plans and planning permissions when they come up for renewal.

The key is that the words "brownfield" and "greenfield" are essentially shorthand. Brownfield sites are previously developed land. The history of uses of a site, rather than whether it is brown and mucky, determines whether it is previously developed and therefore brownfield. That might explain the position to which my hon. Friend alluded.

The Government's national target for the additional housing to be provided by re-use of previously developed land is 60 per cent. by 2008. Success in attaining that will clearly vary from region to region. In Greater London, that figure is already some 91 per cent, and I am sure that it will be significantly over the 60 per cent. mark in parts of the urban core of Leeds. Regional planning guidance for Yorkshire and the Humber—RPG 12—sets the same target for the region for 1998–2016, and the target for Leeds at the slightly higher figure of 66 per cent., considering the preponderance of urban areas.

PPG 3 defines the previously developed land and, with associated better practice guidance, sets out how urban capacity can be assessed and how land release

should be managed. PPG 3 and RPG provide guidance on the location of new housing developments. The search sequence should start with the re-use of previously developed land and buildings in urban areas. The presumption will be that previously developed sites should be developed before greenfield, except where previously developed sites performed so poorly in relation to the criteria in paragraph 31 of PPG 3 as to preclude their use for housing.

Of course, many plans that are not up to date are likely to include greenfield allocations. To ensure that PPG 3 policies were put into practice, we introduced a direction in October 2000, which required referral of large housing proposals on greenfield allocations to the Secretary of State if the local planning authority were minded to grant planning permission. That is a halfway house or a transition between a fully developed and deposited plan and the notion of windfall to which my hon. Friend referred. The Government are keen to ensure that where, as in Leeds, development plans do not fully accord with PPG 3, they are reviewed as quickly as possible.

I shall now consider the local planning policy for the protection of green belt and greenfield sites as set out in the Leeds UDP. After a lengthy preparation of more than 10 years, to which my hon. Friend alluded, it was adopted on 1 August 2001. The plan designates extensive areas of green belt around the built up area of the city and sets up policies for the protection of this land, including Morley and Rothwell. It also designates land as

"protected areas of search for long-term development",

some of which is former green belt. Those protected areas of search form a buffer between the urban area and the green belt. As my hon. Friend said, such sites exist in the Morley and Rothwell area.

Preparation of the current UDP and the public inquiry into objections pre-dated PPG 3 and, before its adoption, the Secretary of State made representations that the housing policies did not reflect PPG 3. In particular, the Secretary of State was concerned that insufficient priority had been given to re-using previously developed land in urban areas, which is my hon. Friend's anxiety, and that the plan would not provide a policy framework to bring forward the development of previously developed sites before that of greenfield sites—the sequential test in PPG 3.

In response to the Secretary of State's representations, the council modified the plan to reflect a broader commitment to follow PPG 3 principles. It was also committed to the plan's early review. It is also worth noting that if the council wanted to approve a large housing development on a greenfield allocation, the application would have to be referred to the Secretary of State under the greenfield housing direction while the UDP is being reviewed. On that basis, and in view of how long it took to prepare the plan, the Secretary of State did not intervene further in the plan's adoption.

Mr. Challen: I am not sure exactly what counts as a large-scale development—perhaps 100 or 150 houses—but large developments can occur sequentially. Another 30 houses will encroach on previously green land and, a few years later, another 30 are built. Eventually, perhaps over a decade, the developer's objective is met when 100 houses are in place on a site, but, because it has developed sequentially, nobody can refer to a particular right.

Mr. McNulty: I take my hon. Friend's point and I shall write to him about the number of houses that count as a large development. After 11 years on a planning committee, all this is not exactly new to me. I know that, under the current framework and policy, councils can view the piecemeal development of a larger site as a material planning consideration in any determination of whether to develop that site further.

That may not apply in every instance, or in a silly and ridiculous way, but if 30 houses on part of a site are clearly a bridgehead for subsequent development, provision is made in the framework to deal with it. When I was on the other side of the table—I am not sure whether I was or am now the poacher or the gamekeeper—we could use available policies in the context of an urban fringe such as that described by my hon. Friend.

I am pleased to hear about the speedy review of the Leeds UDP—that is good news. I am also aware that work on an urban capacity study has started, which must also be welcomed. I hope that the results of that inform the review and perhaps overcome the non-PPG 3-specific aspects of the current UDP.

I am mindful of what my hon. Friend said about the review process, and I certainly exhort Leeds, within the framework that it needs to work in, to suggest a process that engages local communities as much as possible and that works for all of Leeds. I am aware of the strength of feeling that he suggests is abundant in the city. That needs to be addressed, however narrow and limited the planning process, not only by the people of Leeds but, crucially, by their public representatives—MPs and councillors—to ensure that the review process is exploited as fully as possible, given that it has taken so long for the review to come.

I understand that it is proposed that the review will be selective and focus on issues where change is necessary—exactly those that my hon. Friend mentioned. One is housing strategy. Guidance in PPG 3, including the sequential approach to site selection, should be taken into account. The council proposes that the review will also consider the role of land designated as protected areas of search, to which I have referred. There is a possibility of returning some of that land to the green belt, but it is not for me to pre-empt the review.

I understand that, as part of the review, the council proposes to undertake an extensive, far-reaching and inclusive pre-deposit consultation programme. It says that that is planned to start this winter; it does not say that it is to start six shopping days before Christmas, but I take the point. I welcome what has been said, so long as the pre-deposit phase is followed by a wider deposit phase, and the early phase is merely the start of proper consultation and engagement. I take on board my hon. Friend's point that it is no longer sufficient for planning as a wider process and the development plan specifically to be all top-down and imposed on communities that have to live with the consequences.

Concerns were raised about VAT. I am sure that my hon. Friend appreciates that taxation decisions are a matter for my right hon. Friend the Chancellor of the

[Mr. McNulty]

Exchequer, although the Government have reduced VAT to encourage conversions of existing property to residential dwellings and the re-use of long-term empty homes. That is part of a package that will help to make better use of existing housing stock and encourage re-use of previously developed land, but, as my hon. Friend said, the Treasury has other fiscal instruments under review. He might like to consult this month's *Inside Housing* for a wider view from me.

Mr. Challen: I thank my hon. Friend for giving way; he has been generous with his time. I read today that my right hon. Friend the Chancellor is considering a range of green taxes—not least, perhaps, on landfill—before the pre-Budget statement. Will the Office of the Deputy Prime Minister make representations on VAT?

Mr. McNulty: The Office of the Deputy Prime Minister has been in extensive discussions with the Chancellor on a range of fiscal instruments that impact on it and its responsibilities.

In December 2001, we issued a Green Paper, "Planning: Delivering a Fundamental Change". We seek the earliest possible opportunity to legislate where needed. The paper recognises the need to enable local communities to be involved much more positively, including in the development plan process.

We look forward to the review of the Leeds UDP with great interest, not least in the context of how it will fully take on board all that is in PPG 3 and the sequential release and use of land, which is the crux of everything my hon. Friend said. The sequence involving brownfield and greenfield land and the green belt is crucial to the long-term future and sustainability of urban centres such as Leeds, and central to all that we are doing on future urban renaissance and the advance of such areas.

I again congratulate my hon. Friend on raising these important issues. I am mindful that I have said on at least two or three occasions that I shall write to him about particular matters, and I shall ensure that I do so in the coming weeks. I exhort him to stay in touch with me about the pre-deposit consultation and the consultation on the review, so that, in the end, the people of Leeds get the UDP that they deserve to move forward.

Horticulture Research International, East Malling

1 pm

Sir John Stanley (Tonbridge and Malling): In the years that I have been privileged to be a Member of Parliament, I have travelled to agricultural, rural and fruit-producing areas in many parts of the world, including Africa, Asia, the Indian sub-continent and Latin America. I am invariably asked what constituency I represent. Hon. Members would be forgiven for thinking that "Tonbridge" and "Malling" are not words that command instantaneous international recognition, but they would be wrong. When I say that I represent Tonbridge and Malling, the response all over the world is, "Oh yes, that is where the fruit research is carried out."

HRI East Malling, formerly the East Malling research station, is a research establishment of genuinely worldwide renown. Against that background, it has come as a source of acute dismay, even disbelief, that the Government could be contemplating the closure of that remarkable research establishment, which is of proven international capacity. Indeed, the announcement has been greeted with shock not only in East Malling, but in the British horticultural industry as a whole. I am deeply concerned about and, I believe, justifiably critical of, the content of the announcement and its handling.

Most regrettably, the Department's press release did not even accurately reflect the key recommendation in relation to East Malling contained in the "Quinquennial Review of Horticulture Research International". Paragraph 1.6.3 of that review states:

"we recommend that East Malling is either closed or, preferably, transferred with some of the existing staff to the East Malling Trust for Horticultural Research."

Most regrettably, the key word—"preferably"—was omitted from the Department's press release, implying that the Government are entirely neutral as between the options of closure or transfer to the East Malling trust.

Inescapably, in those circumstances, closure blight now threatens HRI East Malling. The key elements in any research establishment are, of course, the people. If there is closure blight people contemplate leaving and might actually do so. Research contracts that are coming to an end might not be renewed, and new contracts will not be entered into. I must tell the Minister candidly, that the suspicion—wholly unfounded, I hope—is that the Government want to close HRI East Malling in all circumstances. I earnestly hope that he can give me a categorical assurance that that is not the case.

I am also very critical of the timetable for consultation, particularly in the context of HRI East Malling, which is potentially far and away the research establishment most seriously affected by the announcement. The announcement of possible closure was given in the press release of 23 September. The consultation closing date was announced as 18 November, which is barely eight weeks flat. That is a totally unrealistic timetable in which to put together the non-closure option—in other words, the transfer option to the East Malling trust.

That transfer will involve the creation of a completely separate charity, or company limited by guarantee, to contain the assets and the business of what is now HRI

East Malling; the production of a detailed business plan and the negotiation and working out of contractual arrangements between the new independent HRI East Malling and the existing East Malling trust; and the establishment of the continuing terms, conditions and pension rights of existing HRI staff who are transferred to the new independent East Malling. It will involve getting clear commitments from the Department for Environment, Food and Rural Affairs as to its future financial policy and placing of research contracts with the new organisation. Those commitments must be sufficient to enable the trust's trustees to take decisions. A substantial amount of work will need to be done by lawyers, consultants and others. It is ludicrous to suggest that all that can be done in eight weeks. I urge the Minister to tell us that the Government will show a sensible degree of flexibility about the timetable for consultation.

To assist the Minister in giving detailed replies, I gave him in advance my eight specific questions, which are as follows. First, DEFRA has stated that, as an alternative to closure, HRI East Malling should become an independent research station under the auspices of the East Malling Trust for Horticultural Research. Will DEFRA fund the legal and consultancy fees necessary to bring that structure into being? Unless DEFRA is willing to fund those inescapable fees, a merger or transfer to the trust will not be able to take place, as it would be impossible for the trust, which is a charitable organisation, to engage in large expenditure on professional fees that might conceivably bring no results.

My second question relates to paragraph 1.6.3 of the quinquennial review, which states that

"interim financial arrangements may be needed"

to create an independent East Malling under the auspices of the East Malling Trust for Horticultural Research. Does the Minister accept that interim financial arrangements will be needed, and are the Government, through DEFRA, prepared to provide the necessary interim finance to enable HRI East Malling to make the transition to independent status under the auspices of the trust?

Thirdly, well over half of HRI East Malling's income comes from DEFRA contracts obtained competitively. Will the Minister give a clear assurance that DEFRA will continue to place contracts, when competitive, with the new independent East Malling, which has to exist outside HRI? Without such an assurance, the consultation on a transfer or merger with a trust is a charade, given the extreme dependence of the research establishment on DEFRA contracts—again, I stress the fact that those contracts have been won competitively by East Malling.

Fourthly, the review rightly says that research institutions need at least 40 per cent. of their budget to be secured over a four to five-year period, and that they cannot survive efficiently with too much of their budget dependent on competitive funding. What assurance will the Minister give that DEFRA will place with East Malling contracts of sufficient length to make an independent East Malling viable?

As a Minister, I was involved in the research establishment business in that I had responsibility for the Building Research Establishment. Anyone with that type of experience knows that one cannot run a research establishment in the public sector on a hand-to-mouth basis, with only short-term contracts lasting a year or so. Such establishments need the security of having a significant proportion of their income underpinned by longer contracts, running for four or five years.

Fifthly, the review makes it clear that almost all the Biotechnology and Biological Sciences Research Council's funds are spent at Wellesbourne. Will the Minister give an assurance that an independent East Malling will have access to BBSRC funding on the same basis as Wellesbourne currently enjoys? That key area of ministerial policy is judged to be very important to East Malling's ability to make its way independently under the auspices of the trust.

Sixthly, will the Minister explain how it happened that his Department made the welcome decision to finance the new £2.8 million conference centre at East Malling, which was officially opened on 20 September, only for his Department to announce the possible closure of East Malling three days later, on 23 September?

Seventhly, will the Minister clarify whether the staff of HRI East Malling who move to an independent East Malling will have their present terms and conditions of service protected, together with their pension rights? Will the Department meet the costs of any redundancies?

My eighth and final question is, will the Minister acknowledge that, contrary to the impression given in the review, East Malling's research focus is not on soft and top fruit alone but extends to ornamental shrubs, woodlands, hops, amenity horticulture and tropical forestry, all of which have considerable commercial potential? It would give some reassurance to those who work at East Malling to know that the Minister and his Department acknowledge that East Malling has a much wider operational base than is suggested in the report.

I come finally to the grounds on which the review body based their regrettable decision that East Malling may be closed. The basis for the review body's conclusion in the report is far from clear, and one suspects that it is financially oriented. If that is the case, I should give the Minister some key facts. The British horticultural industry has a turnover of £3 billion, one third of which links into research carried out at East Malling. It is clear from the accounts of HRI East Malling that, given a reasonable level of DEFRA contract placing on a competitive basis, East Malling can wash its face financially. Surely it cannot make financial sense to contemplate the closure of a nationally valuable research establishment, which is financially viable and which supports a huge industry that is, by definition, import-saving and that has good export prospects and actual exports.

I trust that the Minister will give me a clear assurance that the Government accept that not closure but merger with the trust is the preferred option. In my view, it should be the only option now on the table. He and his Department should make every effort to bring that merger with the trust to a successful conclusion—it is in the national interest that that should be the outcome.

1.14 pm

The Minister for Rural Affairs (Alun Michael): I congratulate the right hon. Member for Tonbridge and Malling (Sir John Stanley) on instigating the debate and finding international status for his constituency.

[Alun Michael]

The Government provide substantial funding for horticultural research and development, and we spent more than £18 million on it in Great Britain in 2001–02. At nearly £10 million, DEFRA's horticultural budget accounts for 7 per cent. of our total research and development budget this year. In cash terms, the horticultural programme is the third-largest after environmental protection and BSE.

I am not sure that the right hon. Gentleman did his constituents any favours by being so critical of DEFRA, which is grasping a nettle that has needed to be grasped for some time. Speedy decisions are needed to ensure a secure future for HRI, and he rather contradicted himself by suggesting that further delay would be good for the establishment's future. He is wrong to cast doubt on DEFRA's commitment to finding a sustainable future. HRI is our country's leading provider of horticultural research and development services. It is rightly regarded as a centre of excellence, and DEFRA continues to be its principal customer, providing almost 50 per cent. of its income.

The report of the review contains challenging findings. Paragraph 5 of the executive summary states:

"HRI has been over-dependent upon DEFRA and should cease to be classified as a Non-Departmental Public Body sponsored by DEFRA. It should continue to operate in the public sector, as a company limited by guarantee with charitable status. As such, HRI should take full responsibility for its financial well being."

That is a challenging but positive conclusion. The review team members also stated in their findings:

"Above all, we urge Ministers to take decisive, active and positive decisions about the future of HRI. Furthermore, we recommend that Ministers engage in a constructive consultation programme on this report."

They recommended

"that East Malling is either closed or, preferably, transferred with some of the existing staff to the East Malling Trust for Horticultural Research."

That is a clear set of proposals.

The three-month consultation on the quinquennial review team's report runs to 18 November. HRI will continue until Ministers have considered the options and decided the way forward. When that has been done, we will proceed by discussion with all stakeholders, including the East Malling trustees. There is no question of having to solve the issues of staff and pensions by 18 November, but we are happy to talk to the trust about those important issues.

HRI is at an important stage of its history following the publication of the quinquennial review report. I am sure that the right hon. Gentleman understands that we are not in a position to respond to either all the detail of the review today, or to all his questions. The report was prepared by a distinguished and independent team of experts. It makes a thorough and challenging assessment of the institution's circumstances, as well as some radical and well argued recommendations about the future direction of HRI.

It is important to get this right, so the Department has invited stakeholders to comment on the report before Ministers take decisions. We have also commissioned consultants to provide further financial analysis of the review team's main recommendations. We need to ensure that the proposals are robust and tested and that they will stand the test of time.

Staff and other HRI stakeholders are anxious to know their future and that of the institution. I completely understand that desire—having lived through a period of reorganisation in my own professional career, I know how unsettling it is, not only for the individuals involved, but for their families and the wider community. I know understand how it can disrupt normal working and the effectiveness of professional activity, but that is one reason why we need to proceed quickly to conclusions. We shall try to reach and implement decisions expeditiously, but that must not be at the expense of proper analysis of the issues.

We must make sure that our decisions are based on a sound assessment of the various options, and that they create robust and durable solutions. A key consideration in reaching decisions will be ensuring that HRI has a stable platform from which to develop its future business, taking account of actual and potential funding possibilities and business opportunities available to it.

However, it is not for the Government alone to provide for the future of Horticulture Research International. The horticulture industry is a key partner. The Government's primary consideration when they first set up the institution was the industry's wish for an institution that would provide a critical mass of horticultural research capacity. Those involved in HRI's management must ensure that it operates in the most cost effective and efficient manner.

The operation at East Malling is the oldest of the organisations that were merged in 1990 to create Horticulture Research International. It was originally set up in 1913 at the initiative of the local horticulture businesses, supported by grants from the then Board of Agriculture and Kent county council. Like the Ministry of Agriculture, Fisheries and Food before it, DEFRA continues to be a major customer of HRI. This year, we have commissioned research projects worth nearly £3 million. DEFRA has a number of research programmes at East Malling, including breeding work on top, stone and soft fruit; improving propagation rates; the genetics of hardy nursery stock and fruit quality; pest and disease control in fruit crops; organic apple production; biodiversity of ground flora and tree improvement in farm woodlands. I recognise the scope of the activities that are undertaken at East Malling.

Some of the work is due to end in March 2003, but we hope to commission new projects on apple, pear, cherry, plum and raspberry breeding, subject to the receipt of satisfactory research proposals and the securing of the necessary funding. New projects on tree improvement in farm woodlands and local provenance of trees and shrubs are intended for next year, in partnership with the Forestry Commission. Projects on propagation and the improvement of hardy nursery stock are also planned, with some work in that area being put to open competition or to the joint Government-industry LINK programme.

We are also strong supporters of the new organic research and conference centre that was opened at East Malling in September. That was made possible by a grant of more than £2 million won competitively from

the Treasury's capital modernisation fund, with financial support provided by the East Malling Trust for Horticultural Research. HRI also deserves credit for attracting the enterprise hub with the support of the South East England Development Agency.

I recognise that the review team's recommendations about the future of the site—including its view that it might have to be closed—cannot make comfortable reading for HRI's staff and customers. However, I note that the review team considered that the site has the potential for a successful future as a regional centre for applied research and knowledge transfer, provided that it receives the necessary support from DEFRA and the horticulture industry. With that in mind, the Department's officials have been in contact with the East Malling trust to discuss what role it might play in the site's future. That dialogue will continue. I do not think that it would be right, as the right hon. Gentleman suggests, to put all our eggs in one basket, but the time being spent in discussion with the trust shows that we have responded positively to the report in that respect.

The right hon. Gentleman asked some specific questions, and he might be reassured to know that I think that they are the right questions. However, we need to reflect on stakeholders' responses to the current consultations, and we have not yet reached the end of that process. There is also a need for discussion with the board and management of Horticulture Research International and with the East Malling trust, before all the questions can be answered.

The right hon. Gentleman will understand what I mean when I say that he has both asked for immediate answers to certain questions, and suggested the need for time to work through some of the issues. We need to move quickly if we are to achieve a secure future for the organisation, but it would be inappropriate to answer some of the questions in advance of the discussions, or to rush to judgment.

Paragraph 1.6.3 of the quinquennial review, to which the right hon. Gentleman referred, suggests that

"interim financial arrangements may be needed."

That was the finding of an independent team of experts, whose recommendations will be considered in the light of responses to the public consultation exercise and the results of further financial analysis. It would be inappropriate to give a yes or no answer until that has been done. I am not answering no to the question today, and I understand that it is important to the right hon. Gentleman and to people in East Malling that those questions should be considered and fully answered.

The right hon. Gentleman asked for an assurance about the placing of contracts. As I have already said, there is no reason why East Malling should not continue to receive research income from DEFRA, provided its work continues to meet our objectives and satisfies the criteria for selecting proposals. He also sought assurances in relation to the statement in the review that research institutions need to have at least 40 per cent. of their budget secure over a four to five-year period. We need to discuss that detailed matter with the East Malling trust—assuming that, as a result of the discussions that are taking place, it wishes to take over the site. We are sympathetic to the argument that DEFRA work placed at the site should have an element of stability, but the future of East Malling will depend largely on the site's ability to attract a range of work from customers in the public and private sectors, not only from DEFRA. It is important to achieve the right mix so that the new organisation is competitive. That is the secret of its secure future.

Sir John Stanley: Will the Minister answer a key question and tell us whether DEFRA is willing, at least in principle, to pay the cost of the considerable professional fees that will be incurred, without which it will not be possible to begin the work of creating a separate entity for HRI East Malling, of negotiating a memorandum of understanding between East Malling and the trust, and of developing a business plan?

Alun Michael: I am not ruling that in or out, but as I have said, it is one of the issues that we will consider, not least in discussion with HRI's management and the East Malling trust.

The right hon. Gentleman also asked about the opening of the conference centre on 20 September 2002, three days before the review's findings were announced. There is no link between the two events. With the Department's support, in 2000 the Treasury awarded a grant of £2.2 million from its capital modernisation fund to enable HRI to build its new organic centre; the East Malling trust subsequently provided additional investment of £500,000. As I have explained, the quinquennial review report was prepared by an independent team of experts, which started work in December 2001.

The right hon. Gentleman asked about employment arrangements. We cannot deal with that matter in advance of decisions about the future shape of the organisation. We shall certainly try to reach early decisions so as to minimise uncertainty for staff, whose representatives will be consulted in the normal way. I understand the difficulty presented by uncertainty, but the best way to achieve long-term certainty for staff is to ensure that the outcome of the discussions provides a robust platform for the long-term security and future success of the organisation, which, as the right hon. Gentleman said, has an international reputation.

Mr. Deputy Speaker: We must now turn our attention to the final topic for debate today.

Care Homes (Braintree)

1.29 pm

Mr. Alan Hurst (Braintree): I am most grateful for the opportunity to raise an important issue that is affecting people in my locality, although its ramifications extend well beyond Braintree and its sister town of Bocking.

The issue has been highlighted by the imminent closure of St. Francis's nursing home in Bocking. I appreciate that the Under-Secretary of State for Health, my hon. Friend the Member for Tottenham (Mr. Lammy), and his Department are not responsible for the closure. The home is a charitable institution run by the Missionary Franciscan Sisters of the Immaculate Conception. Although its closure is entirely a matter for them, the same is not true of its effect on the patients, their relatives and friends, and others who live in Braintree and Bocking.

As I said, the home is run by the Franciscan order. It is adjacent to St. Francis's convent, which was founded towards the end of the 19th century. The property was, in part, acquired from the Courtauld family, who played a large part in the development of Braintree. The home does not adjoin the convent, but is on the other side of the appropriately named Convent lane. It has had a number of uses over the years—as an orphanage and then a school—before becoming a nursing home. It currently has permission to provide 40 residential nursing places.

It is not only the Franciscan order that has contributed to running the home; a substantial and successful appeals committee has operated for many years. Only last week, I spoke to Susan Harper, a former Braintree councillor who has served on the committee for many years. She told me that it had raised about £1 million, predominantly from the small communities of Braintree and Bocking. That substantial sum has not been spent on matters ancillary to nursing care; it has been expended in large part on the building's fabric and on providing the material wherewithal to run the home. The effects of that spending will disappear if the home is closed.

For several weeks in the summer, there was rumoured to be a notice of closure. Closure was announced in mid-summer and it is now scheduled for 10 January 2003. Like the local people, I understand that there may be reasons why the Franciscan sisters do not want or cannot continue to run the nursing home. They might be unable to find a sufficient number of sisters who are young enough or able enough to carry out that function. I make no criticism whatever of the local Franciscan sisters, who are held in high regard in Braintree and who for many years have done a wonderful job for those in their care. I am fairly certainly, however, that the decision was not taken in Braintree. I suspect that it was taken on the advice of the accountants, solicitors and land valuers who advise the head of the order, who is, I believe, in Rome.

The purpose of the local campaign is to secure the future of St. Francis' as a nursing home, and there is a great desire to find another proprietor. Although the names of potential buyers have been put forward, people remain concerned. I have no connection with BUPA, but I made a cold call to ask whether it would be interested in running the home. It expressed an interest, and, quite naturally, I passed the information on to the Franciscan order. The local care trust, which was set up only last month—I cut the welcome cake at its inauguration—has also expressed great interest in being involved in the operation of the nursing home, and I understand that other prospective purchasers have shown an interest.

I have spoken to Dr. Paul Zollinger-Reid, the new chief executive of the care trust, who is most anxious to ensure that the facility is maintained and extended in the Braintree district. I have written to the Bishop of Brentwood, as have others, and only yesterday we attended upon the office of the Archbishop of Westminster, Cardinal Murphy-O'Connor, to present a petition of more than 2,000 names urging him to use his good offices to seek to persuade those who take such decisions to keep the home open, albeit with another proprietor. So far, unfortunately, there is no news. In many spheres of life, it is said that no news is good news, but as the days slip by I fear that, in case of St. Francis', no news is bad news.

I do not know whether it was the delivery of the petition or the imminence of this debate, but I am told that yesterday, several months after the first approach was made, a representative from BUPA was being shown around the home. It is often said that one swallow does not make a summer, and there is no more than one swallow, but it is certainly the first spark of hope.

One of the banes of nursing home provision and many other types of social provision is the high price of land. Braintree is a housing boom town. Houses are going up in every vacant space, both in the town and in the surrounding areas. That impedes progress, because the higher the price of land, the more difficult it is to use it for anything other than the building of houses. In the past, when land was cheap, mid and north Essex had the advantage of public institutions with large gardens and surrounding green areas. Those green areas remain, but they provide a terrible temptation for housebuilders and developers to acquire public or charitable institutions and develop them for other purposes than were originally intended. St. Francis's home is no exception. We need to consider the importance of the value of land in our social policies. I wonder whether it is time to reread Henry George's "Poverty and Progress" in order to realise the link between the price of land and the speed with which we can make progress.

If St. Francis's nursing home closes, 40 places will be lost. I accept that it currently has only 16 residents, but that is because the order has decided to reduce the number of places to none by January—which is understandable if the home is to close. The constituency of Braintree has a total of 89 places for more than 100,000 people—not a good ratio, which will worsen if the closure of St. Francis's goes through—and not all those places are available to the public: more than half are available only to private patients. The reason for that is probably divinable: the prices paid by private patients can be higher than those paid for by state organisations.

Essex county council, which is currently controlled by our political opponents, is conducting a review of care home facilities in the county, but I do not hold out much

hope, as it has proceeded with due diligence to close one home after another. It will not be long, therefore, before we have to rely entirely on private provision.

The difficulty lies in striking a balance between public and private provision. I fully accept that not all nursing or care homes can be run by public authorities. Many will be well run by private operators, and many others will be well run by charitable trusts. It is a question of balance. I give due credit to my hon. Friend the Minister and his colleagues in the Department for the additional moneys that have come to the county. I think that £7.4 million has been directed towards nursing home care. That money alone has allowed the health trusts to offer higher fees to nursing homes, and therefore a greater proportion of the nursing home places in the county can be secured.

Nevertheless, there is still a difference in fees between nursing care and residential care. Assessments of all residents are now taking place to ascertain what categories they should properly be put into. Unseemly disputes have arisen in the past about such questions as whether Mrs. Jones should go into the home as a nursing patient; a squabble might then ensue about how quickly to take her out of that category, because then the fees would fall and the payer of the fees would change from the health trust to the local authority. We need to avoid such unseemly conduct, and I believe that progress is being made. The extra financial provision for fees is welcome and will assist.

The effect of home closures is severe on patients and their relatives and friends. Every one of us is attached to the place in which we live. It is said that moving house is near the top of the list of traumatic events in life—even for people who are hale, hearty and in good fettle. What must it be like for a frail, infirm person, who has had to become acclimatised after leaving their own home for a nursing home, to find that they must leave that nursing home and all the bonds that they have formed with staff and other people, and go to a strange situation? I do not want to speculate on the possible consequences, but I am sure that hon. Members have all seen examples in their constituencies.

Another problem is the location of nursing and care homes. Essex, people are surprised to learn, has the longest seaboard in England. That is because it has so many creeks and inlets around its coast. A large proportion of the care homes in the county are situated along the sea coast, even though much of the population does not live along the coast, that is because it is relatively easy to take over hotels and convert them. The result is that there is an imbalance of provision in relation to need, and inland areas of the large county of Essex are disadvantaged.

Many of the relatives of elderly patients are bound to be elderly too. It is terrible when a man's wife goes into a nursing home at the other end of the county. How is he to get to see her as often as he would like if she is not within easy travelling distance? Halsted is only 10 miles from the man to whom I was speaking about that issue, and that is a long way for him, so to have to travel 30 or 40 miles must seem like the end of the world.

My general point is that we can go too far in deciding that private providers can provide everything. Many years ago I served in opposition on a borough council in Essex. The then leader of the county council, Norman Clarke, was a Conservative. As always in the 1980s there was a big debate going on about privatisation of council services, including privatisation of the direct labour force. In the end, he said to me that he had decided against privatisation that if he could avoid it, because he would then have no control over council operations if the private provider failed.

If we have no fallback position, we need to be careful that our private providers do not fail us. I can go further than Councillor Norman Clarke by recalling the words of Frederick the Great, King of Prussia, who once said:

"Allies are fine, but one's own troops are better."

It sounds like an argument for the mixed economy and it can be taken that way. We need a balance between our allies in the private and charitable sectors and our own troops in public provision.

The relatives, friends and people of Braintree and Bocking are literally praying that St. Francis' can be saved. They are looking for help and support from whatever quarter aid might come.

1.45 pm

The Parliamentary Under-Secretary of State for Health (Mr. David Lammy): I congratulate my hon. Friend the Member for Braintree (Mr. Hurst) on securing the debate, making a powerful case for the care home sector in his area, and—as usual—illustrating his argument with a literary allusion. His constituency is at the forefront of establishment social care thinking. It established this country's first care trust to specialise in caring for older people, which was launched by my hon. Friend very recently.

I appreciate that there is local concern that St. Francis's nursing home has been forced to announce its closure. I put on record my deep respect for the work that the sisters have carried out there over the years. I understand that the sisters are now ageing, with many of them reaching their 70s, and that there have been no new recruits to the order in the past 15 years. Those factors, coupled with a facility that is currently not financially viable and is unlikely to meet the national care standards that we have set, mean that, sadly, the order has to close the home. My hon. Friend is right to emphasise that there has been no enforcement activity by the National Care Standards Commission that has precipitated the closure; none the less, the closure has come as no surprise.

We must never forget the human face of such issues, and it is right that my hon. Friend brings the matter to the House today. Such closures mean the moving of individuals from places that they consider to be their homes and probably thought would be their last homes. However, the decision has been taken outside the control of central Government and for what seem to be understandable reasons. It is important that we ensure that the best is done for those residents.

Good notice has been given of the closure, and there has been time to prepare properly and to consult and involve the individual residents. I understand that every effort is being made to encourage the Franciscan Sisters of the Immaculate Conception to sell the home as a going concern. I hope that those efforts are fruitful. I am assured that the care trust will continue to offer support and look for any possible solution that will maintain the facility. However, if the home closes, it is important that the trust identifies alternative arrangements.

[Mr. David Lammy]

I shall outline briefly some of the steps that have been taken to manage any closure. In July, social services and the primary care group met with two trustees and their financial adviser to offer support to explore the options for keeping the nursing home operational. Benefits checks were run on identified residents to ensure that they were in receipt of their maximum allowances. Essex county council and the care trust offered to act as a broker between the order and any parties interested in purchasing St. Francis's as a going concern. There has been ongoing support and discussions with the manager to find employment elsewhere in the sector for the experienced staff who would be displaced in the event of closure.

A closure date of 10 January next year has been formally given to Essex county council, so it has a duty to ensure that a process is in place for funding new placements for the remaining 16 residents. All residents and relatives were invited to a meeting in September, and two social workers have been allocated to work closely with each resident to secure an alternative placement. In short, there is a lot of work going on to help the 16 residents who will be left to find suitable alternative accommodation should the home close.

My hon. Friend is understandably concerned about capacity in the area. We are all encouraged that he has taken such an active part in trying to keep the home open as a going concern. I hope that the flame that he talks about will be a bright one in the future.

As my hon. Friend will know, there is more to the care of older people than simply care home provision. The Government's objectives, as set out in the national service framework for older people, are to provide the right care in the right setting and to promote the social inclusion of older people. Much is said in the House about social exclusion. We should never forget that the elderly are the most vulnerable and often the most socially excluded people of all. It is right that we enhance their independence. That means allowing people with care needs to remain in their own homes as long as possible, which is what older people and their families tell the Government they want, and the figures suggest that we are helping more and more people to achieve that. In September 1998, 60,700 households were receiving intensive home care packages; by the end of 2001 that number had risen to 76,400 households. That is quite an achievement for the Government.

On 23 July, my right hon. Friend the Secretary of State made an important announcement in which he said that there would be an overall £1 billion package of investment for social care services for older people by 2006. The purpose of the new investment is to improve access to social care services and expand their capacity, increase the choice of services available to older people, stabilise the care home market, and ensure that delayed discharge is reduced to a minimum. I hope that my hon. Friend is encouraged by our right hon. Friend's announcement. The investment will help to alleviate the difficulties and increase care home capacity in his area. Within the overall £1 billion package, resources have been allocated to allow councils to pay higher fees if that is what is needed to stabilise the local care home market. I hope that my hon. Friend will be encouraged by that and that providers in his area benefit.

There will, of course, be a need for care home provision for the foreseeable future. I accept that there has been a reduction in the number of care homes in recent years, but there is spare capacity within the sector nationally. That spare capacity varies from region to region, which is why we are providing further resources to councils to assist them to further stabilise care home provision in their areas. There will be demographic changes and features particular to a certain area, for example, some parts of the country have larger elderly populations than others.

The allocation of the building capacity grant for Essex in 2002–03 is £5.5 million. That grant has been used to fund increases in assessment capacity, additional community equipment, a 24-hour care scheme attached to an accident and emergency service, increased payment rates for residential, nursing and domiciliary care, and incentive schemes in the most difficult of localities to increase that capacity.

Thanks to the additional resources that Essex social services department received from central Government, it has been able to increase the fees it pays to nursing homes from £386 a week to £453 a week, and to increase the fees it pays to residential homes from £310 to £364. Of course, there is more to improving services than providing resources: relations between councils in their role as commissioners and independent sector providers have often been fraught—indeed, adversarial in several cases—which has damaged both the prospects of good strategic planning that would add stability to the care system, and the interests of service users and their carers, leaving them anxious about the future.

By establishing the strategic commissioning group—chaired by my colleague, the Minister of State, Department of Health, my hon. Friend the Member for Redditch (Jacqui Smith)—we have established a new, more positive partnership between the statutory and independent social, health care, and housing sectors at national level. That must be replicated at local level—for example, by setting up care trusts, such as the one in Braintree.

The "Building Capacity and Partnership in Care" agreement was published last October. It sets out clear good practice guidelines about the nature of the relationships that need to be developed to secure stability in the system and to deliver benefits to the people using services and their carers. The document encourages a whole-system approach: we cannot view the care home sector in isolation from the entire health, housing and care economy or from the reforms that are happening elsewhere.

My hon. Friend the Member for Braintree drew careful attention to the context in which his local care homes operate and the relationship between the private and the public; that was very instructive. We should never forget how we got into this position: throughout the 1980s, there was a huge expansion in the number of care homes, when uncapped Department of Health and Social Security budgets were available for publicly-funded people entering residential care, and money flowed from the public purse into the private purse. Profits were high, but I think that all of us accept that standards were far too low—the result of many of the policies of the 1980s. We have tried to control that and to bring provision closer to what older people say they would prefer.

Essex council is taking steps to try to keep the home open. However, if it is unsuccessful, it must ensure that any displaced residents are placed in suitable alternative accommodation, and that should, of course, be done in discussion with residents and their relatives.

Witham, Braintree and Halstead care trust was the fifth in the country to be set up and the first to specialise in older people. It will enable health and social care partners to integrate their services in a single organisation and I wait with interest to see how the trust will be able to improve local services for older people and, in particular, to show how these arrangements can help to deliver the type of services that older people and their carers want now and in future.

It being Two o'clock, the motion for the Adjournment of the sitting lapsed, without Question put.

Westminster Hall

Thursday 24 October 2002

[SIR MICHAEL LORD *in the Chair*]

UN Convention on the Rights of the Child

Motion made, and Question proposed, That the sitting be now adjourned.—*[Joan Ryan.]*

2.30 pm

The Minister for Policing, Crime Reduction and Community Safety (Mr. John Denham): I am delighted to open this debate on the United Nations convention on the rights of the child. Obviously, it follows the General Assembly's special session in May, which I attended as head of the United Kingdom delegation. The session was originally planned for September last year, but it would have taken place just after the terrorist attacks in New York.

We were accompanied by two young delegates, who joined me and many other delegates in bilateral meetings with Ministers from other countries. We greatly value the participation of those young people. Indeed, a hallmark of the Government's approach to the convention is our commitment to increasing young people's opportunities to have a voice in and be consulted on policies affecting their lives. I am pleased that we are meeting in Westminster Hall, because we can have a fairly lengthy debate on children's and young people's issues.

I draw hon. Members' attention to the Modernisation Committee report published on 7 September, which the House is due to discuss in the near future. For those who have not read it in detail, it says that

"for an experimental period there should be an occasional question session in Westminster Hall on cross-cutting issues to junior Ministers from different Departments."

It is perhaps no secret that, as Minister for children and young people, I have pressed for youth affairs to be included in an experimental Question Time, to enable Members from both sides of the House to ask about children's and young people's issues. Who knows, they might be able to ask questions raised by their young constituents as well as ones that they have thought up themselves. I am keen for us to use Parliament to debate such issues.

I should underline the Government's commitment to the convention and to making every effort to apply its principles and spirit to all our work with children and young people. The convention enshrines a broad range of children's rights, which extend to virtually every sphere of society. Our priorities are to ensure that every child has the right to education, health, housing, safety, freedom from poverty and participation in decisions that affect them. The Government can be proud of their record of achievement as regards children and young people over the past five years.

We agree with the UN that every child has the right to a good education. Education is the foundation for social and economic security later in life. There has been significant financial investment since 1997, as well as hard work and a great deal of commitment from teachers, and parents and children are now getting a better deal in the classroom. Teaching standards are improving, and national and international data show that standards of student achievement are rising across the schooling system, year on year. In 1997, only 62 per cent. of 11-year-olds reached the expected standard of literacy and numeracy, compared with 73 per cent. today. Ten years ago, only 36.8 per cent. of teenagers got five good GCSEs, compared with 50 per cent. today. The number of teachers has hit a 20-year high. We have come a long way, but we must make further progress, and we are committed to doing that.

School is not the be-all and end-all of a child's world. The UN convention states that we should recognise the right of every child to an adequate standard of living. One of our first priorities on taking office was to begin to reverse the legacy of one of the worst child poverty records in the industrialised world. Child poverty levels in the UK were unacceptable, which is why the Prime Minister made a commitment to eradicate child poverty within a generation. We believe that the only lasting way to tackle poverty is through policies that ensure, wherever possible, that children do not grow up in workless households, that they receive all the essential opportunities to acquire skills for themselves and that they are able to participate fully in society.

By any measure, we are making progress through, for example, the introduction of working families tax credit and the 25 per cent. increase in child benefit since 1997. We have implemented successful programmes to enable lone parents, in particular, to re-enter the labour market, so that their children can be brought up in homes with an income from work. As a result, compared with the situation in 1996–97, almost 1.5 million fewer children are now living in absolute poverty, over 500,000 fewer children are living in relative poverty and 250,000 fewer children are growing up in homes where no one has a job.

Mr. Dominic Grieve (Beaconsfield): The Minister refers to the reduction in child poverty. Of course, the figure that he quotes—about 500,000—is welcome, but is it not the case that, in the run-up to the last general election, the Chancellor of the Exchequer claimed that some 1.2 million children had been taken out of poverty? In fact, documents published by the Office for National Statistics in April 2002 showed, disappointingly, that the figure was much lower than the Government expected.

Mr. Denham: We have always recognised that there are several measures of poverty, which is why I quoted two—one of absolute poverty and the other of relative poverty. The Chancellor certainly quoted a figure lower than the number of children who were taken out of absolute poverty, so we have nothing to retreat on. In the Government's wider poverty strategy, we believe that it is better to use several different measures rather than to decide that one figure is the sole definition of poverty, because there are so many different ways to consider the issue. Therefore, everyone can see what progress we have made. By any assessment, the Government's record on taking children out of poverty stands pretty good comparison with that of any other country. No other industrialised country has reduced its

[Mr. Denham]

numbers of children living in poverty by so many during the past few years. Indeed, poverty has increased in many countries during that time.

We have continued our commitment to children, and the sure start programme is the cornerstone of the Government's drive to tackle child poverty and social exclusion. It focuses on the under-fives and aims to improve the health and well-being of families and children, both before and from birth, so that children can fully benefit from the programme before they go to school. Sure start programmes are concentrated in neighbourhoods where a high proportion of children live in poverty, and the initiative can help them to succeed by pioneering new ways of working to improve services. By 2004, there will be at least 500 sure start programmes helping up to 400,000 children living in disadvantaged areas, including one third of all under-fours living in poverty.

The Government are also committed to ending the scandal of families and children who are homeless or living in temporary accommodation. This year, we will invest about £125 million to ensure that, by 2004, no child, or their family, is placed in bed-and-breakfast accommodation, except in an emergency. This year alone, between April and June, more than 30,000 households were accepted for rehousing, including many families with children and others, including a pregnant mother.

Since taking office, we have managed to reduce the number of rough sleepers, many of whom are young people, by more than two thirds. We shall focus on giving our children more protection through the social exclusion unit's ongoing review of young rough sleepers and runaways.

I hope now to set out fairly the achievements of the past few years. However, I do not intend to imply that the work is done or that further progress does not need be made. I hope that we can approach the debate in a balanced way, recognising real achievements, but redoubling our commitment to do more. As Minister for Policing, Crime Reduction and Community Safety, I also do a lot of work with children and young people, and I am aware of their concerns about their personal safety and protection. Issues of which we are all aware—for example, fear of being assaulted in public places—are as real for young people as they are for older people, which is why reducing and preventing youth crime and reforming the youth justice system are a major part of the Government's efforts to build safer communities and to tackle social exclusion of children.

For example, the youth inclusion programme ensures that some 3,500 13 to 16-year-olds engage in a variety of purposeful and challenging educational and recreational activities, which can radically reduce the risk of their turning to crime, and that 375 holiday schemes ran during the summer, which meant that 60,000 to 70,000 10 to 17-year-olds were able to participate in stimulating activities in safe places. Early results show that there was a significant impact on crime and antisocial behaviour in those areas during the summer.

We have worked hard to speed through the youth justice system the young people who are already in it—for their own benefit and for that of the community—by halving the time from arrest to sentence for persistent young offenders. In some cases we have no option but to detain young people, so we are improving the conditions for young people in custody. For example, facilities at Feltham have been upgraded, educational facilities are being improved and the guaranteed periods of education in young offender institutions will be extended significantly next year.

One benefit of the many things that we have done on young offenders through the youth opportunity programme, the youth inclusion programmes and the work in young offender institutions is a 14.6 per cent. reduction in reconviction rates for young people in the past two years. The Government set themselves a target of reducing reconviction rates by 5 per cent. by 2004, so to have managed nearly three times that two years early is a significant achievement by the police, social services, probation and other services involved in youth offending teams. I emphasise the point because, while the Government have made it clear that we will not tolerate youth crime, those figures show that neither will we tolerate writing off young people and not working with them to ensure that they do not continue with a life of crime. I hope that everybody welcomes the achievements of the past two years on reconviction rates.

Mr. Paul Burstow (Sutton and Cheam): The Minister might be planning to come to this point shortly. The concluding comments and recommendations of the report of the UN Committee on the Rights of the Child note the Government's reservations in respect of article 37(c), which concerns the separation of detained children from adults in prisons, and observe that that appears to be due solely to resource considerations. Have the Government reconsidered? Have additional resources been made available through the comprehensive spending review so that the reservations do not apply?

Mr. Denham: We are certainly increasing the availability of spaces in purpose-built or dedicated young offenders institutions, which will help to move us in the direction in which we all want to go. I have to say to the hon. Gentleman that we are not in a position today to promise a date on which we can remove that reservation, but we are making progress.

Mr. Grieve: That is a difficult issue. The Minister will be aware that at least one adult prison—High Down—has recently had a wing dedicated to young offenders as a result of the extent to which the young offenders institution system has been overburdened. Is that a satisfactory long-term solution or merely a temporary measure?

Mr. Denham: I am glad that the hon. Gentleman has raised that point. I do not want to predict the contents of the Queen's Speech, but when a new criminal justice Bill is presented, whether in the distant or the not-too-distant future, we shall introduce measures for a more sensible approach to sentencing. Those will affect young and adult offenders.

One way in which we need to manage both the young and the adult prison population is by adopting a more rational approach to sentencing, particularly through

avoiding the current, largely unproductive state of affairs whereby short sentences are given to large numbers of people. We could have better community-based supervision, which would help us to manage the prison population and, whatever the size of the prison estate, give us more flexibility and increase our ability to provide dedicated facilities for young offenders.

We are also keen to extend the range of community-based punishments available for young people. I am thinking particularly of the quite rapid extension of intensive surveillance and supervision programmes, which usually combine a measure of curfew and electronic tagging with structured, 30-hour programmes each week. For some young people concerned, such programmes represent the first time for many years that someone has brought 30 hours of structure to their lives, and they are already producing positive results. We are all, I think, committed to a vision of detaining only those young people who must be detained for the protection of the wider public. As we expand intensive supervision and surveillance programmes, a wider range of options will be available to the courts to enable young people to be kept from offending, to reduce their chance of offending again, as we have already been doing, and to avoid the need for young people to be placed in custody.

The Government should continue to pursue that positive strategy. I am not able to say when we might be able to raise the reservation, but, equally, I expect that the House will accept that we are doing the right things to avoid detaining young people who do not need to be detained.

Mr. Hilton Dawson (Lancaster and Wyre): As my right hon. Friend pursues his current line of argument, will he consider the views expressed recently at a meeting in the House by Anne Owers, the chief inspector of prisons? She said that inspectors try to pay close attention to the requirements of the Children Act 1989 when inspecting young offenders institutions. Given the intention to continue to keep children and young people in prison custody, is not it time to ensure that all the protections provided by that Act are applied to young people, who are vulnerable in those difficult situations?

Mr. Denham: First, I pay tribute to the work of Her Majesty's chief inspector of prisons, who, like her predecessors, does an important job in inspecting the Prison Service and drawing issues to the Government's attention. I assure my hon. Friend that, whether or not the Children Act applies to young people in the relevant institutions, the welfare, care and needs of young people in young offenders institutions are central to what the Government want to achieve.

One way to fulfil the requirements of the UN convention would be to spend very large amounts of money building more young offenders institutions. I prefer to balance a necessary increase in places with an increase in the type of non-custodial sentences that we are, increasingly, making available. That means pursuing a strategy of trying to minimise our dependence on the use of young offenders institutions. No doubt my hon. Friend will try to catch your eye, Mr. Deputy Speaker, with a view to expanding on the points that he made, which I can return to in my winding-up speech. I do not want to take too much of the Chamber's time with my opening remarks.

I want to mention a few other key points, beginning with participation. Article 12 of the convention accords to

"the child who is capable of forming his or her own views the right to express those views".

As Minister for children and young people, I am committed to enabling them to participate in the development of Government policies and services. About this time last year, we published core principles for involving children and young people in government. Eleven Departments have developed and published plans showing how they would involve children and young people when designing and implementing policies. It will take a little time for the culture of every Department fully to take on board all those principles. Many Departments are not used to such consultation. I can assure the House, however, of my and my fellow Ministers' commitment to ensuring that those principles are turned into action. We should do that because it will make a difference to the quality of services that the Government deliver.

The quality protects programme, which was launched a few years ago, is a prime example of a project in which children's participation has brought a significant change to, and improvement in, Government policy for looked-after young people. Many issues and targets in that programme arose from the consultation undertaken with young people. Listening to the views of young people in care is a central part of the quality protects programme, in which we have invested about £885 million so far.

We will continue to ensure that Departments live up to their promise to consult young people on major policy issues. The Home Office, for example, recently worked with the Children's Rights Alliance to publish a young people's consultation on the entitlement card. Hon. Members will remember that the Home Office published a discussion paper on the entitlement card last summer. We have deliberately ensured that young people can participate in that discussion, and there will be many more such examples.

There are probably two main points of interest—last summer's General Assembly session and the report published a couple of weeks ago by the UN observers on our compliance with the UN convention. I turn to the comments of the UN committee. We are pleased that the committee recognises the considerable advances made by the UK since the last report in 1995—an acknowledgement that a lot has been achieved by this Government since 1997. The Government have introduced most of the initiatives of which I have spoken.

The observers praised the changes in the machinery of government, acknowledging, for example, that we have set up the children and young people's unit, which supports me as Minister responsible for children and young people. They also praised the development of child-focused structures across government and the development of participation. They praised, too, several new pieces of legislation, including the Human Rights Act 1998 and the Children (Leaving Care) Act 2000.

The Government are committed to the spirit of the convention, and we do not believe that anything in UK legislation contradicts any of its provisions. There are, though, elements of the convention that the UK has

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interpreted differently from the committee. Smacking is one example. The Government are absolutely opposed to child abuse and violence against children. The law allows only what is reasonable in terms of the physical punishment of children—it does not permit child abuse. We do not believe that Government policy contravenes the UN convention, which refers to the protection of children from physical violence and maltreatment. The Government are satisfied that UK law accords with that.

It is not only wrong, but dangerous, to link smacking, in the sense in which many parents would understand the term, with child abuse, as it diverts attention and resources from those children in genuine danger who most need our protection. Parenting can be difficult, but we must avoid bringing the police and criminal law into family life. The Government's approach to reducing dependence on smacking is to help parents to do so by promoting positive parenting, through programmes such as sure start, the work of the children's fund and organisations such as Parentline and the National Family and Parenting Institute.

No doubt interest will be expressed during the debate in the concept of a children's commissioner. Wales, Scotland and Northern Ireland each take different approaches to the idea of a children's commissioner. There is, in fact, no definitive model of a children's commissioner, either in this country or abroad. Those who exist cover the whole gamut, from a legally-based organisation, or a concept much closer to a children's ombudsman, to a system that is almost like a permanent standing commission of inquiry into things that have gone wrong.

There are many issues on which the public would certainly not be content to allow a person such as a commissioner to define the strict interpretation of the UN convention, and thus to define policy on issues such as smacking. On some of those issues, it is properly the right of elected Members of the House to determine legislation and its interpretation. It is worth noting, however, that we have many structures in place to promote children's rights.

In our manifesto, we gave a commitment to support a national children's rights director to act as champion for children in need and, in May 2002, Roger Morgan took up the role as part of the National Care Standards Commission. We shall continue to listen to the debate on a children's commissioner, and I look forward to hearing comments on that matter, but we need to be convinced that a new structure would add value to the existing mechanisms for addressing children's concerns.

Since 1997, we have made significant strides to improve children's lives. We are gathering much of that work into the overarching strategy for children and young people on which we began consulting at the end of last year and which we are finalising at the moment. We must bring together our achievements since 1997 and set out our vision for all our children and young people for the next 10 years. The overarching strategy will take the convention on the rights of the child as part of its framework and use the convention's principles to inform all our future work with children.

I hope that the overarching strategy sets out for the people of this country, the Government, local authorities, families, communities, the voluntary sector and business our vision of what we want to achieve for our children. I hope that it also plays the role of an action plan on implementing the rights of the child, which was one proposal made at the General Assembly last May. I hope that bringing all the issues together in an overall strategy for young people, rather than a separate free-standing document, makes sense to the House and that people can see how the issues fit together.

2.56 pm

Mr. Dominic Grieve (Beaconsfield): I welcome the opportunity for this debate, which allows us to make a wide-ranging survey of children's issues. As I want to leave an opportunity for others to speak, I do not intend to take up too much of the Chamber's time.

I hope the Minister will forgive me for what I am about to say. Perfectly properly, he painted a reasonably optimistic picture, with which I would not on the whole disagree. The standards for children in this country, and the environment in which they develop, are far better than for children in many other parts of the world. Despite the problems that children have in this country, they are offered an opportunity at birth of a fulfilling life, which is greater in its duration, expectation and opportunities than for many others in the world.

One must compare the Minister's words with the NSPCC's statistics on child abuse in Britain, however; the bare facts are worth repeating. At least one child a week dies as a result of an adult's cruelty. A quarter of all rape victims are children, and abuse is often committed by someone whom the child knows and trusts. Three quarters of sexually abused children do not tell anyone at the time when the abuse is happening. More than 30,000 children are on the child protection register and some 600 children are added to that register every week. A recent NSPCC survey of 2,800 children suggested that one in 10 suffers serious abuse or neglect in childhood.

It is an interesting feature of the Minister's job—I commend him for his approach to it in his speech—that he speaks with two hats on, as Minister for Policing, Crime Reduction and Community Safety, and also as Minister for children and young people. I am sure that he will agree that a causal link exists between the level of child criminality and the level of neglect and deprivation. The evidence appears overwhelming to my party and me. One need only go to places such as Camberwell, where one would see the Kids Company project, to be aware of the extent of the problem. There an ad hoc organisation, charitably supported, deals with some 200 children and young people who come to its premises. Most of them have no efficient parenting structure and exhibit clear signs of deprivation, sometimes of abuse and often of drug addiction. Those young people commit many of the crimes that make that community difficult for others to live in.

Mr. Dawson: The hon. Gentleman is making some important points, and properly using information from the NSPCC. Do he and his party also support the NSPCC's campaign to end the use of the Victorian

concept of reasonable chastisement, which there is good evidence to suppose that abusers of children can hide behind?

Mr. Grieve: The short answer is no, broadly for the reasons given by the Minister. I intend to deal with that subject a little later, but now I shall return to the basic theme.

I sympathise with what the Government seek to achieve. Nevertheless, a serious crisis remains in relation to a percentage of young people in this country who move through a cycle of deprivation and abuse, and proceed to be the young criminals who will cause problems in future. That will also lead to the overcrowding of young offenders institutions, which were commented on in an earlier intervention, and in turn to adult prisons having to be adapted and wings turned over to accommodate those young people.

The challenges are serious. I do not want to consider all the detailed solutions in such a broad debate, but rather one or two aspects on which the House and the Government might do well to concentrate. The first problem with abuse, deprivation and crime is that they are cyclical in nature. The problem of one generation is moved on to the next. As I visit projects for children and young people, the point is made again and again that the lack of parenting input appears to be a key factor in leading to those children's problems. In turn, that leads to those children producing another generation that has serious difficulties.

We must try to break that cycle if we are to continue to aspire to all that is set out in the UN convention. Like most conventions, it is rather like motherhood and apple pie. It has some mutually contradictive clauses, which could be dealt with. However, its intentions are honourable and good, and we would seek to match its aspirations.

I want to take the Minister up on what is being done now. I should say at the outset—I hope that he will accept it—that I have no problem with the Government's good intentions on the issues. I think that I understand their strategy for breaking the cycle. They have set out the sure start scheme to try to achieve change. I accept that it is rather early to make a good audit of its impact, some of which may not be manifest for 10 or 15 years. I do not blame the Government for that, but the ability to identify correctly the groups of children—and, potentially, the parents—who need support, and to provide the service universally and consistently, must be the key to the success of the intiative.

The Minister will know that the subject has been of concern to my party. Indeed, although they follow similar lines in trying to achieve the same as sure start, recent papers produced by the party on early years intervention suggest that we should be a little more focused when trying to identify the areas of problem behaviour in young children that will be a serious handicap for them in their future lives, and a serious problem for the communities in which they live.

The Minister may be able to touch on the subject in his closing remarks, but to what extent does he feel that sure start is fulfilling its expectations? Anecdotally, one hears that the schemes may be somewhat variable; indeed, it is suggested that some people have been deterred from taking them up by a degree of bureaucracy in the way in which they are offered. I would be grateful to hear his comments.

Mr. Denham: I invite the hon. Gentleman to come to the sure start project in Weston in my constituency and, with me, knock at random on the doors of some of the people in the tower blocks who have used the programme. Hand on heart, I can say that it has changed people's lives and given to parents who would otherwise have nowhere else to meet, a space to meet others. Programmes may vary in quality, but that is my personal experience.

Is the hon. Gentleman saying that the Opposition would move away from the current basis of most sure start projects, which are based on geographical areas, to smaller groups of children? That would radically change the nature of the programme from one that supports the children of an entire community to one that supports only a few.

Mr. Grieve: First, I would welcome the opportunity of such a visit. I hope to have a further opportunity to visit such programmes, and I will continue to do so. I have seen many examples of excellence. The problem is that although Governments come up with ideas and set them in motion, delivery is not within a Minister's day-to-day control. Indeed, if the Minister were to tell me that he was trying to control things like that, I would have to tell him that he was wrong. He should take such criticisms in good part.

My party believes that there should be universal provision, and that the scheme should not be restricted to certain geographical areas. There may be a degree of difference in our approach; although I accept that as our ideas develop they are open to response and thus to change, we believe that there are some clinically proven methods of dealing with problem behaviour in young children, both in the nursery and in the first years of primary school, which needs to be tackled as a priority. All kitties are finite, so the allocation of resources must be carefully considered.

It is, of course, desirable that entire communities should be supported, but the key issue is whether we are succeeding in getting to the children and parents most in need of support. Otherwise, although the wider benefits may be good in certain communities, there will be big holes where needs are not being met. That does not necessarily seem a huge difference between us, but we would not be doing our job as an Opposition if we did not express our concern that there remain huge areas of unmet need, and that schemes of proven clinical evidence appear capable of addressing them.

The Minister did not say much about the future funding position of the sure start programme. There appears to be slight uncertainty about that, and he may be able to provide reassurance. He may agree with me that a three-year pump-priming programme will not solve the problems of a scheme targeted towards young children showing serious behavioural problems. The Government will have to be willing to provide a sustained programme, either themselves or through the voluntary sector—the voluntary sector would be better—to try to make an impact.

Uncertainty about the future funding of successful programmes may ultimately be a source of demoralisation and failure, as we have seen before. The

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Minister will be aware of our schemes, which suggest that the Government should set up a universal programme targeted at a narrower group than sure start, and should also be prepared to sustain it. If he has views on that, I would be happy to hear them.

I am conscious of the time, and the fact that I am taking longer than I intended, because I have taken interventions, but the Minister also touched on the issue of older children with problems, such as drug addiction in their teens. They may come within his orbit in that they are young offenders and they often come from precisely the backgrounds that we have identified.

The Minister mentioned the rough sleepers initiative. Given that, as I have seen for myself, many rough sleepers have drug addiction problems, what is being done to ensure that there is an adequate number of places for drug rehabilitation? It is said, and it is true, that in Britain today if someone is wealthy or in a custodial environment they can get drug rehabilitation, but that outside that the number of places is fairly restricted.

Let us compare ourselves with Sweden, for instance. I think that we would have to provide 10 times as many places to achieve the Swedish number of treatment and rehabilitation places available per 1,000 head of population. That is quite a big challenge. It may be slightly outside the Minister's remit, but given that his remit is so wide in this debate, it would be helpful to know whether he has any views on that.

Mr. Denham: We are doubling the number of treatment places for drug offenders over the coming years. I accept that we must ensure that they are accessible to younger people as well as older people, but there is a significant expansion in the number of places.

Mr. Grieve: I am pleased to hear about the Government's commitment, but I still say that if we are to tackle the problem of hard drugs and hard drug addiction in the young, we may need rather more places, and to be willing to invest to achieve that.

Mr. Stephen Pound (Ealing, North): I understand the attractions of the Swedish model for the hon. Gentleman, but if he reconsiders the statistics he will see that despite the capital expenditure, which is laudable, the amount of diversion and prevention of return to addiction is very low. The Swedish model looks good but is, sadly, not very effective in terms of numbers.

Mr. Grieve: That raises an interesting issue, but I disagree with the hon. Gentleman. My information and impression was that the Swedish model had been remarkably successful compared to those of other western European countries in achieving reductions in long-term drug addiction. We will have to have further debate, but I am afraid that I do not accept the hon. Gentleman's basic factual premise.

When talking about children in a custodial environment, the Minister emphasised the need for a greater range of community-based punishments. We agree with him, and it is widely accepted, that with young offenders it is vital to break the cycle of reoffending.

If the Government are having some success in lowering the reoffending rates, and if that can be sustained, that is enormously welcome. However, we have anxieties about whether we are using the best methods to achieve that. The Minister will know from several representations that there are several models and programmes in England and Wales, such as C-FAR in Devon, which we believe have remarkable success rates. Their reoffending rates appear to us rather lower than the overall statistics, yet they do not receive Government funding. They receive funding from the European social fund, local authorities and charities, but they do not receive direct support from the Government. The Government even seem to be slightly hostile to them, yet here is a programme that takes young offenders out of young offenders institutions and gives them an 11-week residential programme, and mentoring. As I have seen so often all over the country, it is ultimately the human contact with young people that seems to be the best hope, whether that happens through mentoring or through projects such as the Camberwell project, Kids Company. I hope that the Government will reconsider that idea.

I could go on at great length, but I want to conclude my remarks. I promised that I would discuss smacking, so before I sit down I will do so. It is noteworthy that the convention places great emphasis on the need for the state to respect the rights of individual families and communities in providing guidance to children. Ultimately, the best hope for the future of our children is in the quality of the parenting that they receive. This is national parenting week. There have been a great many debates in this House about that, and I welcome the initiatives that have been taken to promote it.

Early years intervention is not some abstract state function: it seeks to involve the parents in providing a better future for their children and giving them the skills that they need. In those circumstances, the state would be barmy to start to intervene and tell parents that they are in a straitjacket as to how they guide and discipline children—provided, of course, that that discipline is not abusive. I must tell the hon. Member for Lancaster and Wyre (Mr. Dawson), who raised the issue, that criminalizing smacking would not reduce the amount of child abuse one iota, but would make parents increasingly unwilling to take the necessary steps to provide that guidance. If anything characterises the malaise of modern society, it is our unwillingness as individuals not to smack but to intervene to provide guidance to children. We have almost entirely given up intervening in public spaces—with serious consequences—and there is a danger that we shall give up intervening in our own families.

Mr. Dawson: Will the hon. Gentleman accept that he is tilting at windmills? All that anyone is proposing is the removal of the old defence of "reasonable chastisement" and nothing more? Does he also accept that in countries that have introduced laws against the physical punishment of children, there have been none of the consequences that he suggested?

Mr. Grieve: I simply repeat that I do not accept that it is necessary to outlaw reasonable chastisement to achieve the end, which I believe the hon. Gentleman wants, of preventing child abuse. One is not a corollary

of the other. The outlawing of reasonable chastisement is a form of state interference in parental decision taking. I do not accept that the consequences of ordinary smacking will be seriously harmful to the child, so I cannot support him.

I am grateful to the Minister for providing the House with an opportunity to debate these important issues. Much more needs to be done. The Opposition will continue both to scrutinise the Government and to put forward our own ideas.

Several hon. Members *rose*--

Mr. Peter Pike (in the Chair): About half a dozen Members want to speak. We shall sit until 5.30 pm and we usually allow those on the Front Bench a winding-up speech towards the end. Several experts on the subject before us want to contribute, so I hope that they will be mindful of the need to allow ample time for everyone to speak in the debate.

3.20 pm

Ms Meg Munn (Sheffield, Heeley): Thank you, Mr. Pike.

"The eyes of the children are the visions of the future".

That phrase, which I noticed on a board outside a school that I recently visited, summarises the importance of the UN convention on the rights of the child. Children are the future and their experiences as children will have a fundamental impact not only on them as individuals but on the future of us all and the society in which we live over the next 20 to 30 years. The experiences of our early years—whether we receive enough to eat or enough love, the level of schooling that we receive and whether we are protected from violence, abuse and exploitation—make huge differences to our life chances and the people we become.

The UN convention not only sets out the basic human rights that children should enjoy without discrimination, but sets standards whereby the dignity of children should be ensured and their development promoted.

I am proud that my party in government has given priority to many children's needs, has appointed a Minister for children and established a children and young people's unit. That recognition of the importance of children and young people at the heart of Government, and the value given to considering their needs across Departments, must be warmly welcomed.

The need to tackle child poverty has been given a welcome and unprecedented high profile with the Government setting a target to halve child poverty within 10 years and abolish it within a generation. It came as a shock to find that in one ward in my constituency 70 per cent. of children are currently deemed to be living in poverty. The Government's commitment cannot be realised too soon.

I especially welcome measures to help parents into work, the significant increase in child benefit, initiatives such as sure start, which was discussed earlier, and the investment in child care, enabling more parents to work. Those are crucial building blocks in helping families out of poverty.

Quite rightly, the convention sets out the rights of all children without discrimination. I want to talk briefly about children in the care system who, having been subject to abuse and neglect and living apart from their family of origin, are often the most vulnerable children in our society. The life chances of children in care are usually significantly worse than those of other children. Many of them leave school with few or no qualifications, and they suffer from a high incidence of homelessness and unemployment and an increased risk of mental health problems or even imprisonment.

I worked in social services for nearly 20 years before entering Parliament, and I know that these issues were not accorded the priority that they deserved until the Labour Government were elected in 1997. In 1998, the then Secretary of State for Health, my right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson), seriously grasped the problem. He wrote to all councillors demanding that they take responsibility for these children. He told them that they should know what the council's children were doing in the same way that they should know what their own children were doing. He said that they should know how they were doing at school and what their health was like, but that the reality was that most—probably all—councillors did not. He demanded that they should receive the same level of care and support as other children and that they should be given extra help and support to try to compensate for the problems that they had experienced and significantly improve their life chances.

By putting in place the quality protects programme with additional funding, the Government recognised that the rights of children in care had not been given sufficient priority, and they were determined that the situation should improve. Although there continues to be a need for further progress, the early improvements for many children and young people in care are warmly welcomed. Young people are starting to succeed in school, and their successes are being celebrated. They are engaging in work, perhaps even being given work by the very councils who are legally their parents. They feel valued by those who care for them, rather than feeling increasingly marginalised, which was the situation previously.

I especially welcome the Government's inclusion in the Education Act 2002 of a requirement to consult children and young people in the school. That complies with article 12 of the convention, by allowing children to express their views on matters affecting them, and I firmly believe that it will be beneficial to schools, and in the long run to the whole of society. Schools that have mechanisms in place for consulting children and for involving them in decision taking generally experience less disruptive behaviour and the children perform better academically. I met school councils at Meersbrook Bank, a school in my constituency, and spoke to children who had mechanisms to raise their concerns. Surprisingly, they found ways of resolving some of those concerns, which was an enriching experience. Ensuring that children have such experiences will enable them to become better citizens. They will understand the processes that they need to go through in order to have their grievances considered, and that must be supported.

However, despite the considerable and welcome progress in promoting the welfare of children and their rights, changes are still required in some areas. The

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convention on the rights of the child recognises that children are different from adults—they require support and protection during their childhood while their characters are developing—so I cannot accept that it is right for newspapers to be allowed to name children and young people who are subject to antisocial behaviour orders. The purpose of such orders is to seek an improvement in behaviour and the rehabilitation of the young person concerned. Naming the young person in the press is likely to inhibit rather than encourage that process. Today of all days we see all too clearly what the pressure of the media does to adults; we should protect children from that. The young person may feel that they have to play up to the image while the label will, in itself, put off other people who might otherwise assist in ensuring that the young person has a meaningful education or work.

I, too, am disappointed that the Government do not intend to change the law and will retain the defence of reasonable chastisement for parents who assault their children. It is important for the Government to have a clear position that the physical punishment of children is something to be avoided and that there should be an emphasis on more positive, non-violent forms of discipline.

We live in a society where almost every week someone is murdered by someone they know: often a husband or ex-husband kills his wife and sometimes also their children. We urgently need to promote a less violent society. How can we teach our children not to hit out if we continue to say that there is a defence of reasonable chastisement? How can we even teach them not to hit their friends if we continue to support physical punishment of children by adults?

I want to raise the issue of children and young people in prison. However it is done, it is time to move to separating children from adults. While we are doing that, we must ensure that the proper protections are in place for those children and young people who find themselves in prison. That was not the case a few years ago and I seek the Minister's reassurance that, where there are children in prison, those prisons have proper child protection policies, and a link to the local child protection agencies. In that way, any concerns about bullying or violence, particularly by adults in the prison environment, can be properly dealt with.

Mr. Grieve: Far be it from me to speak up for the Government, but I do not believe that the hon. Lady will find instances of young people being held in adult prisons without special facilities having been provided for them. Can the Minister enlighten us further on that?

Ms Munn: In my experience, it is not just a matter of providing special facilities, but of the whole way in which the prison is managed.

It is difficult, especially within small environments—I have experience of New Hall prison in Wakefield, which is relatively small—to keep young people entirely separate from adults. Even when young people are held separately from adults, it is possible for older or bigger young people to abuse others. We need to be clear that proper child protection policies and procedures are in place while we move to the situation—outlined by the Minister—of either placing children in secure accommodation or, more desirably, applying interventions that take place within the community.

The UK Government have been criticised by the United Nations Committee on the Rights of the Child for not engaging sufficiently with the children's rights agenda. I believe that, in many aspects of legislation and budgetary spending, the Government clearly demonstrate a commitment to the welfare of children not only in this country but overseas. We are in a good position to build on that by improving public awareness of children's rights. I would like to see greater exploration of the possibility of appointing children's rights commissioners in whatever form they might take, to promote that agenda. I believe that the Government are committed to that agenda.

It is encouraging that we are increasingly beginning to recognise the value of children's voices. That has happened at school level in school councils, and in towns and cities, where local authorities are engaging with young people about their views on local services. It has also happened at national level, through initiatives such as the UK Youth Parliament, and through the young people who attended the UN special session in New York, in May.

I welcome this debate. It is high time that we talked more about children and young people, and listened more to them as well. I endorse the work that is being done by the Minister, and I urge the Government to take that work further by addressing the concerns highlighted by the UN committee.

The children of today are our future. As Nelson Mandela said:

"We cannot waste our precious children. Not another one, not another day. It is long past time for us to act."

3.33 pm

Mr. Hilton Dawson (Lancaster and Wyre): Thank you, Mr. Pike, for the opportunity to take part in this profoundly important debate.

The way we treat children is a measure of the quality of our society. It is important that we use the debate to celebrate children and young people, and I associate myself with the remarks made by my hon. Friend the Member for Sheffield, Heeley (Ms Munn) about how children and young people are now using the greater opportunities available to them to influence the world around them, whether locally or nationally. It is also important to recognise that children from even the most awful circumstances, who have endured appalling experiences that, often, bring them into care, can surmount those experiences.

I have said it before, and I will continue to say it: once a month, all hon. Members have the opportunity to attend the all-party group on children and young people in care, where they may often meet young people with substantial experience of the care system. Last Wednesday, we were addressed by a young woman who spent much time in foster care and who has just obtained a doctorate. The meeting was attended by a number of young people who are working in highly responsible positions with national organisations and who are in higher education. In emphasising the issues of children and young people and the difficulties that some of them

experience, we should not overlook the fact that they are a huge asset to the country, and we should celebrate their achievements.

I do not propose to reiterate all the facts about children in the United Kingdom or to read the conclusions of the UN committee into the record. They are well set out, and other hon. Members have made important points about some of the circumstances of children in this country. Nor will I go over this Government's achievements on children's policy. Without doubt, we have a good Government for children. We could have a great one, however. We have a thumping Labour majority, which is reflected in this afternoon's attendance, as there are only two brave souls on the Opposition Benches. If we miss the opportunity that that majority and a major UN report provide to transform for ever how our society deals with its children, we will have failed not just a generation, but ourselves.

It was said a couple of weeks ago that we are at our best when at our boldest. We need to take those words to heart. While we have a very good Government for children, in some ways we have not advanced the cause of children enough because we have been far too timid. We know what to do. Early-day motion 4 of the Session that will soon draw to an end was tabled on 20 June 2001, only days after the general election. It says:

"That this House acknowledges the progress that has been made since 1997 and urges this new Labour Government to re-double previous efforts on behalf of children by working consistently throughout this Parliament to establish an effective Ministry for Children and Young People, to support the development of children's rights commissioners across all parts of the United Kingdom, to overhaul child protection, to continue to improve the care system, to give children the same legal protection from assault as adults, to ensure that all childcare legislation applies to all children seeking asylum, to enable the participation of children in decision-making at all levels, to face up to the huge problem of bullying, to guarantee access to good mental health and therapeutic services, to provide excellent standards of education and health care for all children, to make real progress on ending child poverty and to assist the implementation of the UN Convention on Childrens Rights across the world so that in four or five years time it will be able to bask in the warm glow of approbation from all those who will be able to justly say that this has been a great government for children."

I want my right hon. Friend the Minister to enjoy some justified acclaim, so I hope that he announces later today, or very soon, that he is at his best when at his boldest. I also hope that he acknowledges that this debate is about not simply the implementation of a list of worthy measures, but the need for a cultural change that accepts and incorporates children's rights within our national life.

Some of us have grown accustomed to and welcomed the linking of rights and responsibilities, which we have discussed today. For children, responsibility is acquired as they grow older. It is a function of developing maturity, not something to be forced on them too young. After all, children should be allowed their childhood.

The position on adult responsibility is much clearer. Parental responsibility, not parental right, is enshrined in the Children Act 1989. My hon. Friend the Member for Sheffield, Heeley paid tribute to the work of my right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson), who set out the corporate responsibility of local government for children in care in a stunning speech only a few years ago. The Government's responsibility to some 13 million children in the United Kingdom is the subject of this debate.

Only when we base our approach to children's lives on children's rights as set out in the UN convention on the rights of the child will we achieve the required transformation in our attitude to children. Living free from poverty is every child's right. Having access to first-class education and health care is every child's right. Participating in the decisions that affect their life is every child's right. Being protected is every child's right. Being part of a society where policy, legislation, procedures and practice operate in the best interests of every child is every child's right.

The excellent concluding observations of the UN Committee on the Rights of the Child point the way forward to what we should do if we are bold enough. We must cast aside the sad dross of appeals to a common sense that, if evaluated, is not that common and contains little sense and no logic. We should stand up to the rubbish in the media that sanctifies some poor bairns and vilifies others, and challenge the parts of our society that do not like children. A truly great Government, which I believe ours can become, would listen to what the UN committee is saying. They would use the UN convention on the rights of the child and incorporate it in UK law.

That convention should become as widely known and used as the highway code. The Government should recognise, as the UN committee does, that we need a central mechanism such as an easily identifiable and permanent body to achieve a comprehensive and coherent children's rights policy. We need a developed Ministry for children. It is a good that we have a Minister with responsibility for children and young people, but, with respect, I have to say that he should not also be Minister for Policing, Crime Reduction and Community Safety. Furthermore, children's services should not be divided among the Home Office, the Department of Health, the Department for Education and Skills, the Lord Chancellor's Department and other arms of government.

We should give the welcome innovation of the children and young people's unit real teeth and give the wonderful developments and proposals for children's trusts real backing. The organisational ethos of children's groups should be child centred and the necessary dividing lines between organisations and functions should be drawn at the recognisable, verifiable, understandable and common-sense age of 18.

Those who have no vote used to have no voice. Under this Government, they have a quiet voice, but we must recognise that it can often be stifled. We need to introduce children's rights commissioners—an independent human rights institution, as the UN says—in England, Wales, Northern Ireland and Scotland. We need, also, to strengthen the voice of children and young people and use organisations such as the UK Youth Parliament. We should take further steps to promote the systematic and meaningful participation of all groups of children in society.

We need to recognise that parenting children well is a hard task that requires learning and support and that working with children is an honourable profession—it should be properly rewarded and recognised. We need

[Mr. Hilton Dawson]

sustained investment in children's services and we should commend the Government for their inspirational aim of ending child poverty. We should also encourage them to be similarly bold in embracing children's rights.

If we do that, we shall be able to challenge the absurd idea that we can oppose domestic violence, bullying, street violence and child abuse while retaining a 160-year-old concept of reasonable chastisement, behind which child abusers hide. We could also be bold in raising the age of criminal responsibility and abolishing the scandal and disgrace of locking children away in prison custody. We could recognise that children are children are children, the world over. There should be no differential treatment of children who are seeking asylum. For goodness' sake, we should set our face firmly against the deployment of children in armed conflict.

What I have talked about is, I believe, the best work that a Government can do, so we could look forward to a future generation building a better world than we can, because of how its members have been treated. That requires massive cultural change, but we can do it. We can transform the lives of children and our society, if we are prepared to be bold.

3.47 pm

Vera Baird (Redcar): The Joint Committee on Human Rights heard evidence a few months ago from a group of British children. We asked them whether they thought that their rights were adequately protected in this country. I believe that it was the first time that children had ever given evidence to Parliament, and if that is correct it gives the event historical significance.

The children did not think that their rights were properly protected. They spoke fluently about issues ranging from the grave matter of adequate protection from bullying at school, through the unavailability anywhere of information about their rights, to the fact they are never consulted about their facilities. It seems that the adult idea of consultation is to ask what colour the youth club walls should be painted, whereas any kid would have said that they did not want the youth club there in the first place.

I commend the evidence that those young people gave to anyone who wants an education in the various obvious ways in which children's rights are neglected. Obvious as they are once children have spoken of them, they are not obvious to us at all. It is pretty tragic that those young people felt that their rights were not given real consideration, and that the UN Committee on the Rights of the Child has set out numerous criticisms of the way in which our standards fall below those to which we have committed ourselves by international treaty.

The committee, as well as the children, made a point about the lack of a rights-based approach to current structures. With the JCHR I have met children's rights commissioners from places as far apart as New Zealand and Wales—as well as, of course, many human rights commissioners. It is my view—although not necessarily that of the JCHR—that although my right hon. Friend the Minister's serious attempts to change departmental culture are excellent, there should be a human rights commissioner in this country, and also, as part of that initiative, a commissioner for children's rights. I am convinced not by abstract arguments for children's rights, but by arguments about the practical benefits that such a person can bring, especially to some of the most vulnerable children in society. Without help, such children go on to become the most vulnerable adults in society.

Let me exemplify how a commissioner could help. Hon. Members have alluded to child poverty, but let me add a little to what has been said. If we use the measure of households below 60 per cent. of median income after housing costs, we find that 31 per cent. of children were living in poverty last year. The UN committee was very concerned about that figure. Clearly, the Government are working hard to lift families out of poverty, which the Conservative Government never did. Conservative Members here today have the temerity to argue about the figures, but their party was responsible for the depth of the poverty in which so many children were trapped for many years.

Mr. Grieve: The statistics showing that the number of children in poverty has fallen to 500,000 take us back to the 1994 position. I acknowledge that the figures rose in the last three years of the Conservative Government, partly for economic reasons, but for a long time they were better than they are today.

Vera Baird: There would have been no need for us to get 1 million children out of poverty after the Conservatives' period in government had they not been in poverty in the first place. The facts speak for themselves, and no amount of statistical sophistry can change that.

I applaud the success of the working families tax credit and the higher rate of child benefit, but children, in particular, are slipping through the net at one or two points. If a parent getting a job is the main route out of child poverty, difficulty in getting child care is the main obstacle, particularly for one-parent families. Although the risk of poverty in such families has declined by almost 10 per cent. since the Government came into office, 55 per cent. of children in one-parent families are still poor, compared with less than a quarter of children with two resident parents. Child care is critical to ending that problem. Despite increases in recent years, the Day Care Trust estimates that there is still only one child care place for every seven children under eight in England.

The recent spending review contained the welcome announcement that children's centres would be established in disadvantaged areas by 2006. That should provide expanded, improved and integrated children's services, and, I hope, training and other services for parents. However, the Government must build on that, and the aim must be to establish children's centres in all areas as quickly as possible. Child care would then become part of the social infrastructure and could be taken for granted, just like primary schools and GP practices. It would be available to all sectors of the community.

My right hon. Friend the Minister said that we had made progress on youth justice, and the Government certainly have an excellent record. However, will he consider the position of young defendants who are

charged with a serious crime? The criminal justice system recognises that some witnesses in Crown court trials, such as children, are vulnerable. The Youth Justice and Criminal Evidence Act 1999 introduced a range of measures to protect and support child witnesses, including, in some cases, those up to the age of 17. For instance, a child witness first gives evidence soon after the event to a police officer trained in child protection. That is done in a pleasant room a bit like a sitting room, and every attempt is made to take the stress away. Their evidence is then used in court, and they do not need to go into the witness box.

A child witness can now be cross-examined soon after the evidence-taking process. That is done by what we might call plain-clothes barristers, long before the trial. It happens in an informal room, in the presence of a judge, but without the public or the jury, so there is no pressure. The child has then finished, and his or her job as a witness is over. The video of the cross-examination is shown to the jury at the trial, which could be months away. At worst, the child may need to be cross-examined at the trial, but that can be done by video link from a room well away from the pomposity and tension of the court. Those are all good and important protections.

However, a few children—the numbers run into double figures every year—are tried for serious offences such as murder, or offences committed with an adult who is entitled to trial by jury. That happens in the Crown court, not in the youth court, where most children are tried. The defendants could be as young as the 11-year-old boys who killed Jamie Bulger or, as in a previous case of mine, as old as 15. None of the witness protection measures applies to child defendants. They must give their evidence in court before 12 jurors, barristers and solicitors, and before both the public and the press, although the judge has discretion to limit the presence of the latter two groups.

In one trial, which made the point forcefully for me, 58 people were in court when my client, aged 15, who was charged, with a school friend, with murdering an old lady, should have gone into the witness box to give evidence to try to save herself from a life sentence. My client had read the early publicity about the case and knew that the press had applied to publish her name and were her enemies. The voyeurism in the public gallery was palpable and unavoidable, because people wanted to see the horror of young children who were said to have done horrible things. Compare her situation with that of the prosecution witnesses, also children of about 15, who had witnessed pretty small events of no great importance to them. They came to court, went straight to a room with their parents, chatted to a nice usher and watched their video on TV. They were then questioned in a quiet room by people grinning at them from the TV, just like being interviewed on a Saturday morning breakfast show. One lad had his lunch pail with him in the room. How does that amount to equality of arms between a child defendant and the prosecution?

The system accepts that child witnesses are vulnerable and need support, but not if they are defendants. How are we protecting the rights of the child defendant? That case was post-Bulger, and we did all the right things. The court was small and fairly modern. The children were not in the dock, but sitting with friends. We did not wear wigs and gowns, but fairly ordinary clothes. We did our best not to speak in Latin and, as kids cannot sit still, they were allowed to go in and out of court as they wished. All those arrangements have been replicated many times. However, it would be a rare child who could give evidence in their own defence in the atmosphere that I have described, which would certainly make it impossible for them to put their best foot forward, as they need to.

What possible justification can there be for excluding child defendants from all the witness protection measures available to everyone else? The problem is that there has never been a children's champion saying, "Just a minute. Think about the rights of that child." Undoubtedly, youth court trial should be available to all young people, with a senior judge brought in to try serious offences. The usual formula is that youth court trial is available unless the child is charged with an adult and the interests of justice require that they be tried together, in which case the child must go before a jury. I have never understood why it should not be the other way around. The youth court provides special measures to protect children, but otherwise, has the same aim of a fair trial, so why cannot we try the adult in the youth court on such occasions?

I shall add a few points to the excellent remarks that have already been made about the detention of children. Prison is ineffective in reducing youth crime and rehabilitating child offenders. Almost 90 per cent. of children sentenced to custody reoffend within two years. Despite that depressing statistic, we in Britain continue to imprison more children than are imprisoned in almost any other country in Europe—24 in every 1,000 10 to 18-year-olds, compared with six in every 1,000 in France, which has a higher juvenile population. The general rule is that imprisoning children exacerbates and prolongs the problem, so society must deal with it again and again. Prisons do not have the facilities to deal with child offenders, who are usually children in need.

The risk factors for offending are poverty, social exclusion, parental ill health, family conflict, poor parental supervision, abuse, harsh or erratic discipline and long-term separation from biological parents. Those issues cannot be tackled within the confines of the prison cell. Youth offending has not increased—in fact, between 1992 and 2000 there was a decline. However, there has been an increase in the use of custody for younger children. In 1999, 3.9 per cent. of custodial sentences were imposed on children under 14. However, the figure had risen to 9.3 per cent. by 2000.

The price we pay for the inappropriate use of custody and the continuing detention of children is counted in human life. Since 1997, 93 young people, six of them under 16, have committed suicide while in custody. A recent inquest verdict on young Kevin Jacobs, who hanged himself, aged 16, at Feltham young offenders institution, found that neglect was a contributory factor—clear evidence that a prison department is unable to safeguard and protect vulnerable and distressed children.

I have only one comment on physical punishment, because the issue has been well aired. We are all familiar with the arguments for and against it. Whatever our personal views, the anomalous state of the law is striking. Children are the only people in the UK who are not protected by law against violence. There is a double standard: we protect ourselves, as adults, but not the

[Vera Baird]

most vulnerable members of society. The topic is regularly debated within these walls and in homes across the country. Do adults have the right to discipline their children? Should the state interfere? What is missing is the perspective of an advocate of children's rights.

I do not doubt the Government's commitment to child welfare. Since 1997 they have demonstrated an ongoing commitment to eliminate child poverty and to improve health, education and the criminal justice system for children as well as for adults—but my concern turns on that phrase. Our reforms and our legislation often include children's rights as an afterthought—and occasionally an afterthought that we forget to think. There should be a mechanism for putting them at the centre of policy development.

That will not be achieved in the present set-up, however able, super and committed the Minister might be. For example the Minister currently responsible for children and young people is very committed—but he has a Department with many other responsibilities and there is only one of him. It is my strong view that the change of culture required in this country will not happen without a children's champion. I hope that the Government will give serious consideration to appointing a children's commissioner under the ambit of the human rights commission.

Several hon. Members *rose—*

Mr. Peter Pike (in the Chair): Order. Before we continue, it will be helpful for me to talk about timing. The Minister requires about 10 minutes to respond to the debate, which is appropriate; according to normal procedure the Liberal Democrat spokesperson is entitled to 18 to 20 minutes; the Conservative spokesman might want a few moments, too. Three more Labour Members wish to speak, so there is still adequate time, but please bear the time in mind.

4.3 pm

Valerie Davey (Bristol, West): I am delighted to take part in a debate on United Nations day on an issue of importance to all of us. I join my colleagues in paying tribute to the Labour Government for the work that they have already done, and encouraging them to do more. I also pay tribute to all who have campaigned on children's issues, whether they be organisations such as the NSPCC and Save the Children, or doughty individuals who, like some of my colleagues, have consistently and persistently championed the rights of children. I also want to commend the many people who, in their daily jobs—whether they are teachers or doctors, school bus drivers or sports coaches—uphold the beliefs enshrined in the convention. It contains a good set of principles, and traditionally we have upheld them.

I pay a special tribute to a policeman about whom I know nothing except that three years ago, when a refugee family arrived in this country in trauma and were being held for questioning, he gave the two children some chocolate. He made them feel secure and safe; in accordance with the principles of the convention, he gave them support and protection. Now, three years later, he is still well remembered. His actions made that family believe fully in the values that our country has to offer. I therefore urge the Government to reconsider the one policy on which the United Nations committee has questioned them—their retaining of the wide-ranging reservation on immigration and citizenship, particularly in respect of children.

Other Members have greater experience of the work being done in this country, and I therefore simply take up the refrain echoed earlier, which is that children are children are children, the world over. The convention is a United Nations convention, and this is United Nations day. In comparison with what happens here, children in other parts of the world are suffering to an untold degree, and despite the fact that we do not have direct legislative responsibility for them, we have a moral responsibility.

I would expect the United Nations convention to be recognised throughout the world, but I shall give just one example of its not having been observed. Despite the fact that the country concerned had signed and ratified the convention, things have gone terribly wrong. That country is Afghanistan, and I am talking about the situation there before 11 September. I admit that I knew little about what had happened there, and I guess that the rest of the world, too, knew little about it.

I pay full respect to our Secretary of State for International Development, who was taking the Government's values forward by supplying aid there, but just listen to this: a quarter of Afghan children died before their fifth birthday; half the children under five years old were underweight; 39 per cent. of boys, and only 3 per cent. of girls, had any education. Compared with the standards of concern that we show for children here, that situation is unrecognisable, and it is reflected to a greater or lesser degree in many other countries.

I want the Government to consider the debate going on in the United Nations about humanitarian intervention. I draw the Chamber's attention to the report by the International Commission on Intervention and State Sovereignty, commissioned by the Canadian Government, entitled, "The Responsibility to Protect". In what terms should the United Nations intervene, particularly in the context of our debate about upholding the rights of the child? That subject is perhaps one for the longer term. However, I register a strong interest, and I am concerned that the Government should take up the Canadian report and consider in depth how, in the long term, the United Nations should uphold the convention on the rights of the child throughout the world.

4.8 pm

Mr. Stephen Pound (Ealing, North): I pay tribute to the Minister for his opening remarks, which combined a mastery of his brief with a passion for the subject. I sincerely hope that the feelings of amity and respect that I have for him will survive my visit to his constituency this Sunday afternoon, when my fellow Cottagers and I will be descending on St. Mary's football ground.

The full title of the report presented today is "Concluding Observations of the Committee on the Rights of the Child: United Kingdom of Great Britain & Northern Ireland." I apologise because, wide though the Minister's brief is, he is not directly concerned with

internal affairs in the north of Ireland. However, I hope that you will allow me to detain the Chamber with a few issues, Mr. Pike, as I think it is vital that they at least be aired.

Like everyone else, I welcome the opportunity to debate the report. Compiling a periodic report under the UN convention involves enormous resources for Departments and non-governmental organisations. Hearings are thorough and competent, and Governments should never be defensive. A critical report such as this should be an opportunity to learn and change, and I want to mention a couple of points within the challenging context of political conflict in the north of Ireland.

We all know that children have suffered disproportionately during the 30 years of conflict. Many have died, and many more have been injured. A huge number have been robbed of their childhood. Those children all have in common the fact that the problem was not their fault. The community of NGOs in the north of Ireland took its participation in the process of compiling a report to the UN seriously. The Children's Law Centre, the Northern Ireland wing of Save the Children, submitted a report to the UN that was more than 30 pages long. It was supported by more than 30 charities and specialist organisations, and I want to mention its main points.

The UN Committee on the Rights of the Child agreed with the recommendations of the UN Committee against Torture in calling for a ban on the use of plastic baton rounds as a means of riot control. We are familiar with the Patten reforms and know that they have moved us a long way, but the baton round is a child killer—not potentially, but actually. It must be replaced with socially acceptable methods of policing.

Committee members were keen to consider the specific provision for the protection of children within emergency legislation. We have neglected that, and will need to examine it further. The principle of the best interests of the child contained within the convention on the rights of the child is one of the most far-reaching and revolutionary proposals to have secured unanimous support from the UN General Assembly. In applying that principle, we need to work through our assumptions. Some children's groups criticised the Government's proposals in the Justice (Northern Ireland) Act 2002, arguing that the youth justice section of the legislation did not adequately support the best interests of child protection.

A key point—it informs our whole discussion—was raised by the hon. Member for Beaconsfield (Mr. Grieve), who said that much of the subject under discussion was like motherhood and apple pie. For all I know, he still commands enormous fees at the Bar, and that comment says something about his ability to cut to the quick of a matter. Although there is motherhood and apple pie, there is also an issue of conflicting and competing rights. I am sure that everyone is familiar with what occurred at Holy Cross school in north Belfast, where the right that people claimed to make a political protest was in direct and fundamental contradiction of the rights of young Catholic schoolgirls who tried to make their way to school through a gauntlet of hatred. Balloons of urine were flung at them, pornographic magazines were thrust in their faces, and blast bombs were exploded within metres of those primary school children.

It is said that freedom for the shark does not mean freedom for the minnow, which is true. There is a conflict. If we take one thing from the report and our discussion, it is that in such a conflict the rights of the child must predominate. Children must have primacy when rights compete and conflict. The current blockade at Holy Cross is on hold. Let us hope that our discussion and the actions of the Government will go some way towards establishing the acceptance of the fact that the rights of the child should be seen as supreme over the right to protest in that case.

I greatly welcome the debate, as I am sure everyone does, and I commend the UN Committee on the Rights of the Child and all those involved in it. I am sure that I do not need to urge the Government to disseminate the report and study its recommendations with great care. I have been greatly impressed with many of the comments that have been made, and I feel distinctly optimistic. I thank you, Mr. Pike, for allowing me to stray a little beyond the direct subject of the Minister's responsibility; I hope you would accept that these are vital matters.

Mr. Peter Pike (in the Chair): The Chair only noticed the hon. Gentleman straying when he referred to the football.

4.15 pm

Mr. Win Griffiths (Bridgend): Unsurprisingly, I want to refer to the report as it affects Wales, although unlike my hon. Friend the Member for Ealing, North (Mr. Pound), I have not gone to the trouble of decorating my shirt with a tie that indicates which area of the United Kingdom I shall be discussing.

This is the second report reviewing the situation in the United Kingdom, but it is the first report following the establishment of the National Assembly for Wales. Considerable effort was made in Wales by Save the Children and Children in Wales, two prominent non-governmental organisations working for children, which organised the collection of evidence with the full participation of children. Children from Wales went to Geneva to participate in the hearings and listen to the presentation of evidence by the United Kingdom Government.

I note that the Northern Ireland report ran to 30 pages. The Welsh have a reputation for being verbose in written form, but we have managed to get everything into 10 pages, and even the bilingual version stretches to only five lines more than 20 pages. That shows that we can be succinct when we want to be.

One aspect of the report which gave me a wry smile was the way in which it jumped so quickly from 1995 to 1999, leaving out the first two years of the Labour Government. Things happened in the Welsh Office at that time that paved the way for the Children's Commissioner for Wales, for example, which was the first such post created in the United Kingdom. When I was appointed to the Welsh Office, I was the Minister responsible for children, and we set up a committee of civil servants from all departments to consider the concerns of children. We thrashed out a unified

[Mr. Win Griffiths]

approach to children's policy and the needs of children. We did not get it right the first time and had to rethink our approach.

A big advantage of the Assembly over the Welsh Office is that it has Ministers for Departments similar to those in Whitehall. The Welsh Office Minister with responsibility for health and social services was also the Minister responsible for children. Now that three or four people oversee what I was responsible for, they can focus much more closely on the issues than I could. I freely admit that, on children's issues and other areas for which I had responsibility, I could not take the agenda forward as quickly as I would have liked, simply because I was responsible for so many different areas.

In the Assembly, we now have the opportunity to consider matters in a focused way. The report gives us grounds for hope following the positive developments that have taken place since the creation of the Assembly, one of which is the creation of the Children's Commissioner in Wales. As my right hon. Friend the Minister said, there are different types of commissioner throughout the world. There are some constraints on the Welsh commissioner because of the way in which devolution has developed. I shall refer to those constraints later.

The Welsh Assembly has established a body to take on board the views of children and ensure that children participate in the process of government. Its name—as a child of the 1960s, perhaps I should say its "groovy" name—is the Funky Dragon. The Funky Dragon is the children and young people's assembly for Wales. It is there to reflect views and to participate with the Assembly in policy development.

There is also a monitoring group in Wales now, headed by Save the Children, and including other NGOs, the Welsh Executive, the Funky Dragon and the Children's Commissioner's office, which all work together to monitor the implementation of the convention in Wales. There are a number of positive things going on.

It is also possible, however, to point to areas in which things must still be done better. As regards UK recognition, the UN convention is about a decade old. According to a survey conducted of 300 young people between the ages of 10 and 19 in Wales, almost 60 per cent. had never heard of the convention. Some 86 per cent. had never been involved in any talk or discussion about the rights of children, while 75 per cent. said that they would like to be involved. There is a task to be undertaken in disseminating information about the charter. That is arguably a task for the Welsh Assembly. I would guess, however, that the situation is not very different elsewhere in the UK, so there is also a role for Whitehall.

In contrast, due to the way in which devolution works, in Wales there are matters relating to children for which the Home Office, where my right hon. Friend the Minister daily storms the corridors of power, has responsibility. They are not part of the Assembly's brief, nor are they areas in which the Children's Commissioner can easily get involved, except in an advisory role. We need to examine how Whitehall, the Assembly in Cardiff, the Parliament in Scotland and the Executive in Northern Ireland can be connected, to make sure that all aspects of the convention are implemented in a co-ordinated way, so that all children can benefit. With the move towards devolution in England, that may become even more important. Although in Geneva the children and young people's unit represented children, its main function in the UK is to develop policy in England only. The question of how things can be done better throughout the UK should be discussed at Westminster.

In Wales we need to examine issues related to monitoring through the Children's Commissioner, and the vexed question of the way in which devolution is currently developed. There are certain issues that are important to children, over which the commissioner does not have any direct power. He can advise, but his role is not the same as it would be if there were full devolution of responsibilities to Cardiff. That is another issue on which Whitehall and Wales need to work together much more closely.

On the report, a number of my hon. Friends mentioned child poverty. There is a great commitment to end child poverty in a decade. In Wales the problem is even bigger than in the rest of the UK. Save the Children and the university of York did a study of child poverty in the UK, and in Wales the number of children in families whose income is less than 50 per cent. of the average, excluding housing costs, is 10 per cent. higher than average. One third of children in Wales are in that situation.

Wales also has a higher than average rate of teenage pregnancies: it is over a third whereas in the rest of the United Kingdom it is less than 30 per cent. Boys in Wales drink phenomenally more than boys in the rest of the UK: 53 per cent. of them drink alcohol weekly compared with only 47 per cent. in England, 37 per cent. in Scotland and 33 per cent. in Northern Ireland. Tragically, drug abuse is much higher too: 28 per cent. of under-15s had used drugs in the previous month, which is not far short of double the figure for elsewhere in the UK. Something extra needs to be done in Wales. We have objective 1 status and things are going well in that direction. However, of the 18 indicators used in England to measure progress on taking children out of poverty only four work in Wales. We need to look at that and perhaps talk to other Departments to try to get that right.

Finally, I should like to talk about physical punishment, which was mentioned by a number of my hon. Friends. When the hon. Member for Beaconsfield (Mr. Grieve) quoted the terrible statistics that the NSPCC has gathered on child abuse—for example, that one child every week dies from physical abuse—I thought that he would say that the time had come to change the law. As my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson) said, that physical abuse arises from the framework of this Victorian law, which permits reasonable chastisement, which we know our courts have interpreted extremely widely in the past.

As a child, I was chastised physically more than once by my parents. Like many who still approve of reasonable chastisement, I could say that it did not appear to harm me that much, although it hurt at the time—some may wonder whether I have made a serious career mistake in saying that. Many people share the

thought that it does no harm, but I am pleased to say that neither of my children, who are now in their thirties, can remember me physically chastising them, although they do say, "Dad, sometimes you really exploded." But it was all verbal and along with everything else it seemed to do the trick. The NSPCC's survey found that almost 60 per cent. of people would support a change in the law, provided that a trivial incident would not become a matter for recourse to the courts. The body of opinion is moving towards changing the law.

I am pleased that Jane Hutt, the Minister for Health and Social Services, made an important statement on the subject in Wales yesterday. She said that she would approach my right hon. Friend the Minister to see whether something could be done because, under devolution, we cannot make that change in Wales ourselves. However, in all those areas where the Welsh Assembly can make policy regarding children, it has made it clear that there will be no physical chastisement of children. On top of that it has taken the positive measure of working with the National Family and Parenting Institute and the NGO Children in Wales to develop a parenting support project and to have a parenting code to help parents to find ways of keeping children on the straight and narrow without recourse to physical punishment. I hope that the Minister's commitment to look at further ways to improve the care and treatment of children and the policies developed in the UK will mean that the Government can at last take steps to rid us, once and for all, of the vexed Victorian question of reasonable chastisement.

4.29 pm

Vernon Coaker (Gedling): I hope that my voice lasts for the five or 10 minutes of my contribution. I apologise if it sounds more irritating than usual.

I want to add a few comments as co-chair of the UK Youth Parliament and say that today's debate gives us an opportunity to reflect on the quality of the lives of the 13.5 million young people in the UK under the age of 18 and the challenges that face them. I congratulate my right hon. Friend the Minister on his work in trying to raise the issue of young people in Government. He made a good fist of saying how much progress has been made, and much of that progress is a tribute to the work that he has done. There is much more to do, but it is important to recognise that we would not have arrived where we are today without his personal commitment to the work.

My speech will be a series of challenges. There is not much point in our saying, "These are all the good things we have achieved," because the debate would then lack a cutting edge or any sense of excitement or passion about what we need to do to deliver the services and the sort of country that we want for our young people. Instead of just congratulating ourselves on what we have achieved, we should consider the problems that still confront us and challenge the status quo, because if we do not, there will be no radicalness in what we are doing. We need to set our sights high.

I want to reflect on a couple of matters, including the participation of young people in our society. We have made some progress in that respect, but how much progress have we really made in terms of Departments listening to what young people say? They may listen, but how many policies can we identify that have fundamentally changed as a result of young people saying that they do not agree with what the Government are doing? How many local authorities have youth councils or forums in which young people can say to the council, "The policy that you are pursuing is wrong," and cause the council to change its mind and amend its policy? Guidance may suggest it, but do we know how many schools have set up youth or school councils, or how effective those that exist are? How many schools change their policies on discipline or lesson organisation, teaching and learning styles or timetables as a result of what the school council says? We need to ask such questions.

We started on the route of participation, and made considerable changes. We challenged the system and said that the voices of young people were crucial, but as well as setting up the participatory mechanisms, we need also to try to measure their outcomes in terms of what influence young people have on policy. I ask my right hon. Friend the Minister to reflect on how we might do that. I do not have the answers to all those questions, but it is important to reflect on them.

My right hon. Friend made various points on education, and we have made considerable progress in that regard, but we must ask what we are doing about the problems in education and how they come about.

We need to concentrate not only on the quality of many schools, which still needs to be improved, but on special needs education and whether the special needs of every one of our young people in this country are adequately met in all our local authorities. Parents in my constituency tell me that one of their greatest frustrations with education is trying to get help with the individual learning difficulties of their son or daughter.

We must also reflect on the provision of recreation facilities and youth clubs. As my right hon. Friend knows, the resources available for the youth service in this country are abysmal. The provision of recreation facilities for young people in some parts of the country is, frankly, poor. As hon. Members will know from their own constituencies, young people with nowhere else to go play out on the street. That causes problems, because when the police come to move them on, there is nowhere for them to be moved on to. There is a complete lack of informal, as well as formal, recreation space. One of the challenges that we face is whether we can develop the available youth facilities and rebuild the youth service.

My right hon. Friend made some important and interesting points about crime and the Government's attempts to do something about youth offending. My experience tells me that we could prevent much youth crime and much antisocial behaviour if we had a larger youth service and more youth workers out on the street working with our young people. There is often a terrible shortage of such workers.

We have made tremendous progress in tackling poverty, but there is still much for us to do. The Minister referred to the large number of children we have removed from poverty. Earlier, we started to debate whether the poverty was relative or absolute, and what the actual number of young people living in poverty was. Although we are making significant progress, there are still far too many children and young people who do not have the quality of life and standard of living that we

[Vernon Coaker]

want them to have. It is incumbent on us to challenge ourselves to reflect on what we have done and consider whether we can do more. There are young people in our constituencies in homes or communities whose standard of living and quality of life we simply do not believe is good enough.

Under the Homelessness Act 2002 and the Children (Leaving Care) Act 2000, priority housing can be given to 16 and 17-year-olds. That is an important reform, but far too many of our young people still have no support in the community. Because of changes to the legislation, a 17-year-old girl in my constituency has been placed in a council property as she is in need and presumably has suffered problems in the past. That is a great thing, but once society has housed her—a good thing—there is no support for her in terms of her other needs. There is a need for more joined-up support. We need to reflect not only on housing policy but on social and welfare policy.

My theme is that we need to reflect on the challenges that confront our society as well as congratulating ourselves on our achievements. As a society, we are judged by how we treat young people coming into the country as asylum seekers or refugees. We must remember that the fundamental point of the policy that we pursue in respect of asylum seekers and refugees coming into the country as children is that they are not asylum seekers or refugees—they are children. The whole agenda is rights driven, which means that those children have rights as children. Sometimes, however, we deal with them in such a way that they are not seen fundamentally and first of all as children. We should reflect on that.

My voice is now starting to irritate me as well as—I expect—everyone else, but I simply want to say that some of my remarks have been intended as challenging: they are not meant to be negative, to decry the achievements of the Government or be unhelpful; they are about acknowledging that our achievements have been enormous. My right hon. Friend is as committed to the furtherance of children's rights and to young people as we could wish.

However, if we as a Government and as individuals are to achieve as much as we want for our young people, we have to continue to ask ourselves the hard questions and to challenge ourselves about whether we are doing as well as we can. If the story is bad, we have to say so. We should not flog ourselves for that, but we must understand the reality and what we need to do about it.

There are serious challenges and serious problems in many areas. If we reflect on them and are honest about them, the policy that we develop to tackle them will be better and more rigorous and will bring about a better life for our children than it would if we simply enclosed ourselves with the view that everything in the garden is rosy.

4.42 pm

Mr. Paul Burstow (Sutton and Cheam): I want to register an interest, in that I serve as a parliamentary ambassador for the NSPCC. It is not a paid position, but it gives me a great deal of useful information and I am very grateful for the work that the NSPCC does. I am here today, however, to give a Liberal Democrat response to some of the issues that we have debated.

I congratulate all hon. Members who have contributed to the debate, because it has been well informed, and telling points have been made to which I hope that the Minister will respond. However, to debate and do justice to the United Nations convention on the rights of the child and its 54 articles in three hours is impossible. It would take him that long just to respond to the many concerns expressed in the concluding observations of the UN Committee on the Rights of the Child, which were published earlier this month.

I shall focus on a few of the main issues, some of which have been touched on by other hon. Members, and on some of the recommendations made by that committee. Quite rightly, several hon. Members have spoken about child poverty, the cycle of deprivation and delinquency that can continue through the generations, and how we need to end that cycle.

I want to ask the Minister about the recommendations concerning detention and juvenile justice, which he has heard something about from others. The UN committee expressed serious concern that

"the situation of children in conflict with the law has worsened since"

its 1995 report. It goes on to say that it is "deeply concerned" about the high and increasing number of children in custody at earlier ages for lesser offences, which it regards as a violation of article 37(b) of the convention. The committee also expressed concern about the Government's failure to drop their reservation concerning article 37(c) because children are still detained in adult prisons. It said:

"it appears that only resource considerations now prevent the withdrawal of the reservation."

On top of those concerns are others about the use of restraint in custody. The report highlights recent figures showing that in two years 296 children sustained injuries following restraint and control in prison. As was revealed in the recently published joint chief inspectors' report, "Safeguarding Children", there are weaknesses in the Government's current arrangements for safeguarding young children that are letting children suffer serious harm and even die.

As the chief inspectors say in their report:

"An analysis of surveys undertaken of young people in Young Offenders Institutions revealed that 24 per cent. reported incidents of assault by other young people, 14 per cent. reported that they felt unsafe some of the time, and six per cent. felt unsafe often. In one Young Offenders Institution, there were over 700 reported incidents of injuries to young people over an eight-month period."

That is a huge number, but I am concerned not only about injuries but about deaths, too.

Most recently, there was the tragic case of Kevin Jacobs, and I quote from a column by Mary Riddell in *The Observer* on 13 October 2002:

"On 3 July, 2001 . . . he was remanded to Feltham on a minor robbery charge. In care since he was seven, he was a disturbed and vulnerable boy, desperate for adults' attention. His favourite outing, he told them, was to go fishing on a lake. Everyone involved in his case agreed that he should never have been in prison.

On 19 July, Kevin was given a six-month detention and training order. On 14 September, after he had been bullied several times, he was found hanging in his cell, unconscious. He told the warders who revived him that he wanted to die. On 26 September, he

smashed a light and toyed with a plastic knife. Staff, discovering ripped sheets and a large hook under his bed, moved him to the health centre.

On 27 September, he was transferred to a normal cell, because the safe one on the wing was being refurbished. On 28 September, his social worker came to visit. Kevin, craving security, had hoped for release to his old care home in Guildford. That day, it was confirmed that there was no place for him. A few hours later, he was dead . . . He was 16.

On 26 September this year, an inquest jury returned a verdict of 'suicide to which neglect contributed'."

The article concluded:

"What can the prison service do when it is the unwilling longstop for children who should never be in jail?"

Since 1997, 93 young people have committed suicide while in custody. Detention and training orders seem to have led to an increase in jail sentences, apparently on the mistaken belief that they will result in more rehabilitation. What steps are being taken to review that pattern and ensure that alternatives to custodial sentences, such as the intensive supervision and surveillance orders, are used? Will the Minister comment on the fact, which has been picked up on by one or two hon. Members, that not all young offenders institutions are fully compliant with the principles and requirements of the Children Act 1989? What steps are being taken to ensure compliance? That, too, was a concern in the "Safeguarding Children" report.

Many of the children in custody should not be there in the first place. Half of them are the casualties of an under-resourced and over-pressured child protection system. So far the Government have refused to lift their reservation about children being detained in adult prisons, and the UK locks up more children than any other European country, which is a scandal. The convention makes it clear that custody should be a measure of last resort, so when will the Government honour their commitment to remove girls and young women from adult prisons? What is the timetable for compliance with article 37(c)? When will the reservation be lifted?

Paragraphs 37 and 38 of the conclusions in the report concern child deaths through neglect and abuse. The topic has not been spoken about much today, but is a concern for us all. I fully acknowledge that much good work has been done, not least through the quality protects programmes, but the UN committee rightly draws attention to the appalling level of child deaths in this country. Home Office figures clearly show that child homicide figures in England and Wales have not fallen for 25 years or more. We have cut child deaths on our roads and reduced the risk of disease and illness in children, but the child death rates as a result of neglect and abuse have remained unchanged.

Framing effective policy requires information, but there is a disturbing lack of information on the causes and circumstances of unexpected or suspicious child deaths. As the committee notes, there is no systematic follow-up for child deaths in this country. Incredible though it may seem, there is no permanent database of child death cases. The full extent of child death in this country remains largely hidden. The committee expressed its alarm at the lack of a co-ordinated strategy to reduce child deaths, and made eight specific recommendations concerning the issue. How, in general, do the Government intend to respond to those recommendations? In particular, will the Home Office consider establishing a system of statutory child death inquiries, and include in future British crime surveys all crimes committed against children?

The issue of corporal punishment, mentioned in paragraphs 35 and 36 of the recommendations, has been at the heart of the debate, and has been a cause for concern to many of the hon. Members who have contributed. The Government have set their face against changing the law concerning reasonable chastisement. That is an unacceptable loophole that has allowed our courts to tolerate the use of belts, sticks, canes and other implements to punish children.

Research has shown that physical punishment is ineffective as a form of discipline. It is associated with subsequent aggressive and criminal behaviour in children. A 1995 UK study concluded that physical punishment was a significant factor in the development of violent attitudes and actions by children. Another UK study found that children who were frequently aggressive with their siblings were four times as likely as those who were rarely aggressive to have been severely punished at some time in their life.

Hon. Members, particularly those on the Front Benches, have been right to emphasise the importance of quality parenting, but it is wrong to use that as an excuse not to deal with the issue of reasonable chastisement. No one here is talking about some draconian ban. It is worth remembering that in 1999 a MORI poll for Children Are Unbeatable! found that 73 per cent. of those who responded and 78 per cent. of those with dependent children supported a ban

"if they could be sure that parents would not be prosecuted for trivial smacks".

The year before that survey, the Office for National Statistics found that almost every adult surveyed considered punishment that leaves a red mark or bruising to be unreasonable. Some 76 per cent. of people surveyed said that they did not support the smacking of children under two, and 87 per cent. said that using a cane, stick, belt or other implement to punish a naughty child was not acceptable. There were no significant differences in the views on smacking held by men and women, or by parents in different age groups.

Given those responses to the survey, why have Ministers failed to act? Why are they not prepared to ban blows to the head, shaking and the use of implements? Why are the Government unwilling to put on the statute book the factors that courts must take into account when determining whether punishment is reasonable?

Child prostitution has not been mentioned today, but the Barnardo's "Stolen Childhood" campaign, for which many of us will have seen the literature—not least the haunting posters of young children made old before their time by abuse through prostitution—has moved many. We are talking about boys and girls as young as six. In paragraphs 55 and 56 of the recommendations, the UN committee expresses its concern that the law criminalises children who have been the victims of such exploitation. In the "Safeguarding Children" report, the joint chief inspectors said that they were particularly concerned about a child protection system that seems to be in denial about the problem. They also said:

"it is apparent that little effort has been made to identify the extent of the problem or address the needs of these victims of child sexual exploitation."

[Mr. Paul Burstow]

The lack of a clear strategy to pull together the evidence from across agencies, co-ordinate intelligence gathering, and put in place the support such children need is a gross neglect. What plans do the Government have to commission the study on the scope, causes and background of child prostitution that was recommended in the report? What plans do the Government have to make it a criminal offence to buy or sell the sexual services of a child, or to participate in, facilitate or allow sexual exploitation of a child under the forthcoming sexual offences legislation? The Government signed the optional protocol on child prostitution in September 2000, but they have yet to ratify it. When will they do that?

Barnardo's rightly drew attention to the role of the internet in luring children into prostitution. Following a constituency case 18 months ago, I raised my concerns at Prime Minister's questions about paedophiles using teenage chatrooms to groom children for sexual purposes. I welcome the fact that the Home Office set up a taskforce on internet safety. I am a member of that taskforce, and I have been encouraged by the progress that has been made in framing both a legislative and a multi-agency response to the issue. However, what assurances can the Minister give today that the House will soon be able to enact those vital protections?

I want to question the monitoring of the implementation of the convention. The UN committee has asked the Government to enshrine the convention in our domestic law, and many hon. Members have said much the same today. Do the Government support taking that step?

The committee expresses deep concern that, although there is a Children's Commissioner in Wales—which is a welcome innovation—and there are plans for similar posts in Northern Ireland and Scotland, there is no such post in England. The Liberal Democrats believe that establishing a children's rights commissioner would ensure that Governments took children's rights seriously in their policies and decisions. Some powerful arguments have been advanced for that today.

By definition, that office is a guardian of the human rights of all children, not a manager of child protection services or of a Government welfare or quality assurance programme. Children's rights commissioners are meant to ensure that Governments consider children as citizens now, rather than only when they grow up and can vote. I regret that, to date, Ministers have set their face against such a post, preferring instead the more narrowly drawn children's rights director in the National Care Standards Commission. That is a valuable post, but it is not an adequate response to the matter, as it covers only looked-after children and fails to meet this country's obligations under the convention.Moira Rayner, the former director of the London Children's Rights Commissioner's office, put it this way:

> "A Children's Rights Commissioner is a canary in the mine, giving warning. It is better to prevent than to remedy a wrong, and anyway it is no remedy to give the damaged adult a wronged child may become the 'right' to chance their luck in the courts that were not designed to deal with them."

Can the Minister outline the Government's case against the establishment of such a commissioner? We have never heard that case articulated by a Minister; perhaps we can do so today.

The UN committee makes several specific recommendations about data collection. When I was preparing for this debate, it became clear to me how little the Government know about the circumstances of unaccompanied asylum-seeking children. There is no regular collection of statistics on the numbers or needs of that group of children—indeed, apart from a snapshot survey conducted last year of a typical week in a local authority, no information has been collected. How is it possible to plan sensibly and sensitively for the needs of those children without basic information? Establishing a clear picture of how many of them there are in the country is a key ingredient in developing responses and services that those very damaged children need. It is hardly surprising, then, that the committee was so critical of the Government's handling of asylum-seeking children.

The committee has set out a massive agenda of issues and recommendations for the Government to consider. The Minister has outlined some of the responses that the Government have made so far. It is vital that they act to ensure that this country's obligations under the convention are honoured, and that children's rights are named and claimed for children when they are children.

4.58 pm

Mr. Denham: I am grateful to the hon. Members of all parties who have taken part in this debate. A huge number of issues have been raised, and even though I have been left about half an hour to speak, I cannot promise that I will manage to recall all of them—even with the help of my notes—let alone answer them satisfactorily. However, I will deal with as many as I can.

It is a shame that the Back-Bench contributions have come entirely from Labour Members. Given the importance of these issues, it is a pity that the other parties have been represented only by their Front-Bench spokesmen—although they have done a good job.

Mr. Grieve: That is a problem, but this afternoon's debate in the Chamber is on the local government finance formula, which is of enormous importance, especially to Back Benchers. In the circumstances, it is no great surprise that that has been their priority.

Mr. Denham: None the less, one or two might have made their way here to express their interest.

I look forward to seeing my hon. Friend the Member for Ealing, North (Mr. Pound) at St. Mary's on Sunday afternoon. Perhaps he will join me at half time when I am hoping to launch the next phase of the anti-racism campaign run by Southampton football club. That will provide him with some half-time entertainment.

On more serious matters, let me start with the issues raised by the hon. Member for Beaconsfield (Mr. Grieve). The NSPCC's figures on child murders are of course shocking, but it is worth remembering that this country has one of the lowest child murder rates in western Europe. Some indicators, particularly the number of children on at-risk registers, are more fairly viewed as a measure of how we have built on our child

protection systems in recent years rather than as an accurate reflection of the scale of the problem. The inspectorate report published last Monday acknowledges considerable improvements, though clear gaps in the system remain—

Mr. Dawson: On a point of order, Mr. Pike. I am afraid that we cannot hear the Minister at this end of the Chamber. Something may be wrong with the microphone.

Mr. Peter Pike (in the Chair): I do not know whether the problem is in the system, but the microphones are sensitive to position, so I hope that the Minister will position himself well.

Mr. Denham: I will step forward.

I was saying that some of the examples used by the hon. Member for Beaconsfield can be read as evidence of the extent to which we have built a more extensive system of child protection rather than as evidence of the problem. It is rather like increases in certain types of recorded crime, which show that people are acquiring more faith in the system. As the inspectorate's report showed last year, much has been done, but improvements remain to be made. As well as considering how best to respond to the report, the Government are waiting for Lord Laming's report on the Victoria Climbié case. We do not know exactly what they will be, but proposals for changes to the system of child protection will certainly be recommended and the Government will want to take them very seriously indeed.

The hon. Member for Beaconsfield made an interesting speech, and it was a measure of how public debate has changed over the past five years. It was mainly about what the evidence shows about the best forms of prevention and early intervention in the lives of young people and young offenders. However, he is a member of a party that never spent anything like the resources that we are spending on services. At the last election, his party proposed to cut £20 billion from public spending.

I welcome debate about the best model for early childhood strategies. Ministers did not design the sure start programme on the back of an envelope. It is based on extensive reviews of the published and evaluated evidence on the most effective ways of intervening to help young people. The same is true of the youth offender strategies promoted by the Youth Justice Board. There is always room for debate about innovations and new ideas. I am glad that today's debate has been about how to make the best of the substantial investment that we are making.

Without prejudging what Lord Laming will say, we clearly need to improve our ability to identify young people at risk and to ensure that services for them are properly co-ordinated. That is why in the autumn, after the spending review, we announced that in England—it does not apply to the devolved Administrations—we shall be working with local authorities, the health service, the police and other agencies to put identification, referral and tracking systems in place. It is a way of sharing information about young people when different agencies are concerned about them, to ensure a concerted response.

We all know from our constituency work of individual children who were known to the police, social services and education organisations, but in respect of whom the different agencies had not co-ordinated their response. Such a child can end up in crisis, may need to be taken into care or even end up in a young offenders institution. If there had been an intervention four or five years earlier in those children's lives, that would have led to a different and more positive outcome.

We are building on the current system to ensure that we have better focused strategies to identify those young people who are at risk. We will ask all the agencies that I mentioned to work together in a more concerted way from next spring, to develop clear preventive strategies for young people. Those strategies should show not only how the agencies will identify the young people at risk but how they will work together to respond to their needs. We are moving forward. There is a great deal more to be done in this area, but we can be pleased with what we have done so far.

My hon. Friend the Member for Sheffield, Heeley (Ms Munn) acknowledged what the Government have done so far. I disagree with one of her substantive points about the naming of children who are the subject of antisocial behaviour orders. We believe that such orders can play an effective role in strategies to control youth nuisance at local level, with which I know she agrees.

Such orders are used most effectively as part of a wider strategy, which on some occasions will attempt other interventions before moving to an ASBO and in others will move straight to it. The impact of an ASBO depends on people knowing that the order has been made, so that the public and the communities that have been affected can help to monitor and identify any breaches of the order. An ASBO that cannot be enforced, so a breach cannot be prosecuted, is unlikely to be fully effective. Although the courts have discretion in the matter, the ability to name an offender under an ASBO is a key part of the measure. If we removed it, the measure would not be effective in many circumstances.

There are a variety of views on smacking and reasonable chastisement. There are those who would like any form of smacking to be outlawed. Others, such as my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson), said that the issue concerned not so much outlawing it entirely as the definition of reasonable chastisement, and that the law should, perhaps, be amended to be more precise about what that means.

There are several issues that we need to take into account. I spoke to several of my counterpart Ministers in countries that have banned smacking, and they said, universally, that those laws had not been enforced but were symbolic. Therein lies a difficulty that may be peculiar to the United Kingdom—I do not know, as I am not an international legal expert. We have very little tradition in this country of declaratory legislation, of passing laws as a symbol of what we mean, rather than ones that we expect to be enforced. Had we a different tradition, the debate might also be different.

I believe that trying to amend the law to be more precise would probably get us into more hot water and more difficulty than we would wish. I have in mind the analogy of the law on euthanasia. It does not fit exactly what happens, and most attempts to suggest something

[Mr. Denham]

different would probably make it worse rather than better. The same would be true of an attempt to define more precisely what we mean by reasonable chastisement, or to come up with an alternative form of wording.

In practice, I believe that the law, backed up as it is now by the European convention on human rights, under which test cases have been taken, provides sufficient protection for children. I do not advocate smacking. I have two children, one of 15 and the other of 12, and neither of them has ever been smacked. I am, personally, a strong opponent of smacking. Not everyone in the Government shares my opinion, but I am certain that the way to send out the right signals about smacking is by supporting positive approaches to parenting, by having programmes that support parents in seeing different ways to discipline and by helping them to convey ideas about good and bad behaviour to their children. That is preferable to attempting to bring the criminal law into this difficult and sensitive area of family life.

Mr. Dawson: Does the Minister accept that the Government might be on stronger ground on the matter if, in the consultation that preceded the latest modifications to policy, they had offered the people of this country the option of abolishing the concept of reasonable chastisement, as the Scottish Parliament offered it to the people of Scotland?

Mr. Denham: There will always be different views about whether a particular consultation should have covered more options. The lesson from the consultation exercise, which was carried out through the Department of Health, was pretty clear in its conclusions. It endorsed our sense that a change in the law is not the right way to address the issue.

Mr. Burstow: Can the Minister confirm that the Government's clear and settled view is that they would not wish to legislate to ban blows to the head, shaking a child or using implements to punish a child?

Mr. Denham: We are not proposing to legislate on such matters. In case the hon. Gentleman wants to read something into my response, that does not mean that we would approve of forms of punishment of children that amount to assault. That is very clear, and I believe that it is the legal position. I think that, in practice, setting out detailed legislation would be a difficult challenge. We would be in danger of diverting attention from the real issue, which is how we support parents in finding alternative ways to discipline their children, other than any type of physical chastisement. The time devoted to the debate on what the Victorian law says, as interpreted by the European convention on human rights, amounts to a diversion from the real issue of how we can promote more positive approaches to parenting. We have more to do on that, although we have made a significant start in the past few years.

Smacking relates strongly to the question of a children's rights commissioner or a children's champion. Several hon. Members referred to that. Forgive me if I cannot identify every comment with each individual Member; I hope that people will bear with me and recognise their own contributions. I said earlier, and several hon. Members acknowledged it, that there are different interpretations of who such a person might be. Those interpretations range from someone who would be, essentially, a children's ombudsman, who could take up complaints and issues raised by children, to the incorporation of the concepts of the convention in primary legislation. Somewhere in between is a body that might have the right to declare whether we have complied with the convention and which may have greater or lesser powers to require the Government to act. That is the spectrum of ideas that we are considering.

My view is that if we went for incorporation, it would inevitably be implied that we wanted to shift a huge policy area involving children to the courts and away from a democratic Parliament. Whether or not my view on smacking, and the Government's, is right, the decision on what the law in this country says about smacking should be taken by an elected Parliament, not franchised out to the courts.

Although not everyone takes the same view as me, I do not think that many people would accept the idea of the law on smacking being determined by the UN committee observing our progress on the UN convention on the rights of the child. Surely Members of the elected Parliament must decide the convention's interpretation—we believe that our position complies entirely with it.

In debates on commissioners, ombudsmen or others, we are considering what role such figures could play in achieving not only legal, but cultural and political change. I do not believe that we could ever have made a commitment to abolish child poverty in a generation because we had a children's rights commissioner. We have made a commitment to do that because we persuaded this country's people to elect a Government who intended to make child poverty a priority. Whatever commissioner we had, if a Government did not want to abolish child poverty, and the people did not want them to, it would be very difficult for such a person to impose that objective on them.

The matter, then, is not quite as simple as giving someone an office with a plate on the door saying, "Children's Rights Commissioner". Before we resolve the issue, we have to decide what Parliament's responsibilities are in the matter, what is to be decided democratically, what are the issues on which the convention provides a useful stimulus—as it does to me as a Minister in judging my actions and policies—and which issues Parliament should decide are to be determined by lawyers and courts, rather than by Ministers and elected MPs. Thus the matter is not, in my view, as simple as some of its advocates claim, because there are important choices to be made.

Mr. Burstow: The Minister makes a fair point about the spectrum of debate that must take place, but is he minded to introduce a Green Paper to enable those debates to happen? We can make progress quickly, but the Government clearly want further debate, so may we have a Green Paper?

Mr. Denham: Last year's launch of the consultation on the overarching strategy for children was not

specifically a consultation document on the establishment of a children's rights commissioner, but I have found that, in practice, it has elicited many responses on that subject. I cannot prejudge decisions that have not been made, but we are examining the matter as part of our consideration of responses to the overarching strategy. I want that strategy, including our action plan on the United Nations General Assembly special session on children held last May, to include the debate on a children's rights commissioner. I do not want to separate addressing this matter from what the Government want to do for children as a whole. That would be an artificial separation of rights and policy, which I do not want.

My hon. Friend the Member for Lancaster and Wyre also mentioned the rights agenda. I have suggested to him some issues that I would raise in response to his approach, but that debate can continue later. He also mentioned mental health. He might have seen the announcement by my right hon. Friend the Secretary of State for Health, made some 10 days ago, of a significant expansion of child and adolescent mental health services during the next three years as a result of the spending review. That will be welcomed by everyone. Mental health has been regarded by many, including me when I was a Minister at the Department of Health, as an area in which we did not do as much as we should have done for children, so the announcement will be widely welcomed.

My hon. and learned Friend the Member for Redcar (Vera Baird) raised some important and well informed points about young defendants facing serious charges. She acknowledged that the guidance issued in 2000 went some way to try to humanise the court arrangements for young defendants—for example, abandoning robes and wigs, restricting presence in the public gallery, including that of the press, and ensuring that all participants are on the same physical level. However, she raised other points on which I should like to reflect a little after the debate. She put her points very powerfully indeed.

My hon. and learned Friend also rightly mentioned child care. She will know that a major expansion of child care, in terms of the development of children's centres, was put forward in the spending review last summer. I was not able to deal with that at length in my opening speech, but it is very much part of our provision for children, which will also help with the positive parenting that we have discussed.

I have much sympathy with how my hon. Friend the Member for Gedling (Vernon Coaker) put his points on what challenges we face. He is right that a big challenge is to make participation real, and we have shown that we can do that through schemes such as quality protects. The development of the Connexions service throughout the country has shown much good practice in its involvement and consultation with young people, but, to be honest, the national and local position is patchy. Over the next few years, we must identify good practice and respread it as quickly as possible.

We should probably do more to bring issues that need local consideration to the attention of Members of Parliament, including how they can involve young people in their constituencies and ensuring that they listen to young people. That is especially relevant if, as I hope, we develop occasional youth-oriented Question Times in this Chamber. I also hope that we can do more to achieve that through hon. Members' work in the all-party group on youth affairs. I should acknowledge the role played by my hon. Friend the Member for Lancaster and Wyre in the all-party group on children, which also works extensively in that area.

There have been important changes, such as the rights of young people that are enshrined in education legislation. There have also been moves over the past few years to ensure that people listen to children with special educational needs during the identification of their future educational needs.

The hon. Member for Sutton and Cheam (Mr. Burstow) and my hon. Friend the Member for Lancaster and Wyre spoke about unaccompanied asylum seekers. We know that there has been substantial growth in the number of such people, and we do everything we can to recognise the rights and needs of those young people.

With regard to the United Nations convention, it is not feasible to run a proper immigration system on the basis that any child who arrives in this country following payment to people traffickers is considered not part of the asylum system, but simply a child. We must step up our efforts to tackle people trafficking. That is a reason why we have a reservation regarding the UN convention. We make every effort to ensure that how we run our asylum system takes into account the needs and interests of such children.

As well as reminding me about Sunday's football match, my hon. Friend the Member for Ealing, North raised several Northern Ireland issues and referred to baton rounds. He knows that the type of baton round has been changed following extensive testing programmes involving the police scientific development branch, which comes under my Home Office responsibilities. Every effort has been made to ensure that the less lethal technologies that are used are as unlikely as possible to risk causing lasting damage or death, but it is impossible to eliminate that risk from any technology that we have. A balance must be struck for police officers who face riot situations in Northern Ireland or, indeed, on the mainland. They must be able to control the situation without putting themselves at impossible personal risk. We take that issue seriously.

I referred to my Home Office responsibilities. Several hon. Members, in addition to flattering me, suggested that I should not have a day job in addition to this one. I take that as a mixed blessing. The issue is difficult, but, fortunately, it is one for the Prime Minister, not me. I regularly tell children's organisations that one can argue the point both ways. A Minister who is dedicated to a specific issue, but who has no handle on a specific Department, runs the risk of being relatively marginalised when up against Departments with punching power.

Equally, if the Minister, like me, has departmental responsibilities, less time can be devoted to that issue. I believe that being a Home Office Minister has strengthened my ability to push through several aspects that I have mentioned, especially those such as youth participation—a person must prove that that can be done in their Department, rather than just going around telling everyone else how to improve their act. I am sure that the debate will continue, but our current approach has real advantages.

[Mr. Denham]

My hon. Friend the Member for Bristol, West (Valerie Davey) brought a much-needed international dimension to the debate, for which I am grateful. I am not familiar with the Canadian report to which she referred—no doubt I should be, and now I will have to be—but I shall draw the matter to the attention of my colleagues at the Department for International Development and the Foreign Office. The UN intended, and intends, to safeguard the universal rights of children around the world, and we need to do what we can to promote them, including in problematic and conflict-ridden countries such as Afghanistan.

My hon. Friend the Member for Bridgend (Mr. Griffiths) raised some important points. He is right to say that there are areas of overlapping responsibility in the devolution settlement that we must identify and work through. For example, the Home Office is responsible for policing and crime reduction in Wales, but my remit as Minister responsible for children and young persons stops at the boundaries of England. I can tell my hon. Friend that the children and young people's unit meets quarterly, with a formal agenda, representatives of the devolved Administrations, including that for Wales.

Part of that work is to co-ordinate the UK's response to and implementation of the convention. There is weekly—indeed, daily—informal contact between the CYPU and Welsh Assembly officials, and a Welsh delegate went to the UN hearings in Geneva. Although we can do more on some issues, as my hon. Friend says, there is good co-operation. We are watching with interest the development of the commissioner role in Wales, Scotland and Northern Ireland, and how it relates to children's policy.

The hon. Member for Sutton and Cheam raised a series of issues. I cannot deal with them all, but I hope that I have at least made my position clear on the children's rights commission and on smacking. He asked about young offenders institutions and sentencing trends. I am not aware of any evidence to suggest that the development of the greater use of detention and treatment orders is a result of misapplied sentencing. A great deal has been done to ensure that courts understand why a combination of custody and supervision and training should provide a more rehabilitative framework than an alternative such as the same period spent entirely in detention. Its increased use does not necessarily suggest that new people—those who would not have been in the system in the first place—are being caught up in it.

I agree, however, that we need to continue to extend the range of non-custodial provision, especially the intensive supervision and surveillance programme, which has produced extremely good results. My view is that that is partly because it brings a degree of structure to the chaotic lives of young people, often for the first time. There is statutory guidance on child murder reviews, so the hon. Gentleman may be incorrect in saying that there is no statutory procedure when a child dies following abuse or neglect. I shall look back at precisely what he said and clarify the point if necessary. I recognise the importance of the work on child prostitution, and I am grateful for his contribution to that.

We intend to ratify the convention, and we will be in a position to do so when we have found a way to ensure that our laws cover internal child trafficking as well as the external trafficking that will soon be so covered.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes past Five o'clock.

Westminster Hall

Tuesday 29 October 2002

[SIR ALAN HASELHURST *in the Chair*]

Regional Air Services

Motion made, and Question proposed, That the sitting be now adjourned.—*[Derek Twigg.]*

9.30 am

Mr. David Stewart (Inverness, East, Nairn and Lochaber): I welcome the opportunity to debate the important subject of regional air services. I thank the many right hon. and hon. Members here for attending today. I also thank the many Members who attended the debate that I organised in July in Portcullis House to consider the subject, especially my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody), who spoke at it.

I shall touch on several issues. I shall define what I mean by regional air services and consider current issues and problems and the report of the former Select Committee on the Environment, Transport and Regional Affairs. I intend to analyse the role of government, not only here but in the United States and France, and the prospects for government intervention. I should like to summarise briefly the points that I made almost a year ago to the day in this Chamber on a similar Adjournment debate, and analyse the south-east and east of England regional air service study—SERAS—which is crucially important to the debate.

What do I mean by regional air services? They could be defined as routes from London in its broadest sense—from Gatwick, Heathrow, Luton, London City and Stansted to domestic UK airports such as my constituency of Inverness, Aberdeen, Newquay, Belfast, Plymouth, Dundee, Glasgow, Edinburgh and, let us not forget, the Channel Islands, for which regional air services play an important role. Of course, the two primary hubs in London are Gatwick and Heathrow. Journeys tend to be of two types: point to point or interlined, by which I mean domestic flights that continue to international destinations. Heathrow is undoubtedly top of the interlining league, Gatwick is mid-table, and Stansted and City, to continue the football analogy, are unfortunately very much in the relegation zone.

What current trends and problems are evident in United Kingdom regional services? Mr. Laurie Price, from Aviation and Travel Consultancy Ltd., analysed daily flights from Heathrow to regional airports between 1986 and 2001. In 1986, 19 regional UK airports had direct flights to Heathrow, with an average of 106 flights daily. However, in the summer of last year only eight regional airports had direct flights to Heathrow, and the daily average of flights had fallen to 88. In 1986, 15 airports had direct flights to Gatwick, and by 2001 that figure had fallen to 11. To be fair, Gatwick's daily flight average is now slightly higher, in part because of the transfer of domestic flights from Heathrow, including my own route.

Which airports have lost out? Heathrow services were slashed from Inverness and from Plymouth—where the constituency of my hon. Friend the Minister lies—in 1997, from Dundee and Carlisle in 1987, from Liverpool and East Midlands in 1992, from Birmingham in 1993, and from Norwich in 1990. Why do such cuts occur? Services in the UK are a free market and in simplistic terms the profit per mile per passenger is better for intermediate and long-haul flights than for domestic UK routes. In effect, commercially viable daytime slots at Heathrow and Gatwick are full.

I have asked some questions on the subject. Last summer there was 20 per cent. excess demand for slots at Gatwick. On a typical summer's day in August 2001, demand exceeded capacity by as much as 22 per cent. every minute between 6 am and 8 pm. That, of course, is fully reflected at Heathrow as well.

Aviation was badly affected by the tragic events of 11 September. Airline costs rose and initially growth and traffic were reduced. The traffic in question, however, has fully returned. As the Minister well knows, his Department has predicted a 4.25 per cent. growth rate in passenger numbers every year. In London, there is no new capacity to take that growth. The last substantial runway built in the UK was in Manchester more than a decade ago. In the competition for slots, therefore, regional air services will always lose out to their older and bigger brothers: international and transatlantic flights.

In 1998, the then Select Committee on the Environment, Transport and Regional Affairs undertook a comprehensive inquiry into regional air services. The Committee made several recommendations to the Government, which I fully endorse. It argued for different categories of slots—domestic, intermediate and long haul—so that swapping of slots could be controlled, as in the United States. It also suggested that, in the allocation of slots at domestic airports, priority be given to airlines bidding to operate domestic regional services. That would be similar to the US essential air services programme. The Committee recommended an end to airlines' own companies allocating slots at airports, as they do at Heathrow and Gatwick. It also argued for the development of public service obligations—PSOs—at Heathrow for a specified minimum level of air services.

The current European slot allocation rules—governed by European regulation EC 95/93—have been due for revision for some time, although I understand that we will not have a complete spring clean until 2003. In my view, they must be adapted to allow greater protection for vulnerable regional air routes, otherwise there will always be a trade-off between domestic routes and more lucrative international destinations.

What role can the Government play? What examples of best practice have there been throughout the world? In simple terms, under the EU regulations member states can reserve slots in two ways: first, on a route to an airport serving a peripheral or development region, if that route is considered vital for the economic development of that region; secondly, on routes on which the Government have imposed PSOs to make sure that a service is maintained that would otherwise not be.

[Mr. David Stewart]

There are demanding regulations for the first option: the slots concerned must have been used on that route when the regulations came into force in 1993; only one carrier must operate that route; and, it must not be possible for the route to be covered substantially by any other mode of transport. The reservation ceases once a second carrier covers the service with the same frequency.

Only in France has the first option been used, at Paris, Orly airport. It is now using the second option of imposing PSOs and I believe that some 30 per cent. of services at that airport now have PSOs. At present, there are no English PSOs. In Scotland there is a long track record of them, particularly in the island services, such as the Western Isles. They are all exclusively subsidy PSOs, however. I am certainly not calling for subsidy PSOs today, which are not needed on routes that are commercially viable.

In the United States, the essential air services programme has operated since deregulation in 1978. That was the price that Congress demanded for passing legislation. Congress now spends $50 million per year on that important programme, which serves 75 cities in the US. Most are in remote areas, such as Alaska. At very congested airports though, the United States Department of Transportation can demand that EAS status be given to certain routes. The Government have a strong power of intervention, in a country that is arguably the most unregulated in the industrial world. We should examine that closely—if it fits, why not copy it?

Lembit Öpik (Montgomeryshire): On that point, I know the Welsh air service opportunities best. America also seems to have accepted the idea of having a large number of hubs, with the regional airports acting as spokes. What does the hon. Gentleman think of the idea that we cannot sustain the increasing pressure for international flights through London, so we should use places such as Cardiff, Birmingham and Manchester to ease that pressure? Should we have spokes going into those hubs?

Mr. Stewart: The hon. Gentleman makes an important point. It is important that we develop alternative hubs and I note that Manchester is doing so. That does not put an end to the argument that many of our tourists and business people want to get to London and that therefore we need the capacity in London. However, developing alternative hubs and super-hubs, as they have in the rest of Europe, is vitally important.

What are the prospects of a Government intervention in this case? The bulk of witnesses before the Select Committee inquiry to which I referred argued that there was a case for public sector intervention to protect key vulnerable regional air services. In my constituency, the Highland council, the enterprise agency, the Scottish Council for Development and Industry, the local chamber of commerce and more than 90 per cent. of local businesses argued that we should have a public service obligation on the Inverness to Gatwick route. The Minister may wish to comment on a letter that proposed a draft PSO, which his Department received from Sarah Boyack, a former Minister for Transport and the Environment in the Scottish Parliament.

In paragraph 93 of the evidence to the Select Committee, the Minister's Department stated that the United Kingdom would have a chance to suggest amendments during the revision of the European slot allocation regulations. It stated:

> "Particularly if the Commission does seek the ability to restrict the ability to ring-fence slots, one possibility might be to propose balancing that by giving greater priority to regional services in the . . . allocation of available slots."

British Midland criticised the new entrant rule in slot allocation and used the example of Heathrow, which has had 53 new entrants since 1991. There have been too many low-frequency long-haul services, which have frustrated prospects for domestic air services. Effectively, they have been squeezed out by low-frequency long-haul services.

It is often said—and it may be a cliché—that politics is the art of the possible. However, it is also the art of the practical, within a range of competing priorities.

Angus Robertson (Moray): On the art of the possible, does the hon. Gentleman agree that the case has been convincingly made for a PSO between Inverness and London Gatwick? What possible explanation can he suggest for the Government delay in acceding to such a reasonable request from the Scottish Executive?

Mr. Stewart: I thank the hon. Gentleman for the intervention. My track record on this matter is well known, because I argued for the PSO for many years before the hon. Gentleman became a Member of Parliament. It is important that, if we meet the criteria, we get that PSO. However, before that decision is made, we need to persuade Europe to open up the regulations, so that it is much easier for routes such as Inverness-Gatwick to qualify. There are legal arguments, too, but as I am not a lawyer I shall not take them up. I am sure that the Minister will want to comment on them in his reply.

A simple solution to the problem is to build more runway capacity at Gatwick and Heathrow. However, this may not be a suggestion that wins me much favour with my right hon. and hon. Friends who represent London seats. Judging by the experience of Manchester airport and Heathrow terminal 5, one must allow 10 years for the lead-in time for planning, because of the large number of likely objections. However, technical solutions may be found. For example, the Cranford agreement that covers Heathrow and governs the speed and direction of take-off and landing times could be varied to create more slots for regional air services.

There may also be creative solutions. Laurie Price, the aviation consultant to whom I referred earlier, argues that 70 per cent. of aircraft using Heathrow and Gatwick use a 1,800 m runway. RAF Northolt has such a runway and could be adapted as an overflow airport for Heathrow. Redhill aerodrome, which is not too far from Gatwick, could perhaps be adapted for the same purpose.

What future is there for regional air services? I welcome the Government commitment to the new White Paper and I commend the effort that is going into

the consultation process. However, I and many other hon. Members from peripheral regions want immediate solutions. We need the bread of new runways at Gatwick and Heathrow today—or at least in the next five years—rather than the jam of possible new runways and protection in 10 to 15 years.

I also welcome the commitment and key objectives set out on page 277 of the Scottish regional consultation document, which refers to allowing

"a days business to be transacted in a wide range of UK and European cities from all parts of Scotland".

The achievement of such objectives will in large part depend on maintaining links with London Heathrow and London Gatwick, the UK's leading network hub airports. On the Government's admission, however, in the SERAS consultation mentioned earlier, both Heathrow and Gatwick are full today. The viability of additional slots at those airports is limited, particularly at peak times. In such circumstances, there is no prospect of improving schedules or frequencies to peripheral regions. According to the SERAS consultation, the earliest time that additional landing capacity is envisaged is 2011. Realistically, the date is more likely to be 2015 if bold initiatives like the new runway at Sipson at Heathrow are to be developed.

Against that historical background, it is difficult to accept assertions that a proportion of any new capacity would be kept for regional air services. It cannot be in the best commercial interests of commercial airlines to do so. Some would argue that that would be failing in their duty to shareholders. In 10 to 15 years, capacity will be an even more difficult problem and new capacity will just be taken up through expansion of short-haul and long-haul services. The regions will still be left in limbo. The only practical way forward is to include immediate capacity solutions in the White Paper.

I commend the Government for recognising the importance and contribution of the air transport industry. Its contribution to the economy is £10.2 billion. It accounts for 1.4 per cent. of gross domestic product and, directly, 200,000 transport jobs. Heathrow and Gatwick are leading international network airports, with more services to more places than competing continental airports. As my right hon. Friend the Secretary of State for Transport said,

"doing nothing is not an option."—[*Official Report*, 23 July 2002; Vol. 389, c. 847.]

We now have a comprehensive process of researching, identifying and consulting on airport and runway options. I welcome the Government's commitment to a new aviation White Paper by spring 2003—the first for almost 20 years. However, there are some negative points to be made.

Seventy per cent. of demand is in the south-east. That will always take precedence over the needs of the regions. As I mentioned, Heathrow and Gatwick airports are full. Stansted will be full by 2005. There will be no new runway in the south-east until 2011 and 17 regional routes have lost London services since 1986. No new runways for 10 years will mean that airlines will gradually trade slots used for regional services for use by higher revenue long-haul services. For example, British Airways dropped Belfast-Heathrow after 54 years last year. There is no prospect of additional regional or domestic routes or of reinstatement of lost services such as the route that Norwich lost in 1990.

Increased reliance on low-cost, point-to-point services from regions to secondary airports will leave many regions off the international development radar. The no-frills carriers provide excellent low-cost links to some peripheral regions, to the benefit of passengers and regions, but those areas must have full service network links to London hubs, with worldwide interline access to services, as a key to economic development. That means maintaining access to Heathrow or Gatwick via the services of a full service network carrier such as British Airways, British Midland or British European.

I spoke to representatives of the largest employer in my constituency a few weeks ago. It is called Inverness Medical and is owned by Johnson and Johnson. The American who runs the company, which has 1,400 employees, made it clear that he would not be in Inverness if there were not direct links to London Heathrow and Gatwick. I am sure that many hon. Members could echo that experience with reference to their constituencies.

As Amanda Francis, the UK representative of the States of Guernsey, told me yesterday,

"Guernsey believes that in the short to medium term slots into Heathrow and Gatwick should be ring fenced for regional access for air services to ... all parts of the United Kingdom and the Crown dependences of Guernsey, Jersey and the Isle of Man."

The SERAS proposals include a new runway at Sipson, Stansted or Cliffe. Gatwick, which is of course London's second largest network airport, has been left out, for unsupported reasons based on the 2019 agreement, a planning agreement with the local authority that there can be no new runway before 2019. None of the options is deliverable in less than 10 years, possibly longer. Only the Heathrow option takes account of where market demand is greatest, and Gatwick has largely been ignored as a major regional UK focus by the SERAS study.

What is the solution? The Government must now accept the crucial importance of specific regional air links to specified London airports and work with the EU to secure designation and protection of the slots for those links, just as has happened in France and in the Republic of Ireland, where the Irish Government have secured a PSO designated link between Londonderry and Dublin. The Government must afford the same protection to air links from peripheral regions to London. Concurrently, we need to develop Northolt at Heathrow and Redhill at Gatwick to provide specific capacity for regional and short-haul services for those airports with runways up to 2000 m long.

In paragraph 14.17 of the SERAS document, the Government called for maximum use to be made of Heathrow, Gatwick, Stansted and Luton airports. However, without more runways, many of their proposals will remain undeliverable. We must develop Northolt now and Redhill within four years. That could increase the capacity of the London system, where demand is greatest, by 60 million passengers. Developing Northolt and Redhill may require concurrent ring-fencing of slots through PSO or similar designation.

Some people may ask why capacity must be provided at Heathrow and Gatwick. What about other airports? I answered that question in a reply to an earlier intervention. Heathrow and Gatwick offer a range of

[Mr. Stewart]

destinations and connections to the worldwide network of air services that is unrivalled by any other UK airport and, arguably, by any airport in Europe. We must encourage airlines that want to run domestic links to bid for more local services. We need to divide slots into domestic, intermediate and long haul, to stop the trade-off between Belfast and Bonn, Aberdeen and Athens and Plymouth and Paris. We need to create a regional policy for aviation, which recognises the legitimate need of regional airports to have access to at least one of the two key hubs in London, Heathrow and Gatwick.

We need to protect peripheral routes by ring-fencing slots and routes. We need published route development plans for Gatwick and Heathrow, which take account of the need for regional travel and national priorities for airports. We need more London hub capacity and more 1,800 m runways. Then, we can truly say that we have a UK-wide regional policy, which develops the regions and builds social inclusion.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. Not all right hon. and hon. Members indicated beforehand that they wished to speak, so I have only just formed an impression of how many would like to contribute to the debate. As it is customary for the Front-Bench spokesmen to commence their speeches at 10.30 am, I hope that hon. Members will exercise some self-restraint so that the maximum number of voices can be heard.

9.52 am

Mr. Charles Kennedy (Ross, Skye and Inverness, West): I am grateful for the opportunity to contribute briefly to the debate and to support my neighbouring colleague, the hon. Member for Inverness, East, Nairn and Lochaber (Mr. Stewart). I congratulate him on securing this morning's debate and on his parliamentary and political persistence over many years on the issue. I shall focus in my remarks on our collective concern, the Inverness-London link, and issues that arise from that.

The hon. Gentleman will remember that, after the 1997 election, we both contributed to a debate in the House, which I initiated, with the then Under-Secretary of State for Transport who was responsible for these issues. With some amusement, I noticed some oral exchanges in *Hansard* between the hon. Gentleman and the Minister earlier this year. At column 134 of *Hansard* for 23 April 2002, the Minister noted that his hon. Friend had cheekily introduced the subject of Plymouth. I say "cheekily" because, during party campaigning before the 1997 election in that neck of the woods, I remember seeing prominent regional newspaper coverage of the then Labour Opposition transport spokesman pledging a Labour Government to a public service obligation for the Plymouth-London link. The Government have form in opposition; I can provide the Minister with chapter and verse as I have a voluminous file on the matter. All that we seek is the consistency to which the Government have long since pledged themselves. It will have full support from all quarters of the House.

The current highlands campaign is broad based. It represents the whole business community and traverses the Highland council, Highlands and Islands Enterprise, the Scottish Council for Development and Industry and Inverness and district chamber of commerce. They have set themselves five key policy objectives in making the case for the public service obligation order for the continuing guaranteed link between Dalcross Inverness airport and London. The first is secured guaranteed regional air services, to which the hon. Gentleman devoted the bulk of his speech, and the second the need to secure the public service order. The third is to establish a minimum level of guaranteed air service from London to the regions. I underscore what the hon. Gentleman said. This is not just a selfish argument about one link; it is part of a UK-wide recognition of the importance for regional economies of regional links into and out of the metropolis.

Fourthly, there is the thorny issue of capacity in the south-east, to which the hon. Gentleman fairly alluded. Again, that is part of a much bigger consideration. Finally and importantly, there is the ability of the regional interests involved effectively to own their air slots, which would give them a greater degree of locus where decision making is involved.

I hope that the Minister can update us further vis-à-vis the European Union and the lengthy ongoing discussions—discussions are always lengthy where the EU is concerned. We have made the case so many times that I do not need to rehearse the excellent points made by the hon. Gentleman, which I completely endorse. However, I would like to stress that the Scottish Executive fully support it. Lewis Macdonald, one of the transport and planning Ministers involved, wrote to me some time ago and stated:

"The current Slots Regulation is being revised and I shall ensure that the UK's negotiating position on the revised Slots Regulation adequately reflects Scottish concerns. My officials are keeping in touch with colleagues at the Department for Transport, Local Government and the Regions on this issue."

I hope that that support can be reciprocated by Whitehall. Equally, the previous Secretary of State for Transport wrote to me on the same issue. He said:

"I understand your concern that direct air links between Inverness and London should be maintained and genuinely appreciate the economic importance of this route for the Highlands and Islands."

He went on to say—this was just over a year ago—that

"The DTLR has now received a request for the imposition of a PSO on the Inverness to London Gatwick route from the Scottish Executive and this is beingconsidered along with a range of policy options including those mentioned in your letter."

We have more recent, speculative press reports about the possible downgrading of what is publicly acknowledged by the commercial interests concerned to be a profitable route. That can be damaging. Some of us remember commuting between the Highlands and London almost 20 years ago using the old Dan-Air service. In the 1980s, a huge battle had to be fought to secure Dan-Air's access to Heathrow. Then commercial matters took a turn for the worse due to European routes, and Dan-Air went bust. British Airways moved in again, having given up the franchise before Dan-Air took it on in the 1970s and made a commercial success of it. Then came the battle to retain the Heathrow link, which was lost, and we moved to Gatwick, where we are at present, but there is now further speculation about Gatwick.

Businesses, community and public representatives and many other interested groups from across the political spectrum are saying, "Use it or lose it", and they have put that message over successfully. However, it is undermined by continuing speculation and uncertainty. The sooner public and commercial opinion can be reassured, the better. I hope that the Minister will take this opportunity to go at least several steps in that direction.

Several hon. Members *rose—*

David Taylor (in the Chair): Order. The House will have heard the remarks of Mr. Deputy Speaker. I believe that five Back-Bench Members wish to speak during the next half-hour. I ask them to confine their remarks to that time scale, so that I can call them all. First, I call the hon. Member for Don Valley (Caroline Flint).

10 am

Caroline Flint (Don Valley): Thank you, Mr. Taylor. I congratulate you on acquiring your position. I am not sure whether this is the first time that you have overseen debates in Westminster Hall, but it is certainly the first debate that I have attended when you have been in the Chair.

I congratulate my hon. Friend the Member for Inverness, East, Nairn and Lochaber (Mr. Stewart) on securing this debate—I think that I was here a year ago for a similar debate. I have the utmost sympathy for and understanding of the need for communities to have access to quality air services—not only for social reasons but, as my hon. Friend ably outlined, for economic reasons. However, I come to the debate from a rather different angle.

I hope that a regional airport will be developed in my constituency at Finningley, the former Royal Air Force base. It is a huge brownfield site, although it is now in the hands of a Government Department. Today is a good opportunity to flag up why a regional air service in Yorkshire is important and, in a roundabout way, to consider whether airports outside London would be sustainable and whether they could offer the sort of long-haul flights that I believe Finningley is capable of providing. If so, it would mean that three out of four people who now have to leave Yorkshire and Humberside to fly with the service of their choice could choose to stay there. That might make a small contribution to alleviating the impact on Heathrow and the south-east. It could also allow us to consider more imaginative and creative proposals, as well as additional runway capacity, to ease the situation and allow more slots to other United Kingdom airports.

I take the opportunity today to place on record—a number of Members have heard this many times before, but it is worth flagging it up again—that in July 2000 I presented a petition to Parliament with 21,000 signatures in favour of the former RAF base at Finningley becoming a commercial regional airport and against the holding of a public inquiry. That was an historic first for a Member of Parliament. Today, we have a petition from 150,000 people from Doncaster and the immediate surrounding areas who would be affected by the development of an airport at Finningley who would support such a proposal. Against that stand 505 individual representations against the development.

As I said before, three out of four people from Doncaster, Sheffield, south Yorkshire and Yorkshire and Humberside currently leave the region to fly with the service that they need, whether for social, economic or business reasons. The truth is that existing airports at Humberside and Leeds have not proved themselves capable of developing the air services that Yorkshire people want—so why Finningley? The former RAF base is entirely a brownfield site, and hundreds of millions of pounds of public money has already been invested in it. It has a 1.7 mile runway and, without a hole being dug, it is capable of taking practically all major aircraft used by charter and scheduled airlines. They could fly direct to the west coast of America, or to the far east, without refuelling.

Despite the weekend's gales, which affected people throughout the country, and despite its position on the eastern side of the United Kingdom, Finningley has favourable weather conditions, which is important to commercial airlines looking for sites for new services. This is also about the north-south divide, about giving communities the opportunity not only to regenerate and rebuild their economies, but to rebuild their social structure, and giving people the opportunity to go to work and have access to the variety of jobs and skills that airports can help to bring to a community.

I think that my hon. Friend the Member for Inverness, East, Nairn and Lochaber said that if the major employer in his constituency did not have access to major routes around the world, that would have a huge impact on that employer's decision to stay in the area. For those of us who represent deprived parts of the United Kingdom, there is also the question of attracting investment. The issue is huge. Doncaster—considered not on its own, but in the family of south Yorkshire—is a coalfields area, so people are looking for opportunities to develop a new future through infrastructure.

This is also about consumer choice and people having the opportunity to decide that they want to live in an area that has access to services. That point is as valid for my hon. Friend as it is for me in Doncaster in south Yorkshire. The issue is about flying from local airports and the environmental impact of people having to make long journeys, often by car, because local airports do not provide the services that they need. So, consumer choice is involved, as well as environmental impacts. We have to consider the consultation on airport development in its widest sense. Different parts of the jigsaw affect all four corners of the United Kingdom. In my hon. Friend's case, there is the issue of direct access to areas around the world for business and social reasons.

It is also important not to look a gift horse in the mouth. When I hear many of my colleagues say, "Yes, we need more airport capacity, but I don't want it in my backyard," I say, "Please, don't look at Finningley in that regard." Here is an opportunity. We have the brownfield site and there is local support. Local opinion is not divided: there is support from Yorkshire Forward, the regional development agency, and the business community. Some £100 million of taxpayers' money has been put towards the site. All that we need to do is build a terminal building and we can fly. Let us do that.

10.7 am

Angus Robertson (Moray): I commend the hon. Member for Inverness, East, Nairn and Lochaber (Mr. Stewart) on securing the debate. He is clearly passionate about improving air links and, although we may have our disagreements, I say that most warmly.

Other hon. Members are much better placed to talk about the needs of their areas, so I will concentrate my comments on the need for improved air links to the north of Scotland. Responsibility for air links is now shared between the Scottish Executive and the United Kingdom Government. The Scottish Executive make decisions about land use, planning, surface access and the management of publicly-owned airports, but sadly we are still dependent on the good will of London Ministers for licensing safety, security and environmental policy, international agreements, economic regulation and slot policy.

This is the third debate on air services in which I have taken part since my election last year. Unfortunately, there has been little positive progress on what is an important matter for the north of Scotland. The issue is crucial to the region's economy. This week, the annual regional trend survey showed that the lowest level of pay in Scotland is not in urban, central-belt Scotland, but in the constituency that I represent, Moray.

Many of my constituents who live in fishing communities are worrying about their future this week—there have been warnings of thousands of potential job losses. So, air links are not just about jetting off on holiday, they are an economic lifeline. The current underdeveloped links to the north of Scotland are an impediment to social and economic progress. When one compares Scotland's economic position with that of our better-connected neighbours in northern Europe, it is hardly surprising that our country is in an economic recession.

I commend Scotland's shadow Minister for Tourism, Transport and Telecommunications, Kenny MacAskill, and the Member of the Scottish Parliament for Inverness, East, Nairn and Lochaber, Fergus Ewing, for their innovative work on a route development fund, an idea that is supported by the Scottish Council for Development and Industry. That is a concrete example of how the debate in Scotland has been led by the Scottish National party and it stands in stark contrast with the farce that we witnessed earlier this year—so far unmentioned—when Ryanair's efforts to secure regular links with the north of Scotland were all but rebuffed by the intransigence of the Scottish Executive and their publicly owned agency, Highlands and Islands Airports Ltd. Despite the imperative for rapid action, the Government and the Scottish Executive spend more time reviewing than delivering. Aviation is worth £0.6 billion to the Scottish economy and 15,000 jobs, with perhaps the same amount again indirectly employed.

Future levels of traffic are set to increase. Will the Minister explain why Highlands and Islands Airports Ltd. is forecasting that 1.8 million passengers a year will use Inverness airport by 2030? The Department for Transport estimates that the figure will be only 800,000. Why does the Department estimate 1 million fewer passengers than HIAL? I am assuming that the Department and the Scottish Executive work as closely as they say.

Mr. Kennedy: It must be a decimal point mistake.

Angus Robertson: The leader of the Liberal Democrats says it is a decimal point mistake. Perhaps it is. The Minister will have the opportunity to comment on that later.

People in Moray and the rest of north Scotland are asking themselves what a local Labour Member, a Labour and Liberal Democrat Scottish Executive and the Labour Government all have in common, when none of them has delivered a PSO guaranteeing the Inverness to Gatwick link. We have heard the Secretary of State for Transport say in the House in February, March, April, and May that he would make an announcement on his decision on the PSO "soon". I do not know how soon "soon" is. Perhaps the Minister will be able to comment on that. Unfortunately, the new Labour Government have been ducking and diving on the issue for more than a year, constantly saying that a decision on the PSO for the Inverness to Gatwick service will be made "soon".

In July, the Secretary of State for Transport and the Scottish Executive published a consultation paper on air services, "The Future Development of Air Transport in the United Kingdom and Scotland: A National Consultation". There is no mention in the document of a PSO being considered for the Inverness to Gatwick link. Despite letters from Scottish Executive Ministers saying that it is an important issue, and despite the hon. Member for Inverness, East, Nairn and Lochaber confirming that it is an important priority, there seems to be no progress whatever. The SNP has repeatedly demanded that the Government should announce a PSO for the Inverness to Gatwick service, and the Minister has an opportunity to do so today.

Inverness has already lost the link to London Heathrow and it is inexcusable that the Government should let north Scotland down by not delivering a PSO for the service that we have left. At present, Inverness has among the highest landing charges in the whole of Europe, which undermines the entire economy of north Scotland, particularly tourism. Scotland's economy, tourism industry and its people have long been seriously disadvantaged compared to nations such as Ireland, which has far better, cheaper and more direct air services. Scotland must become a premier league nation for aviation services, not continue to endure second-rate options.

10.13 am

Linda Gilroy (Plymouth, Sutton): I congratulate my hon. Friend the Member for Inverness, East, Nairn and Lochaber (Mr. Stewart) on securing this important debate and for laying out in such a clear and cogent way the arguments and challenges that lie before us on behalf of all of us from constituencies with peripheral airports.

As my hon. Friend the Minister knows, Plymouth faces similar challenges. We should really refer to Plymouth and Newquay because our two airports go hand in hand, and rely on each other. Newquay is central to Cornwall's objective 1 status. My remarks on

the importance of Plymouth airport to our economy and Plymouth are even more the case as far as the future regeneration of the Cornish economy is concerned.

Plymouth airport has a wider catchment area of 1.2 million people, and a working population of 558,000. A recent survey of 40 companies in Plymouth, which was part of a wider study of Devon and Cornwall, found that 32 companies, employing 20,000 people, had overseas parentage. Another 33 companies, which export to 49 countries, employ 7,000 people, so that is 27,000 in the catchment area of Plymouth airport. There is about five times that number if we take into account Devon and Cornwall, so people will understand that Plymouth is greatly appreciated as a city airport. It takes 113,000 passengers from Plymouth each year, and there has been a growth of 3.2 per cent. per annum., which I understand is about half the national growth between 1991 and 2000.

Two issues concern the business community, however. There is uncertainty about the slots, to which other hon. Members referred, and the loss of the Heathrow slots, which my hon. Friend the Member for Inverness, East, Nairn and Lochaber outlined was part of a national trend in loss of links to Heathrow. Apart from the general convenience and the fact that they keep Plymouth on the map, those air routes are vital to maintaining and developing inward investment.

American and Japanese businesses in particular, such as Toshiba, Kawasaki, Wrigley's and Gleason Corporation, are now joined by a number of new and small but growing science businesses built around Derriford hospital and the science park. It is becoming a medi-science park. New developments are also being built on our area's rich legacy of marine science and technology. All those businesses are the sort that need quick and easy access to worldwide destinations.

Typical comments in the recent survey of businesses carried out for Sutton Harbour Holdings plc, which operates the airport, include:

"Economic progress for the city of Plymouth will be severely hampered without access to a city rated airport"

and

"difficult connections cause great problems with trying to be taken seriously as a major player site within our organisation".

That was from one of the bigger companies. Another comment was that

"reinstating the Plymouth-Heathrow route would help our business enormously".

In other words, some certainty that businesses can have access to international destinations that are important to them is vital.

Let us consider the people who do not fly because of the loss of the Heathrow service from Plymouth, but who travel by road and rail. The Civil Aviation Authority 2000 estimates show that about three times the number who currently fly from Plymouth airport—more than 300,000—travelled to Heathrow by road and rail. As my hon. Friend the Member for Don Valley (Caroline Flint) said, that travel has environmental implications.

Let us also consider the sort of destinations that people were looking for by travelling to Heathrow: 17,000 flew to Brussels, 32,000 to Frankfurt, 17,000 to Dubai, 10,000 to John F. Kennedy airport New York and 9,000 to Bahrain. Other destinations that are not available from Gatwick, but that are important to the local business community in Plymouth include Boston, Hong Kong and Tokyo.

My hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) received well over 120 submissions, including some from Plymouth, for the 1998 report on regional air services by the Select Committee that she chairs. That report, as my hon. Friend the Member for Inverness, East, Nairn and Lochaber mentioned, advocated feeder reliever airports, such as Northolt for Heathrow and Redhill for Gatwick, as fast-track solutions while greater capacity was developed. There is certainly great interest from our end of the country—as was mentioned by those at the northern end—in developing that proposal as it could address the problem in the medium term.

Alongside the desire for better access to destinations of importance to them, businesses are desperate for some security of knowing that the present services can continue. In fact, I am talking not just about businesses, but about those who have responsibility for the economic infrastructure. A 1997 Plymouth city council study, carried out by KPMG, suggested that 3,000 jobs depended directly or indirectly on the availability of our city airport. I am aware that other lower values have been put on that—the thin routes study attached a lower figure—but as paragraphs 5, 6 and 6.4.4 of the current consultation report, "The Future Development of Air Transport in the United Kingdom: South West" notes:

"increasing the availability of routes and frequency of services from airports in the region may encourage more firms to invest in the South West. Conversely if they are not frequent or available, firms may withhold investment in the region or even relocate to a region with better connections . . . Crucially it is the 'perception' that businesses have of the importance of air services which is significant, even if there may be alternative, less direct ways of undertaking the travel to meet customers and suppliers."

I greatly appreciate the courtesy that my hon. Friend the Minister extended in receiving representations from local MPs led by Glyn Ford, MEP, Sutton Harbour Holdings and the chairman of our regional development agency in July this year. I hope that the Minister will be able to confirm his commitment to helping us all find a way through the complexities of what can be done in a way that puts our city, our community and the other regions on a more secure footing, whether through slot protection or overcoming the barriers through configuration of access to airports, including certain airports in London that, as I said, connect us to those parts of the world that matter. I look forward to his observations, which, we can be sure, will be made with the benefit of his experience as a constituency MP with a long track record of understanding and championing the interests of the important subject of this debate.

10.21 am

Mr. John Horam (Orpington): We are all grateful to the hon. Member for Inverness, East, Nairn and Lochaber (Mr. Stewart) for instigating the debate. Undoubtedly, airports are an important topic for many Members. This is also a crucial time in the development of airport policy.

As hon. Members know, Biggin Hill in my constituency is famous as the front-line fighter station in the battle of Britain. With regard to today's news, it is

[Mr. John Horam]

mentioned in the south-east and east of England regional air services study as a bottom-tier airport. The top-tier airports in the London area are Heathrow and Gatwick, and the second-tier airports are the City of London, Southampton and Norwich. The bottom-tier airports are Biggin Hill, Cambridge, Farnborough, Lydd, Manston, Shoreham and Southend, about which the SERAS reports says:

"It is clear from our analysis that, taken as a group, the overall contribution of these airports to meeting demand in the South East would be very small, and even smaller if more runway capacity were provided at the main airports."

Of course, the last part of that statement is likely.

On Biggin Hill, the document says that

"poor surface access links and noise impacts on nearby residential properties",

and provide, "very serious constraints." They do indeed. I would add that the airborne approach to Biggin Hill is over densely populated residential suburbs in which more than 200,000 people live. Their quality of life would obviously be adversely affected. Access by air is overly complicated by proximity to flight paths in and out of Heathrow. The beacon over which the incoming and outgoing Heathrow and Gatwick planes circle and are often stacked, is above Biggin Hill. There are therefore three levels of aeroplanes—those from Heathrow, Gatwick, and Biggin Hill on the bottom level—over my constituency. Access by road is extremely poor, and there are no close rail links. Bromley's new general hospital has been built under the flight path only two miles away from the airport runway, and the major part of the airport lies in the London area green belt. For all those reasons, as the Minister may imagine, most of my constituents are strongly opposed to any significant development of Biggin Hill airport.

I would like the Minister to reply to my final point. There is, as he will be aware, a lease between Bromley council and the Biggin Hill airport company. This stipulates the numbers and types of aircraft that can use the airport to comply with specific noise levels. That lease is not mentioned in the SERAS document, whereas other leases, such as those relating to Farnborough airport, are. The Farnborough report says that because of the lease there will be no further development at Farnborough airport. The lease restricts business at Biggin Hill airport to training, business aviation and private flying and the company does this very successfully. Could the Minister make a formal reference to the lease in the White Paper and correct the passenger forecasts accordingly?

10.25 am

Mr. Alistair Carmichael (Orkney and Shetland): May I join the line of right hon. and hon. Members congratulating the hon. Member for Inverness, East, Nairn and Lochaber (Mr. Stewart) on securing the debate? I also endorse his comments about the need for a public service obligation on the Inverness-Gatwick route and commend him for a long and hard-fought parliamentary campaign. I am pleased to see that it continues in as much that I recall that in July he was told by the Under-Secretary of State for Scotland that we should not worry too much because she has spoken to British Airways and it said that it had no intention of going off the route. I found her faith in British Airways particularly touching but it is a faith that I suspect my constituents might find it difficult to share, given their recent experience. If we are to continue to have a Scotland Office, which exists to promote Scotland's interests in the UK Government, there is an awful lot more that it could do.

I add my words of welcome to the Minister's joint consultation with the Scottish Executive on "The Future Development of Air Transport in the United Kingdom: Scotland". It is a worthy tome. The hon. Member for Inverness, East, Nairn and Lochaber said that at present the regulation of the air services market is left at the mercy of market forces. That is true. It seems to me, listening to the contributions from various parts of the country today, that it produces a most unsatisfactory situation. On the one hand, people in south-east England quite justifiably express concern at the impact on their environment of more airports, more runways and more traffic, while at the other end of the country in my constituency, we are desperate for more runways and a better infrastructure. In this age of joined-up government, there should be scope for a light-touch regulation of air traffic and for using it as a tool for economic development and regeneration in some of the most vulnerable and peripheral communities.

Like other hon. Members, I have been to other PSO debates. The most recent was on 8 May. The Minister may recall that on that occasion he said:

"I understand the issue raised by the hon. Gentleman about high fares, but costs are inevitably higher per passenger on low-volume routes than on highly packed traffic routes."

That is a statement of the obvious. He continued:

"However, for the Government to impose a PSO on a commercially viable service would mean overriding the long-standing policy of non-intervention other than when the market fails."—[*Official Report, Westminster Hall*, 8 May 2002; Vol. 385, c. 134WH.]

If the market can only provide a return fare to Shetland in excess of £250, in my definition that is a market that has failed. When he responds to the ongoing consultation, will he give some serious consideration to the definition of some of the terms, in particular what is considered to be a commercially viable route? Will that simply be left to the accounting practices of British Airways or will there be coherent Government guidance on the point?

Subsidy has already been mentioned. The routes are already subsidised through the public purse in many indirect ways. My fare to Westminster, which is about £580 return from Orkney or Shetland, is paid every week and every time I board a plane to or from Orkney someone from the council is there. There are many ways in which subsidies are given at present. What is needed is an open and transparent system, the first part of which would be a public service obligation order.

10.30 am

Tom Brake (Carshalton and Wallington): I congratulate the hon. Member for Inverness, East, Nairn and Lochaber (Mr. Stewart) on securing the debate, which is one of a number that he has secured on the subject. The debate's importance is underlined by

the presence of many hon. Members, including my right hon. Friend the Member for Ross, Skye and Inverness, West (Mr. Kennedy). It is a topical debate, as the 30 November deadline for responses to the consultation is approaching. The subject has often been debated in this place. In the past three years, the Select Committee has produced a couple of reports on the matter and the Government have responded.

Massive expansion is planned in the provision of airports and runways and reasonable air services should not be neglected in the Government's dash for airport expansion. It would be sad if the Government insisted on pushing ahead with predict and provide, making as many airports and runways available as possible, but with only international travellers being allowed to take advantage of increased slots at key airports, while those living near those airports and runways and below the flight paths, suffer the environmental consequences and those living in the peripheral regions derive no economic benefits.

In an ideal world, a network of fast rail links would do away with the need for many regional air services. Indeed, the Environment, Transport and Regional Affairs Committee said in its eighth report:

"Rail services may be able to provide a substitute for air services for places under three hours away from central London or from Heathrow by rail".

Unfortunately, we do not inhabit such an ideal world, and even if we did, regional air services would still be a necessity for the remotest part of the United Kingdom.

The Select Committee report of 27 July 1998 made several important points. For example:

"It should be the objective of Government policy actively to maximise the contribution regional hubs make to meeting the demand for scheduled European and intercontinental services."

I hope that the Minister will be able to explain what mechanism will be used to ensure that whatever decisions are taken in response to the consultation that is being conducted, the outcome will maximise the contribution regional hubs make to meeting the demand for those services. If a wider range of European and intercontinental services were available from the regional hubs, it would reduce the demand for regional air services flying into Heathrow.

The report also called on the Government to advocate changes to the European slot regulation, a matter to which the hon. Member for Inverness, East, Nairn and Lochaber referred, and to give priority to airlines bidding to operate domestic regional services rather than to new entrants in the allocation of new slots at congested airports. The Government's response stated:

"The UK has already made proposals to the Commission that priority in the allocation of slots not claimed under historic precedence should be given to airlines that wish to use the slots for services to regional airports".

I hope that the Minister will be able to tell us what progress has been made on that matter.

Another interesting point in the Government press release that was issued at the time of the Government's response to the Environment, Transport and Regional Affairs Committee's report on regional air services was a programme of surface access studies by DETR, as it then was, and Opraf—Office of Passenger Rail Franchising—considering the potential for developing long-distance rail links to London and the south-east and improving connections between the London airports. This may be an opportunity for the Minister to update us on the progress of those studies.

The most recent Select Committee report on the air transport industry was published on 4 July. I do not believe that we have yet had the Government's response to it. The Government, in their evidence, said that the current availability of slots was sufficient to preclude the need to intervene to ensure the protection of regional air services. As other hon. Members have pointed out, British Airways withdrew the important Heathrow to Belfast route immediately after that. Will the Minister comment on whether any other services have been withdrawn? Will he also comment on the public service obligations, the number of services withdrawn, and whether he expects that number to increase or decrease within the next five years?

The future of regional and other air services depends on safety and the reliability of National Air Traffic Services. Hon. Members will be aware of the concerns expressed about those systems and, in particular, about the character sizes of the displays on the screens that are used. I take this opportunity to ask the Health and Safety Executive to review its assessments of the screens' fitness for purpose, because its report was based on information supplied by NATS that was incorrect with regard to the screen character sizes. I hope that NATS will set out its timetable for addressing the HSE's concerns. NATS must guarantee that all the HSE's requests for action are fulfilled.

It would be ironic if the future of regional air services were put at risk at the same time as the Government are producing their plans for airport expansion for the next 30 years. I hope that the Minister will use the debate to set out how, in the absence of a fast rail alternative, he will ensure the survival of regional air services.

10.37 am

Miss Anne McIntosh (Vale of York): May I say, Mr. Taylor, that it is a great pleasure to serve under your chairmanship for the first time. I hope that it will be one of many such occasions. I join in congratulating the hon. Member for Inverness, East, Nairn and Lochaber (Mr. Stewart) on securing this very timely debate.

I remind right hon. and hon. Members of my interest in the airline industry. My husband works for Delta Airlines. I personally have an interest in the form of personal equity plans with British Airways and the British Airports Authority. For 10 years, I was the Member of the European Parliament for North-East Essex and South Suffolk, and at one stage I had both Stansted and Southend airports in my constituency.

When the right hon. Member for Ross, Skye and Inverness, West (Mr. Kennedy), the leader of the Liberal Democrats, left the Chamber, I thought that he might have received a timely telephone call from the BBC to rejoin the programme "Have I Got News For You?", which is his, and my, favourite programme. I gather that its presenter is undergoing personal difficulties. I am delighted, therefore, to see the right hon. Gentleman resume his seat with us.

The number of direct flights from regional airports to London, and particularly to Heathrow, has been reduced. The Select Committee investigated that. The airlines are redeploying their resources to more lucrative international routes.

[Miss Anne McIntosh]

It would help if we could agree, at the outset, a definition of a regional airport. There is no statutory or legislative definition. The original definition was in the 1978 White Paper on airports policy, in which category B airports were described as

"regional airports which provide a network of short-haul scheduled international services, offering a significant range of charter services and domestic services including links with gateway airports."

Outside the south-east of England, Manchester was designated as a category A international gateway airport. Newcastle and Leeds-Bradford, however—the latter subject to the extension of its runway—were classified as category B regional airports. Local airports were described as including Teesside, but I do not know whether that particular definition has been revised. In a White Paper of June 1985, the Conservative Government used the term more loosely than in the original, suggesting that regional airports were merely those not in or near London.

In its inquiry into regional air services of 1997, the Transport Sub-Committee of the Environment, Transport and Regional Affairs Committee described regional airports as including UK airports other than the five London airports, including airports on Guernsey, Jersey and the Isle of Man. In the past 10 or 15 years, or even longer, considerable looseness has clearly applied to descriptions of regional airports.

Perhaps the most vexed question that the Minister must address—several right hon. and hon. Members have already commented on it this morning—is the allocation of slots. Will they be treated like milk quotas and recognised as an economic commodity? In fact, only a scheduling committee allocates them and no price attaches to the allocation in the first instance. Will the Minister confirm that the Government are still pressing for slot auctions? On the Government's first attempt, I understand that slot auctions had little support among other member states. If they are to succeed and become the way forward, what support is there among other member states now?

When the deadline was initially set on a system for allocating slots in December 1992, I welcomed the allocation of priority to new entrants. It is regrettable that the deadline for review of January 1996 has slipped. Can the Minister predict—perhaps we could have a sweepstake—when that review will take place?

I support the hon. Member for Inverness, East, Nairn and Lochaber in asking what criteria must be met before the Government will intervene to create a public service obligation. What specific resources will the Government allocate to the creation of a PSO and from which part of the budget would such an allocation be taken? I am unclear about that and it would help all of us if we knew.

The hon. Gentleman selected regional air services—from regional airports to Heathrow and Gatwick and other lesser London airports—as a priority. My alternative view is to boost services from regional airports to the UK and other European cities. The Library helped me by preparing a selection of such routes. I understand that the hon. Gentleman and Members with neighbouring constituencies have only ever enjoyed one international route from Inverness—to Amsterdam—and only for a short time. Otherwise, its routes have been only to London airports. I come from Scotland, so I understand the importance of opening up the economy through London routes.

Let us consider Glasgow airport as another example. What is available is impressive, but there are few scheduled international routes. Otherwise, it has a healthy smattering of charter routes. In that regard, Manchester has led the way. In the 1980s, it was regarded mainly as a charter airport. Twenty years later, it is now regarded as a leading international airport. The hon. Gentleman could be mistaken in persisting entirely with all routes accessed to London, though I understand the prize placed on a London route for that particular corner of Scotland.

As the Member representing Vale of York and North Yorkshire, I would prefer direct routes from Leeds-Bradford, Manchester, Teesside or Newcastle—here and on other issues I part company with the hon. Member for Don Valley (Caroline Flint)—to bypass London whenever possible. Alternatively, I would welcome international routes to other regional airports. Manchester, which would be closer for me than Finningley, now has two flights a day to US airports. I leave the Government with that thought.

As the hon. Member for Inverness, East, Nairn and Lochaber so eloquently argued this morning, Heathrow and Gatwick have unrivalled international access. However, with investment—most of it private rather than public—and improved public transport links to airports such as Manchester, direct routes from Scottish and northern English airports to European and transatlantic airports would emerge.

In conclusion, I ask the Minister whether, if limited funds are available, it would not be better to use them to develop new routes from existing airports than to create an entirely new airport.

10.46 am

The Parliamentary Under-Secretary of State for Transport (Mr. David Jamieson): It is a pleasure to serve under your chairmanship for the first time, Mr. Taylor. I echo a number of hon. Members in congratulating my hon. Friend the Member for Inverness, East, Nairn and Lochaber (Mr. Stewart) on having secured the debate. He set out the arguments with his usual clarity, charm and forcefulness. Tomorrow, it will be a year since we had a similar debate. He and my hon. Friend the Member for Plymouth, Sutton (Linda Gilroy) clearly outlined the importance to their local economies of securing the future of flights in and out of those areas. I note that Plymouth was mentioned a number of times. I do not know why it is important to so many hon. Members, especially those from north of the border, but perhaps that will be revealed.

My hon. Friend the Member for Inverness, East, Nairn and Lochaber made some important points. I shall deal with those after I outline our general thinking on regional air services. We are making progress, partly thanks to the light shed on the issue by the many debates that we have had about it in the House. I read with interest the notes from a regional air services seminar held by my hon. Friend, which some of my officials attended.

Since the last discussion on the matter, the Government have issued the consultation documents on the future development of air transport in the United

Kingdom, in which hon. Members will have seen the high profile given to regional services—they are a key issue—and a number of policy options suggested for their protection. My officials are now exploring those and I should like to set them out as a basis for debate.

The first is to discuss with airlines ways in which they can involve the Government at an early stage when they are considering withdrawing from a regional route. That has been of particular concern to my hon. Friend in his area. That could mean developing an informal agreement with airlines whereby they have to give certain notice if they are considering discontinuing a regional service. Such a notice period would allow the Government and regional bodies to consider options and possibly to apply for the imposition of a public service obligation on a specific route.

I think that I gleaned from the words of the hon. Member for Vale of York (Miss McIntosh) that the Conservative party is in favour of the public service obligation. She is now shaking her head. Certainly the Conservatives did not favour it when they were in government. In fact, when I lobbied Ministers, it was specifically ruled out. The hon. Lady may want to give some clarification.

Miss McIntosh: I recall putting a number of questions in response to points raised by right hon. Members and hon. Members this morning. I asked whether the Government would make good the pledge that they made when they were in opposition. Will they push for a PSO, and what resources will they make available?

Mr. Jamieson: That was not an answer to the question whether the Conservative party is now in favour of PSOs. I am sure that those in the regions affected will have noted the hon. Lady's comments.

Secondly, we are examining ways in which regional bodies or stakeholders could provide additional financing for an airline if it should consider pulling out of a route. The hon. Lady raised that important matter, too. Thirdly, we are examining whether the United Kingdom could propose amendments to the relevant European regulations that would provide member states with a more appropriate means of protecting regional air services. United Kingdom officials have already proposed alternative wording to the Commission's proposal to amend the slot allocation regulation 95/93 so as to preserve the option to ring-fence slots and loosen the existing criteria.

My hon. Friend rightly said that Heathrow is full to overflowing and that Gatwick is under enormous pressure. At one stage he said something like, "We need new runways at Heathrow and Gatwick today." In a debate last week, a rather different view was expressed by hon. Members representing constituencies around Heathrow, Gatwick and Stansted. That difference in views highlights one of the difficulties. If we are to allow the expansion of air travel for leisure and business purposes, we must tackle the important question of where those flights should depart from.

The hon. Member for Carshalton and Wallington (Tom Brake), who spoke for the Liberal Democrats, made some interesting points. He seemed to suggest that rail services should take over some routes. Perhaps it is his party's policy to accept that there is an extra demand for flying and that it should be met—we might ask his leader about that. If the answer is that the demand should be met, we must deal with how it should be met.

I fully understand the anxiety of those who live in the south-east, especially around Heathrow, Gatwick and Stansted. People living in all regions of the country should consider the development document for the south-east because it is key to what is happening in the country, but they should also consider the documents and consultation for their own area. They should consider what facilities there are in their areas to create sub-hubs that could provide services. Scotland is a good example of the difficulties of that situation. There is the question whether both the Glasgow and Edinburgh airports can survive as sub-hubs, but it is up to Scotland to decide what will serve the Scottish economy best.

There has been much discussion about PSOs. We differ from the Conservative party in that, when it was in government, it entirely ruled out PSOs, whereas we have said that we shall use them when the circumstances are appropriate. However, additional information can be helpful, and my view on the matter has changed somewhat. The right hon. Member for Ross, Skye and Inverness, West (Mr. Kennedy) alluded to views that we held previously. I still hold the views that I held before, but one must consider what might happen in the event of a PSO.

A PSO would not be route specific or designed for a particular airport. It would be specific to London, which means that it could apply to any London airport—possibly, including Luton. That may not be an option wanted in Inverness, or in Plymouth or Newquay. The PSO is intended to create exemption from state-aid regulations and it is not designed for profitable routes; it is designed for loss-making routes on which operators have threatened to pull out.

I am not aware of any threat at present to the routes that have been mentioned today. One limitation is that if a PSO were imposed, we would need to find an airline to fly the route and it would need to obtain slots at the appropriate airport, so that the route could be flown. That presents considerable difficulties. Merely imposing a PSO does not secure particular slots into particular airports at particular times. It is not especially helpful to an area if an airline is given a slot at 4 am instead of 8 am. That does not guarantee the survival of the service, although it may guarantee a commitment, which does not currently exist, to securing the service through the use of public funds.

Mr. Kennedy: The Minister mentions some cautionary notes about the implications of imposing a PSO but, at the same time, he prefaces his remarks by saying that he still holds to the views on a PSO that he held in opposition. There seems to be a contradiction there—or is he obeying orders?

Mr. Jamieson: Not at all. I am saying that where a route is threatened because an airline is about to pull out, where there is no alternative public transport into an area and where it is vital for inward investment and economic development, we would consider imposing a PSO. We carefully considered the Scottish Executive's request regarding Inverness and we are still discussing the matter with them. The fact that it has taken so long

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shows the merit of our discussions. The hon. Member for Moray (Angus Robertson) would have been right to criticise us if we had made the decision rapidly without proper consideration, but we are still in correspondence with the Scottish Executive on the matter.

Angus Robertson: The Minister will appreciate that many people in the north of Scotland have waited a long time to hear the Government's decision on a PSO application. Instead of saying "soon", will the Minister tell us when we can expect an announcement on a PSO for the Inverness-Gatwick route?

Mr. Jamieson: I can only repeat what I have said before. I hope that there will be a decision in good time, but discussions are still taking place. I have set out the limitations to the PSO and the hon. Gentleman may want to consider whether that obligation would provide what he wants for the Inverness-Gatwick service. My discussions with people in the south-west have caused them to reflect further on their requests regarding a PSO, once they have realised that it will not provide all that they want. It is easy for the hon. Member for Moray, who is in opposition and has no prospect of being in government, to make bald statements about what should happen, but I have to consider the issue in a hard, realistic way and ask whether a PSO would genuinely benefit the people in a certain area. Unlike the hon. Gentleman's decisions, any decisions that we make will have an effect on an area.

Miss McIntosh: Will the Minister give way?

Mr. Jamieson: No. I want to cover some more points.

My hon. Friend the Member for Don Valley (Caroline Flint) mentioned Finningley. The consultation documents on the north of England and other regions set out options and requested responses and possible solutions. I congratulate my hon. Friend on the petition, which, I hope, will form a valuable part of the consultation.

The hon. Member for Moray mentioned the difference between the highlands and islands prediction and our prediction. I think that the two were formed from different bases, using different information. If the hon. Gentleman wants me to write to him on that, I shall be happy to do so as an explanation is needed.

I do not want to go into detail on Biggin Hill, so I would like to jot a line to the hon. Member for Orpington (Mr. Horam) about it.

I thought that the hon. Member for Carshalton and Wallington was proposing that we build a railway line from Skye to London. Frankly, he did not say anything to illuminate our debate on regional air services or any other subject.

I shall certainly write to hon. Members about the many questions that I have not covered.

Overstretch (Armed Forces)

11 am

Mr. Hugo Swire (East Devon): I am pleased to open the debate on overstretch in the armed forces, and particularly pleased that I am not doing so on the first day of a firemen's strike, or to be more accurate the first day of industrial action by the Fire Brigades Union. It seems strange that the Deputy Prime Minister and Mr. Gilchrist have apparently reached some understanding or agreement in advance of the Bain report, and we want to see what it is. For the main part, however, we must be thankful that our armed forces have not had to deploy this morning.

I met my chief fire officer in Devon, Paul Young, and his senior colleagues on Friday. Although we are in a better position than some areas—Devon has 55 fire stations, of which 46 are retained—he was extremely concerned that the whole county had an allocation of only 12 Green Goddesses. Devon is the third-largest non-metropolitan county, and covers approximately 2,500 sq miles. That includes the 600 sq miles of Dartmoor national park, 200 miles of coastline, 30 miles of motorway and several main arterial routes, such as the A380 to Torbay and the A38 expressway to Plymouth and Cornwall. No doubt during their summer holidays hon. Members have grown to know and love such routes.

Devon has a resident population of 1,082,000, which rises considerably with the influx of tourists and holidaymakers. The Devon fire and rescue service needs to be equipped to deal not only with all categories of risk, from the "A" risk of Devonport dockyard, to the large areas of sparsely populated land categorised as "remote rural". The 12 Green Goddesses, manned predominantly by the Royal Marines and Royal Navy, and trained by the Defence Fire Service, would be located in Plymouth, Torbay, Exeter, Exmouth, Barnstaple and Ilfracombe. Those who know Devon well will realise how thinly spread that cover would be.

The Minister will be aware that up to 13,000 service men and women have been trained to respond to 999 calls, drive Green Goddesses and use specialist equipment. The 827 Green Goddess crews, 331 special breathing apparatus rescue teams and 59 equipment support teams, in addition to 6,500 personnel from all three services who will be engaged in administrative, security and command and control duties, mean that 20,000 service men and women are involved in some way.

In a poll conducted by YouGov and published in *The Sunday Times* last weekend, 47 per cent. of those questioned said that they had "not very much confidence" in the Army being able to provide effective emergency cover. When asked whether the Army should

"be instructed to cross Fire Brigades Union picket lines to gain access to modern fire-fighting equipment",

74 per cent. responded that they should.

That is no criticism of our armed forces. Of course they would carry out their duties professionally if called on to do so. However, it reflects a general concern that yet again we are asking too much of them. Are we certain that their equipment is good enough to do the job? I doubt it. Even when I joined the Army in 1979,

Green Goddesses appeared antediluvian, and one half-expected to see Corporal Jones behind the wheel. That was more than 20 years ago. They have no radios, lighting gear, foam-making kit or seat belts. Yet again we are asking our armed forces to do a job and use equipment that no professional, unionised organisation would agree to.

Dr. Julian Lewis (New Forest, East): Can my hon. Friend think why, in the long time that has passed since Green Goddesses were used during the last firemen's strike, the armed forces have not been allowed to train on other, more modern equipment, as it has gone out of service? Presumably that equipment has been scrapped while the Green Goddesses have been left for the Army to use in such an emergency.

Mr. Swire: My hon. Friend makes a good point. I can only imagine that the Green Goddesses are being saved as a job lot for sale to the motor museum at Beaulieu. I go further than my hon. Friend in believing that the armed forces should have access to the most up-to-date equipment, whomever it belongs to and wherever it is located.

Perhaps all that I have been discussing is hypothetical—let us hope that that remains so. Still, perhaps the Minister could tell us whether he believes that, in the event of a strike, the armed services should have proper access to all the most up-to-date and safest equipment.

What pressure is being put on the services by what is happening at present? The Minister of State for Defence has already said that nearly 1,000 personnel who recently returned from the Balkans have had some or all of their post-operational leave delayed, although he went on to say that they, and any additional relevant troops, would have their leave as soon as possible. However, the knock-on effects of the threatened action do not stop there. In a reply to a question from my hon. Friend the Member for North Essex (Mr. Jenkin) the shadow Secretary of State for Defence, the Minister admitted that the use of RAF personnel would reduce flying time and delay repairs to aircraft. No Navy ships had been recalled from sea operations, but activities had been changed to allow for training on board.

It is no wonder that there is concern at the highest level in the armed forces that overstretch is the main problem. It is also understandable that there is worry at the prospect of British forces being committed to a war against Iraq at the same time that there is industrial action at home.

I want to talk about recruitment, training and retention. The Government's strategic defence review contains plenty of acknowledgement that overstretch is a problem. Paragraph 76 states:

"We need to solve the problems of undermanning and additional overstretch which comes from over-commitment."

Lord Gilbert, the then Minister of State with responsibility for defence procurement, said on 24 February 1999:

"It is the policy of Her Majesty's Government not to take on more commitments than we can handle."—[*Official Report, House of Lords*, 24 February 1999; Vol. 597, c.1229.]

However, yet again the rhetoric does not match the reality: there are 1,000 fewer service men and women this year than last year and 6,000 fewer people in the armed forces than in 1997; the Army as a whole increased its strength from its 2001 total and has 1,300 more personnel than it did in1997, but its trained strength is 1,300 below what it was in 1997. The figure has remained roughly static since 1998, despite Labour's pledge to enlarge the Army by 3,300 men. The Territorial Army is 2,000 men short of its post-strategic defence review strength of 41,200.

More service men left the forces than joined them last year. Ten per cent. of the Army's rank and file left the service last year. So this morning let us deal with fact rather than aspiration. What are the Government doing, or planning to do? In 2000–01, the armed forces met 90 per cent. of their recruitment target, compared with 96 per cent. in the preceding year. The combined effect of not meeting those targets and of having more people leaving than joining is self-evident. However, while lack of manpower is one thing, lack of proper training is another. In the past 24 months, 84 exercises have been cancelled, often because those involved were already committed to other operations. Five were cancelled because of lack of funding and 36 were cancelled because of operational commitments. The Defence Secretary actually wanted to cancel Britain's biggest post-cold war exercise—Saif Sareea 2—to save £93 million, but was overruled by the Prime Minister, on the advice of military chiefs. One can only hope that the stories that he then attempted to get Sultan Qaboos of Oman to pick up the bill are erroneous.

Retention must be the key. It must make sense to concentrate on those who are already trained, rather than to start from scratch. The problem is the competitive job market. Evidence of that is the fact that we are losing highly qualified pilots from the RAF to commercial airlines. The Government's response must be to look after service men and women much better. The pressures on service families caused by overstretch are leading to many people leaving the services altogether.

A comparison with the situation six years ago underlines the challenge that the forces now face. In 1995, the Army had 33,178 personnel deployed abroad. In 2001, the figure stood only slightly lower at 30,800, despite the repatriation of units from Germany and an Army that was reduced in size.

Mr. David Drew (Stroud): The hon. Gentleman mentioned the possibility of conflict with Iraq. If that happens, how does he suppose that we could stay as a peacekeeping force—as we would presumably have to—given the problems of overstretch elsewhere that the British Army faces day in, day out, and on which I totally concur with him?

Mr. Swire: Indeed, that is a worry shared by some very senior generals, admirals and air marshals. The question does not solely concern Iraq—it is a question of other commitments that might increase over the coming months, in Northern Ireland and nearer too.

Mr. Mike Hancock (Portsmouth, South): I draw the hon. Gentleman back to his point about pilots and how to retain them in the RAF. That is not a new issue—it has been around for some time. Can he explain how he would retain those pilots? For pilots, the issue is not only about money. They want an all-round package. I have

[Mr. Mike Hancock]

yet to hear anyone come up with a satisfactory alternative to the private sector, which offers nearly 50 per cent. more than they now receive.

Mr. Swire: Indeed. I entirely concur with the hon. Gentleman's point. There must be a balance between pilots entering into a contract with the RAF and the service that they render. It is up to the RAF and the Ministry of Defence to work out ways of making the overall package, as the hon. Gentleman described it, as competitive as a commercial package. That might not be achieved in financial terms, but in overall career development terms. Those are questions for the Minister.

I understand that the Army had an agreed level for tour intervals of 24 months, but the Defence Select Committee was told in 2000 that because of current commitments, there were no sections of the Army in fact getting 24-month intervals. Some were badly affected by operational deployments during peak commitments in Kosovo in 1999; for example, the Royal Engineers' and the Royal Signallers' tour intervals were only seven months and six months respectively. That puts huge pressure on service families, as does the condition in which they are forced to live.

Following the sale of married quarters by the Ministry of Defence to Annington Homes in 1996, the last Conservative Government made a commitment to service families that their quarters would be upgraded to grade one condition by the autumn of 2003. Some £470 million, out of the £1.6 billion proceeds of the sale, were allocated for that purpose. Yet pressure on the defence budget has forced the Ministry of Defence to delay the upgrade programme by two years, until 2005. In the meantime, the Army Families Federation has reported that some soldiers have been driven to leave the services by intolerable living conditions, including leaking roofs, damp walls and faulty heating.

I do not wish to paint an entirely bleak picture. Whatever our country's shortcomings, it is still blessed with the most professional and dedicated fighting force in the world. However, we should not take our service men and women for granted. Not for them the luxury of a work to rule; they will always do what they are called upon to do. It was the Secretary of State himself who promised in June 1997 that the problem of overstretch would be seriously addressed. As the situation in Northern Ireland becomes more uncertain following the suspension of Stormont, as the international situation becomes more dangerous, and as the threat of the firemen's strike still hangs over us, I ask Ministers to acknowledge that they have failed to do so and to let us know, as a matter of priority, what action they intend to take.

11.15 am

Mr. Julian Brazier (Canterbury): I congratulate my hon. Friend the Member for East Devon (Mr. Swire) on raising this important subject and on the powerful way in which he addressed it. I want to concentrate my remarks on our ground forces.

The figures that my hon. Friend presented speak for themselves. The trained manpower of the Regular Army has shrunk since the Government took office. We have fewer trained soldiers today than at any time since the 19th century. The manpower of the Territorial Army has fallen by more than a quarter. We have fewer volunteer reserves today than at any time since the 16th century—and perhaps even before then. Today, we have the largest proportion of soldiers medically unfit for military service since modern medical record-taking began.

It is worth stepping back from this sorry sight for a moment to remind ourselves what service in uniform is about. Although I am concerned today principally with the Army, joining any of our armed forces is not a job: it is a calling. As the possibility of war in Iraq gets closer, it is worth remembering that we ask things of our service men and women that we do not ask of people in other walks of life. On those occasions when they are called upon to use their skills, we ask them to put their lives on the line. What we ask of them in peacetime and in conflicts of low intensity, put strains on their family life that, to say the least, are unusual in a civilian context.

It is worth remembering that the most important thing in the armed forces is not the equipment, nor even their level of professional training. Scipio said it all in his famous address to the Roman militia from his field hospital, after being wounded at the battle of Canae. Before the gates of Rome, when Hannibal's army, the best army by far, was fresh from its victories at Lake Trasmene and Canae, Scipio inspired the men, most of whom had never seen action, with the following message:

"Of all the factors which make for victory, the spirit of the warrior is the greatest."

Nurturing that spirit must be a two-way process. With that in mind, I find a letter from the British Legion particularly horrifying. The Minister will recently have received a letter from me on the subject, although I do not ask him to comment on that case. A letter that I sent to the British Legion elicited this comment:

"I am afraid that the Legion's experience is that across the board, the medical support available to the armed forces is definitely not what is was and we are regularly consulted by members of all three Services who are being discharged with existing medical conditions that are treatable but whom the MOD medical services discharge and refer on to the NHS for treatment. This situation is particularly worrying for those who are discharged knowing that they require further surgery but are placed on a waiting list by the NHS and they are also worried that even if they find employment, it is a very understanding employer indeed who will permit them time off for surgery and perhaps months of rehabilitation ... it is not unusual for people to be discharged within weeks of surgery, when the MOD must know that the individual faces a period unable to work and perhaps, unable to support their family."

The letter continues:

"discharge with a medical condition is a real problem for trainees ... Often injuries occur only days into their initial training but because they are untrained ... the MOD has no 'realisable' investment in them, they are discharged ... Many of them would have resigned and sacrificed jobs or college places only weeks earlier in order to enlist but they quickly find themselves at home with no job, an injury of varying severity and few prospects."

That reflects to a large extent the overstretch in our medical services.

A wider measure of the way in which overstretch is a creeping cancer in our forces was elicited by a question from Lord Vivian. His question related only to the Army, but I am sure that the picture would be the same

in the other two services. Since 1997, the divorce rate among military personnel has risen from 2.16 per cent. to 3.12 per cent. That is significant increase.

The truth is that we face a desperate overstretch, and my local unit, the Royal Irish Regiment, is a case in point. During the past three years, it has had three major deployments outside mainland Britain: to Kosovo, Northern Ireland and Sierra Leone. In this country, the national focus for professional training, and the focus that we should all expect for members of 5th Airborne Brigade, is the possibility—some say probability—of a major operation in Iraq. In fact, 400 of its number are away, training as firemen. That is creating a hole in their training, even if no Green Goddesses are actually called out. At the same time, the unit is being called on to provide substantial training teams for other units going to Northern Ireland. The questions posed by my hon. Friend the Member for East Devon about the impact on professional training seem very apt in that context.

Mr. Hancock: I am slightly confused as to where the hon. Gentleman's argument is taking us. I thought that it was part of the role of regiments to help other units in the Army to familiarise themselves with what to expect in Northern Ireland. That is not new; it has been going on since 1970.

Mr. Brazier: Indeed. I support that role. It is an important one for the Army. Obviously, there must be training teams for one unit when another unit is training. My point is that if a regiment has come back from three different deployments, all of a low intensity, and it desperately needs to prepare for high-intensity war—a subject on which there would inevitably be a degree of rustiness—to have most of its soldiers away on firefighting training, and others away training another unit for another low-intensity operation, would not leave much scope for exercising for its main role. I am afraid that is an inevitable effect of overstretch.

I cannot help contrasting our situation with that of America. We are talking the same tough language as the Americans. The Prime Minister, with the support of the Conservative party, is shoulder to shoulder with President Bush. The President and the United States Congress have voted an extra $40 billion for defence. I thought that our shadow Secretary of State, my hon. Friend the Member for North Essex (Mr. Jenkin), was right to say that we should fund the essential commitments of the armed forces.

It is worth remembering the other side of the equation. I do not accept that all the matters that the armed forces are involved in at the moment are actually necessary. When he was shadow Secretary of State, my right hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith) pointed to the fact that the equivalent of a whole battalion's worth of expensive civilians are involved mostly in budgeting or monitoring the various forms of legislation that have resulted from the European convention on human rights. We have already made a commitment to review that in the case of the military.

Bullying is featuring prominently in the media. It is a particularly important issue at a time of overstretch, when we are considering recruitment and retention. There is not time for me to do justice to the subject, but I will make one observation: the best way to deal with bullying in a military unit, or, indeed, in a school, is by strong leadership. Strong leadership involves officers and senior non-commissioned officers getting to know the soldiers who are under them, rather than spending long hours burning the midnight oil filling in forms.

To return to the school analogy, it is no wonder the headmaster of Downside has just resigned. He pointed out that the school in his area that is most notorious for bullying is also the one that has the best reputation for getting all its forms filled in and having the most detailed anti-bullying policy. The truth is that we need less paperwork in the armed forces and fewer people involved in that paperwork. That is a whole activity area where resources could be saved.

The Parliamentary Under-Secretary of State for Defence (Dr. Lewis Moonie): I refer the hon. Gentleman to the many occasions on which the Defence Committee criticised us for not keeping enough records of what armed forces personnel were up to. That is quite the reverse of what he is stating.

Mr. Brazier: The Defence Committee, of which I was a member for four years, commented repeatedly—at one point it was almost an annual comment—on the extent to which the MOD was spending large sums of money tracing very small financial transactions. One example was the cost of tracing the movement of military shirts. It was shown that it cost four or five times as much as the price of the shirts to discover what had happened to them. There has to be an 80:20 rule. As a person who has a background in management consultancy and corporate finance, I think that we are spending too much money on monitoring minutiae and as a result we are losing sight of the big picture.

There are others waiting to speak, so I shall return to the main thread of my argument. I want to make two final points. Our armed forces are manifestly too small for the tasks that they are set. It is essential that some of the deficiencies to which I have pointed in the Regular Army—the under-recruiting, the lack of medical fitness—are put right, but we are going to need a larger reserve to expand, whether or not people like it.

There is something bizarre about the MOD thinking that this reserve should be used only in logistic areas. If the worst comes to the worst, personnel for logistic areas can always be found from civilian life and can be trained very quickly. It is weird to claim that it is appropriate to use special forces from the Territorial Army in formed units, although we never discuss their detailed deployments; that it is appropriate to use Royal Marine reservists, commando infantry, in up to company strength, as they have been used; and that it is appropriate for 131 Commando Squadron, Royal Engineers to send formed troops around the world; while claiming that it is inappropriate to use ordinary infantry, engineers and yeomanry, the three areas that were most heavily cut in the Government's defence review, in formed units.

When we took the shameful decision to withdraw fighter cover from London, nobody asked how it was that every single air defence unit responsible for continental air defence in America comes from the Air Guard, who are volunteer reservists. Nobody even considered an option for that.

[Mr. Brazier]

I stepped down from the last Conservative Government because I was unhappy about defence cuts. I was one of a small group of people who protested for two or three years, with limited effect, against what was going on. I was concerned that we did not sufficiently appreciate the dangers of the world as it was five or six years ago, and had failed to realise that the forces that we were providing were inadequate to meet them. Since then, no one would deny that the terrorist threat has grown enormously. The challenges that we require our armed forces to face have greatly increased, and yet the forces are still shrinking.

I congratulate my hon. Friend the Member for East Devon on securing this vital debate. As the Government take us towards the brink on Iraq, and as the next terrorist strike may be on this building, I urge them to think and to ask themselves whether they have got the balance right

11.30 am

Mr. Eric Joyce (Falkirk, West): I congratulate the hon. Member for East Devon (Mr. Swire) on securing the debate. I will comment first on his speech, and then on the speech of the hon. Member for Canterbury (Mr. Brazier).

On troops and firefighting, I understand that the Green Goddesses, and the training that the troops receive, are designed for what, in the parlance, is called "defensive firefighting". That means that they get to the location, douse it with water, get people out of the building if they possibly can, and then try to minimise the damage. In essence, they can stand outside, but do not go inside the building.

Trained firefighters with proper equipment, on the other hand, go inside the building and try to minimise damage. That is a much more sophisticated business, which is why they require all sorts of additional equipment, including air equipment. That is not to say that soldiers could not be trained to serve that function, but there would be several implications if they were. Should the need come to pass—I hope it will not—the troops' primary role will be to fight fires defensively. We should stress the importance of human life and accept the fact that more property may be damaged leading to more insurance costs in due course.

The hon. Member for New Forest, East (Dr. Lewis) suggests training troops to use complex equipment. I do not deny that they could be trained—we certainly have troops of sufficient quality—but they would need to be trained for far longer. To have the same number of troops firefighting would mean that more troops would need to be in training for longer. That would contribute to overstretch, which is the subject of the debate. The hon. Gentleman should reflect on that when he suggests having longer training time so that troops can use more complicated vehicles and equipment, while at the same time he laments the existing overstretch.

Dr. Julian Lewis: The hon. Gentleman is making a gallant attempt to shield the Government from the fact that if a firemen's strike occurs, the troops will have to go forth with inadequate equipment. Surely, a balance can be struck between not overburdening the armed forces with such a role, and at the same time updating, at least steadily, the equipment that is held in reserve for them when they have to discharge that function of support for the civil power, which surely is a normal function for armed forces in this country?

Mr. Joyce: The hon. Gentleman makes an interesting point. I do not know the technical answer, although the Minister may be able to tell us at the end of the debate. I suspect that it has something to do with how regularly equipment is updated. The training programme is designed around training troops in an emergency to use Green Goddesses and standard equipment. However, fire engines are regularly updated every couple of years, so it would be much more complicated to organise a training programme that fitted any circumstance.

Patrick Mercer (Newark): Speaking as someone who had the dubious honour of being involved in the 1977 fire strike, I can tell hon. Members that the Green Goddesses are wholly inadequate. They have no proper pumping equipment or radios for communicating with each other. I respect the point being made by the hon. Member for Falkirk, West (Mr. Joyce), but he is stretching it.

Mr. Joyce: Of course I recognise the hon. Gentleman's experience, but the outcome of the 1977 strike, and the effect of the troops using Green Goddesses, was a minimal increase in loss of human life and a significant increase in damage to buildings. Insurance claims doubled. That reflects the function of the Government's present position, which is to prioritise human life and to accept that there will be an increase in insurance claims. The outcome of the troops' efforts was entirely sound and consistent with Government policy then and now.

Mr. Drew: Can we get it clear that the problem is not firefighting, but the rescue element? Firefighters provide a fire and rescue service. With the best will in the world, troops using Green Goddesses will not able to cope with that. It is a much more complicated issue than simply telling the troops to go in and fight fires. It is not just about fires, but about how people are rescued in all sorts of other ways.

Mr. Joyce: I recognise my hon. Friend's point, but I should like to move on. The hon. Member for East Devon referred to targets. I counsel him against using figures that are couched as targets. Targets are simply what the Army projects as feasible, given its recruitment constraints. A target is different from a requirement. If the Army says that it hit 96 per cent. of its target two years ago, and only 90 per cent. of its target this year, that does not mean that it recruited fewer people. It does not mean anything in terms of its requirements. The reference to targets is not just a semantic device, but it means something different in the way that the hon. Gentleman uses it.

The hon. Gentleman also referred to housing. I recall that when the sale of Ministry of Defence housing to Annington went through, a substantial chunk—about £100 million of the £1.1 billion sale price—was hypothetically reserved for the upgrading of military accommodation or for additional expenditure at a rate

of about £13 million or £14 million a year. The then Opposition Defence team challenged the Secretary of State on whether he would guarantee that the level of expenditure already committed to upgrades and to maintenance would be maintained. They wanted to be sure that the Conservative Government would not simply reduce the maintenance budget to add in that extra chunk. Time and again the then Secretary of State refused to give a commitment to increasing expenditure and upgrading housing. That is a matter of record. I am sure that we could find the appropriate references in *Hansard*.

Mr. Brazier: It is no secret that I led the rebellion opposing the sale of married quarters, so I have no vested interest in defending the Conservative Government's record in that area. The only positive thing to come out of that whole sorry episode was that there was a clear-cut, ring-fenced commitment to allocate the extra money for housing which my hon. Friend outlined.

Mr. Joyce: The hon. Gentleman is quite right. The clear-cut ring-fencing took place. The Government said, "Here is a receipt for £1.1 billion. We will commit a chunk of that to spend on housing." However, they refused to commit the current level of expenditure on maintenance. In other words, they could scoop money out of the maintenance budget and add it to the money committed to housing, but no extra money would be spent on housing. The Secretary of State was repeatedly challenged on that fundamental point. The hon. Gentleman will remember that.

Mr. Hancock: I would not like the hon. Gentleman to fall into the trap that has been set for him by suggesting that that ring-fencing took place. It manifestly did not. If one looks closely at what the Conservative Government were saying at that time, it is clear that they said nothing about protecting that money. It certainly did not happen.

Mr. Joyce: I thank the hon. Gentleman for that. I defer to his greater expertise and memory of that.

Dr. Moonie: Just in case I forget to mention this when I reply to the debate, may I point out that although £100 million is a large sum, it is nowhere near enough to do up all our accommodation to the standard that we would like?

Mr. Joyce: Of course, and I thank my hon. Friend for that.

My final point is that recruitment and retention has as much to do with economic policy as it has with defence policy. It is in the wider domain of employment and economics and the other opportunities that people have. It is an old sore but it is a fact, nonetheless, that during periods of high employment when there are other opportunities it is much harder to get people to join the armed services. It is not, as the hon. Member for Portsmouth, South (Mr. Hancock) said, simply a function of pay; all sorts of other things go into a person's decision whether to join the armed services. The more opportunities there are, the harder it is to get numbers into all three services.

Hon. Members may call for radical increases in recruiting—notwithstanding what I have just said, recruitment is affected by the lever of pay to a certain degree— but that would require a substantial increase in defence expenditure. The services have had their current problem for at least 10 years, although there were previous problems, but it can be solved from a financial point of view only if we are prepared to spend an enormous amount of money on pay and conditions, for example. However, just as the Opposition never say which commitments they would reduce because the armed services are overstretched, they never commit themselves to an enormous increase in defence expenditure. I would welcome a statement from any Opposition Member that there would be a gigantic increase under a Conservative Government.

11.41 am

Patrick Mercer (Newark): Thank you, Mr. Taylor. I am full of admiration for my hon. Friend the Member for East Devon (Mr. Swire) for introducing the debate.

I want to respond to one or two points made by the hon. and gallant Member for Falkirk, West (Mr. Joyce). Everything he said makes a great deal of sense until one looks at the patchy way of recruiting and at certain regiments in the British Army that are constantly over-recruited. They use wholly different methods from those laid down by the usual Army guidelines and manage, even in the areas of sparse population and full employment from which they recruit, to be over strength to the tune of about a company. Those achievements are remarkable and I will not bang on about them any more than usual as the poor Minister has heard quite enough of me on that matter. However, it drives a coach and horses through the hon. Gentleman's point and I shall return to it in a moment.

It might be useful to illustrate exactly what overstretch means at unit level. The word is bandied around an awful amount and I wonder whether people really understand what it means. It is not so much the line infantry or the Royal Artillery or the Royal Armoured Corps, but units like the Royal Electrical and Mechanical Engineers, the Royal Engineers and even the Royal Corps of Signals whose soldiers are not protected by a regimental cap badge or a battalion but whose expertise is paramount. Those soldiers are constantly being called upon for operations in Northern Ireland and Bosnia, for example; you name it, they are there.

The so-called "enablers" is a ghastly modern Army term to which I could never subscribe, but none the less the enablers are under huge pressure. It is those people, often doing the least glamorous and well-rewarded jobs, who suffer, not because they are bad soldiers or because they are unwilling, but because generally technicians have stayed in the Army longer than combat soldiers and have probably married and had more children than their equivalents in the Royal Armoured Corps or the infantry. They are under appalling pressure at home; their wives, rightly, resent not seeing their husbands and their children resent not seeing their dads, who are never available for the school run in the morning or to take them out to the cinema. My hon. Friend the Member for Canterbury (Mr. Brazier) mentioned divorce, a matter to which I shall return. Divorce in the British Army is running at an all-time high. It is an evil that erodes

[Patrick Mercer]

combat effectiveness, morale and not just retention, but recruitment. If a unit returns its men to a small town such as Newark at the weekend or during leave periods, the word soon gets round that the Army, Navy or Air Force may be attractive on the surface, but conditions of service are highly unattractive. Therefore recruitment can be affected just as much as retention.

I ask the Minister to address a specific point: many families lose deposits that they have paid for holidays as a result of operational commitments coming up at short notice. I do not know the answer to that, but I shall illustrate the point. A company of the Royal Regiment of Fusiliers went to Belize for six weeks' jungle training but, because of other commitments, was brought back after 10 days. It was brought back by scheduled flight, not trooping flight. The expense to the Government and the nation of that redeployment was considerable, but what was the personal impact on the soldiers? How many of their families lost holidays? What compensation was paid? I know from personal experience that that is a grave source of discontent.

Mr. Gerald Howarth (Aldershot): I think that my hon. Friend was away last week when I wrote to the Minister of State for the Armed Forces about the Welsh Guards. After six months' absence from their families in Bosnia, they were told a week before they were due to return to the United Kingdom that all post-operational leave had been cancelled. I am told that up to 40 families lost deposits for their holidays, and the Ministry of Defence will not reimburse them. That sort of behaviour is seriously testing the loyalty of our armed forces, on which we rely.

Patrick Mercer: I am grateful for that intervention.

Recruiting Group, which is part of the Army Training and Recruiting Agency, must be congratulated on its recent level of recruitment success. That has been a distinct change and is a wonderful achievement. Perhaps the recent change of leadership on the recruiting side has had an effect. In any case, the Minister will know what I am going to ask next: why are there no bed spaces for those extra recruits in the training establishments? Why, with the so-called bow wave, are we unable to cope with these young men and women who wish to serve their nation?

I have made the point before, albeit only about infantry recruits. We now have the problem right across the services that failure is being snatched from the jaws of success. That strikes me as the most cack-handed piece of planning. I hope that the Minister will forgive my using that phrase, but we are eroding the will of those young men and women to serve their nation.

The treatment of regular Army reservists must also be considered. Again, these men and women are without the protection of a regular unit or even a Territorial unit. I beg the Minister to consider those regular Army reservists who are constantly called back for operational duty, yet who receive no promotion. I beg him to consider the Golden Jubilee medal for these men and women who serve the nation so well. These soldiers are plugging the gaps in the regular Army and are doing a damn fine job. I ask the Minister to consider rewarding them properly and treating them in a wholly equable fashion. They help to relieve overstretch. They are not part of the mainstream organisation, but their treatment must be examined in more detail.

I also draw the Minister's attention to the Fijian soldiers serving in the Army. More than a company of the first regiment of the Royal Scots now comes from Fiji. I shall let the Minister explain the logic of that. How comfortable these gentlemen are in tartan trews and with "white feet", I do not know, but there we are. I ask the Minister to consider the fact that when they return from Bosnia to Dreghorn barracks, they have huge difficulty in travelling on the passports that they have. Their only way of getting out of the British Isles in order to enjoy their well-earned leave is to go through the difficult process of applying for visas. That applies whether they are abroad on operations or back in this country. Could not some waiver, or perhaps a temporary passport, be found? I do not have a carefully thought through solution, but I would like to draw the Minister's attention to that matter.

Could we also reflect on expanding the utility of the Gurkhas? We have already lost one Gurkha company, we shall lose another next year and another the year after that. I understand the tripartite agreement between ourselves, India and Nepal, but it could be made more flexible. I would be grateful to hear the Minister's views.

I expect no answer—it will become clear why not—on my final point. This week our special forces are to receive recognition from Her Majesty the Queen for their enormous gallantry in Afghanistan. I want to put on record my undying admiration for these men, one of whom is to be rewarded by Her Majesty for despatching the Queen's enemies with a knife. That is wonderful. I regret the circumstances in which it occurred, but such gallantry should be recognised.

These gentlemen, however, face the same level of overstretch as the rest of the Army. For obvious reasons, that does not appear in official reports and documents. If we visited Bulmers in Hereford—the people who make the cider—we would find that 80 per cent. of the work force were female. Of those 80 per cent., a huge number are Special Air Services divorcees. The price that these men pay for their gallantry and dedication is reflected in their home lives. It is an old sore and an old adage, but unless things are right at home, the soldier is unlikely to fight effectively.

I am grateful for the Minister's attention and I ask him to pay close and detailed attention to the points that I have raised.

11.51 am

Mr. Mike Hancock (Portsmouth, South): May I also congratulate the hon. Member for East Devon (Mr. Swire) on securing this important debate? I congratulate Members who have participated in it this morning, though many of the points raised by Conservative Members require a proper response. I was amazed to hear the hon. Member for Canterbury (Mr. Brazier) excuse bullying by claiming that it was the result of the amount of paperwork forced on senior NCOs and others. That might be an excuse for him, but—

Mr. Brazier: I certainly did not excuse bullying, which is always inexcusable. Many soldiers at different levels

have told me that whereas in the old days, senior NCOs and some officers had time to spend with soldiers training under them so that they could discover what was going on off duty, they are now increasingly so caught up in paperwork that that vital steam valve no longer operates, increasing the scope for bullying.

Mr. Hancock: That may be the hon. Gentleman's point of view. However, speaking as a member of the Defence Committee and someone who has met members of our armed forces throughout the world, whether on deployment or on station, that view has never been put to me. Nor has it been put to members of the Defence Committee in the four and a half years of my service on it. Bullying in the armed forces takes place for other reasons. I was pleased to hear a brigadier on this morning's "Today" programme make it clear how seriously the armed forces were dealing with bullying. One hopes that that is true, but it clearly remains a significant problem for some young recruits, and females in the forces often suffer from sexual abuse in one form or another.

The hon. Member for East Devon referred to the fire service. We should all be grateful that we are not today in the first stages of that dispute. One hopes for a solution that will not require the use of the armed forces. My hon. Friend the Member for Stroud (Mr. Drew) made an important distinction between firefighting and the fire and rescue service. Anyone who has spent time with the fire service knows all too well how much training and conditioning goes into the process of encouraging people to enter a building at great danger to themselves to rescue others. That calls for real skill and an effective means of training has developed over the years. I was amazed to hear the Leader of the Opposition suggest at Prime Minister's questions last week that such training could be accomplished in just a few days. It is ludicrous to believe that people can be trained to tackle a blaze and rescue others from inside a building in just a few weeks. That beggars belief. Training people to hold a hose and fight a fire from outside a burning building is not the same as producing dedicated rescuers capable of saving others in intensely dangerous circumstances.

The use of firefighting equipment is another issue. Training someone to use the most up-to-date fire equipment—I have taken advice from the fire service in Hampshire, which I was once, as leader of the county council, proud to lead—takes a long time. Training soldiers properly to use the latest equipment would take a minimum of six to eight weeks. That would be required to make someone capable of taking the vehicle from the station to a fire and to set about the task of fighting it—emphatically not to rescue people.

Dr. Julian Lewis: I thank the hon. Gentleman for giving way, but I fear that his memory is at fault and that he is gilding the lily on what my right hon. Friend the Leader of the Opposition said. I recall that he had been advised by the Retained Firefighters Union that troops already familiar with the Green Goddesses could train up in a fairly limited time to use more modern equipment. I was not aware that my right hon. Friend said anything about them desperately plunging into buildings, as suggested by the hon. Gentleman.

Mr. Hancock: I listened carefully and gained the impression that that was effectively what the Leader of the Opposition said.

Mr. Gerald Howarth: I am grateful to my fellow Hampshire Member for giving way. I also discussed the matter with the Hampshire fire rescue people, who told me that troops could be trained up to a competent level within a couple of weeks. That entirely mirrors the advice given by retained firefighters to my right hon. Friend the Leader of the Opposition. We are clearly talking not about the standards of a professional firefighter, but the ability competently to man modern equipment, which would otherwise lie idle.

Mr. Hancock: The other issue is how to accomplish the training. It would mean taking out hundreds of fire appliances currently in use—my right hon. Friend the Prime Minister made the same point—which would not be easy to achieve.

I was also surprised to hear Members speak so critically of the Green Goddesses. The last fire dispute took place 25 years ago in 1977. One wonders what happened in the 17 years of the 20 between 1977 and 1997 when the Conservatives were in control? I do not recall any enthusiastic rush on their part to re-vamp or replace the Green Goddesses, or to train service personnel to a higher competence.

Dr. Moonie: The idea that we are sending people out to deal with fires on ramshackle vehicles that do not work is quite wrong. The Green Goddess is old and can be unreliable, but it remains an effective instrument for doing what it is supposed to do—acting as a civil defence last line of equipment.

Mr. Hancock: I accept the Minister's point. None of us should knock efforts to train our troops properly to serve the communities where they are based, but one hopes that we shall not need to use them.

I want to respond to the Minister's riposte about paperwork. The Ministry of Defence owes it to our armed forces to ensure that, in particular, proper medical records are kept. It faces many criticisms in that respect. There have been suggestions that there is inadequate medical evidence to support claims of Gulf war syndrome; there is no proof as to what soldiers and others were given at the time. If proper records had been kept during the Gulf war, many service men and their families would be in a better position to fight their corner. We can only regret that that was not done and I hope that the lesson has been learned.

The armed forces suffer a vicious circle. Failure to address the problems of recruitment and retention results in unsustainable levels of service for those who remain and a consequential drop in morale, as those of us who represent constituencies with a service interest know only too well. The circle must be broken, but I am unclear as to how. No solutions are readily available to the MOD—it has attempted to find them, but has not been successful, and none of us has found any quick fixes for retention.

[Mr. Hancock]

On 1 July, the Royal Navy was under strength by 1,420, the RAF by 770 and the Army by 5,440. We have two options. We can either up the ante and produce a package of pay and conditions that will attract, recruit and retain or we must seriously consider reducing the deployment capability of our nation. In 1997 we had 47,000 troops deployed overseas; today we have 44,500—a small reduction—but there is a significantly smaller pool from which to draw. There are some 23,000 reserves compared with a wanted strength of close to 40,000—we are nearly 50 per cent. short. We should ask why that is the case. I do not believe that there are soft answers; these are serious issues and, as the hon. Member for Falkirk, West (Mr. Joyce) said, we are competing in a changed world with a new economic climate. In many instances, the competitive opportunities for many of the men and women whom we would like to recruit to the armed forces far outweigh what we can offer. I do not know how it is possible to retain 32-year-old pilots—they can earn 50 per cent. more and achieve a substantially higher pension by leaving the RAF while they still have 20 years' flying for a private airline in front of them. What sort of package must we come up with to make staying in the Royal Air Force until his mid-forties an attractive proposition for a pilot?

Patrick Mercer *rose—*

Mr. David Taylor (in the Chair): Order. Before I call the next speaker, I should point out that I want to call the official Opposition spokesman at 12.4 pm.

Patrick Mercer: I am grateful, Mr. Taylor, for your allowing me to intervene. Everything that the hon. Gentleman has said is correct, yet there are regiments and units that are constantly over strength and have no difficulty in recruiting and retaining. How does he explain that?

Mr. Hancock: The hon. Gentleman did not explain it to us. I was going to listen with great interest to the comments that he promised, but did not deliver. I was eager to hear what he had to say and I regret that he did not come back to that point. Perhaps on another occasion he will do us that honour.

The conditions are crucial. The issues of housing, lost holiday deposits and temporary passports for foreign nationals serving in our armed forces have to be taken into account. If we are going to ask people to serve us, we must make it clear that Parliament is committed to serving them. Now, many feel badly let down.

12.4 pm

Mr. Gerald Howarth (Aldershot): The short answer to the hon. Member for Portsmouth, South (Mr. Hancock) is the return of the Conservative Government. That is how we shall resolve the shortage of pilots in the Royal Air Force.

I join others in congratulating my hon. Friend the Member for East Devon (Mr. Swire)—indeed, he is my hon. and gallant Friend—for making such a remarkably good and wide-ranging speech. Although lack of retention has been a problem in the armed forces, the House and the country have sometimes been the beneficiaries. For instance, my hon. and gallant Friends the hon. Members for East Devon and for Newark (Patrick Mercer) added enormously to the authority and the wisdom of this place when they gave up their careers in the services to join us.

My hon. and gallant Friend the Member for Faversham and Mid-Kent (Hugh Robertson) and the hon. and gallant Member for Falkirk, West (Mr. Joyce) are here; nor do I forget my hon. Friend the Member for Canterbury (Mr. Brazier), who served with distinction in the Parachute Regiment, and the hon. and gallant Member for Torridge and West Devon (Mr. Burnett), a former Royal Marine. They illustrate the wisdom that Parliament does have Members with real experience.

The debate is important. It is a good example of the fact that we can have constructive and informed debates on defence in the House. Indeed, we shall be having another on Thursday; then, should the Minister be deficient in his answers today, we shall be able to take up matters again. I say that because many issues have been covered today, and I am not sure that he will have time to respond to them all.

The strategic defence review of 1998 defined overstretch as

"trying to do too much with too little manpower . . . additional pressures from persistent overstretch contribute to higher exit rates from the Armed Forces."

That was how the Government defined overstretch. It is quite reasonable, four years on, to see how they conducted their stewardship of our armed forces in light of the undertakings that they gave then.

It is clear that overstretch is creating enormous problems. The time needed to train for operations, for the operations themselves and for recovering from those operations is taken from time that would otherwise be used in training for assigned tasks. Paradoxically, most operations, especially peacekeeping operations, degrade capability. Patrolling the streets of Northern Ireland does not prepare soldiers for anti-tank warfare or infantry fighting, and monotonously patrolling the no-fly zones in Iraq does not prepare our pilots for air-to-air combat.

The disruption of training and the increased disruption of family life caused by overstretch has a severe effect on the quality of life our armed forces; and my hon. and gallant Friend the Member for Newark made absolutely clear what effect that can have on family unhappiness and divorce rates.

In that respect, I hope that the Minister will respond to my letter to the Defence Secretary about the Welsh Guards. The Welsh Guards at Aldershot are deeply disappointed that post-operational leave has been cancelled and that they had to return to accommodation that they find disgusting. They were then told that the MOD would not pay their deposits for holidays that were cancelled as a result of leave being stopped. The prime cause of the retention crisis is that men with families have simply had enough; and it feeds back into further problems with overstretch.

I shall speak about each of the services, and I shall start with the Army. Lord Robertson, then Secretary of State for Defence, said in the strategic defence review:

"All three services have been overstretched because of the demanding pattern of our operations, and I am determined to put that right."

That was four years ago. Have the Government put it right? As my hon. Friend the Member for East Devon explained so graphically, the Army's trained strength is 1,300 men lower than it was in 1997, and it has remained roughly static since 1998, despite the Government's pledge to increase the size of the Army by 3,300 men. We have seen a modest increase lately; but even by September 2002, when there was some improvement, the deficit was 5,300 compared with April 1998. Now we are told that the Army is not forecast to reach its full manning level until 2008 and, as the Adjutant-General told the Select Committee, that target has surreptitiously moved from 108,500 to 107,900, yet demands have increased since 1998 and are still increasing.

If we consider the Royal Navy, under the strategic defence review, the number of destroyers and frigates was reduced from 35 to 32, and the number of minehunters was reduced from 25 to 22. Flexible deployment was supposed to fill the resulting gaps. As the Defence Committee commented at the time:

"We remain unconvinced by the proposed new flexible deployment of the frigate and destroyer fleet and are not persuaded that this new flexibility has been devised for operational rather than cost-cutting reasons."

The operational impact of those cuts in the number of destroyers and frigates is clear. In 1999–2000, the time spent by the Atlantic Patrol Task (North), often known as the West Indies Guard Ship, on station in the Caribbean, was cut from 365 to 244 days, so it is a case of all clear on the days when the task force will not be active but steer clear when it is. With a reduced patrol in the Caribbean, are the Government still committed to protecting British interests from drug trafficking? Now we are told that we can make do with 31 frigates, rather than 32, through the more efficient use of assets.

It was smuggled out that HMS Sheffield was to be sold prematurely, and we know the problem regarding HMS Nottingham—Notts on the rocks. HMS St. Albans encountered a ferry in last Sunday's storms. Those ships will be taken out of action. A memo from Commodore Laurence suggested that the announcement of the premature disposal of HMS Sheffield would be made by way of an inspired parliamentary question. His memo continued:

"A decision to dispose of the ship is likely to initiate further questioning over the ability of the fleet to meet its current and future commitments."

He can say that again. It is a shame that the Government did not have the guts to announce their decision in the House, rather than relying on the matter to be leaked through a memo from Commodore Laurence.

Again, we read in *The Daily Telegraph* on 8 October that the Royal Navy is to lose up to six of its 32 destroyers and four minehunters in order to pay for the two new aircraft carriers and the new joint strike fighter. Ministers have denied it, but their track record is not good. We welcome the Government's plans for six new type-45 destroyers. That is good news, but we need numbers. With all the sophisticated kit in the world, we will not be able to deploy ships that we do not have. That sounds simplistic, but it is true. If the Government continue to decide that we can make more efficient use of fewer ships, we will eventually be making effective use of only 10 ships, but we will not be able to deploy them where we need them.

I shall not rehearse the arguments about Sea Harriers.

Mr. Brazier: My hon. Friend has contrasted peacetime overstretch with the ability to deploy numbers in war. That is why Jackie Fisher, arguably the greatest sealord of all time, adopted the policy of maintaining a substantial reserve of naval vessels, which could be brought rapidly back into use during war.

Mr. Howarth: My hon. Friend makes an extremely good point. We have a very limited naval reserve. I shall not go into the issue of Royal Air Force reserves, but the hon. Member for Portsmouth, South (Mr. Hancock) has mentioned how decimated our Territorial Army reserves are. On the F35, the joint strike fighter, it was admitted in a written answer last November that the Fleet Air Arm was at only two-thirds strength, with only 44 Sea Harrier pilots compared with the required 64. Has the position improved? How do the Government propose to man the joint strike fighter in 2012, assuming that it comes into use at that time, when it cannot maintain the strength of the Fleet Air Arm? Of course, we know the position with the RAF. The 5 Squadron has been cut, which is especially ironic as it was the stand-by squadron to prepare for an intercept if it became necessary to intercept aircraft coming into London.

On all three services, there is a problem with cuts in capability. Hon. Members do not have to take only my word for that. As recently as May 2002, in another place, distinguished former serving officers who have recently retired have been unstinting in their criticism of the Government's stewardship of our armed forces. The noble and gallant Field Marshall Lord Inge said,

"The fundamental problem is that our Armed Forces are too small for the many operational tasks placed upon them."

The noble and gallant Lord Guthrie, who recently retired as Chief of Defence Staff, said,

"Recruiting targets are not being met; ships and regiments are not properly manned; training is being reduced; and equipment is ageing and often not available. So far as defence is concerned, there has been, in effect, disinvestment. All this, I remind noble Lords, has been happening at a time when to many of us it appears that the threats to our security are becoming ever greater."—[*Official Report, House of Lords*, 15 May 2002; c. 311–19.]

Ministers cannot lightly dismiss the words of a gentleman who was, until recently, the Chief of our armed forces. I hope that the Minister will respond when he replies to the debate.

Other additional burdens include the war against terrorism and the enhanced homeland security requirements, to which General Sir Michael Rose recently referred in an excellent article in the *Daily Mail*. There is increased tension in Northern Ireland; four battalions are patrolling the streets of Belfast, when a few years ago there were none. Troop numbers have risen there from some 11,000 to 13,000. There is the

[Mr. Howarth]

possibility of further conflict in the middle east. There is also the firemen's strike, whose impact on the armed forces has been described by my hon. Friends.

The Government have provided no allowance for the unexpected. There is no slack in our armed forces to meet emergencies. It takes time to train experienced and competent service personnel and, if all these new conditions are imposed on them, they will, as one service man put it to me, "leg it."

The armed forces have always managed to make do, but if their concerns about over-commitment are not heeded, their ability to respond to ministerial demands could suddenly snap. In that case, we could not meet the requirements of Ministers to fulfil our commitments at home and abroad. We must not take the armed forces, or their professionalism, for granted.

I finish by quoting from the SDR, from which I quoted at the beginning of my speech, when I mentioned overstretch. The SDR promised

"to improve recruitment and retention so that our units are properly manned . . . That era of decline is behind us."

Mr. Joe Benton (in the Chair): Order. I am sorry to interrupt the hon. Gentleman, but I want to give the Minister some time to reply.

Mr. Howarth: May I just finish my point, Mr. Benton?

The debate has proved that the era of decline is not behind us.

12.18 pm

The Parliamentary Under-Secretary of State for Defence (Dr. Lewis Moonie): I dislike the use of the term overstretch, as it is trite and clichéd. It should be replaced with another word but, in the absence of a substitute, I think that we should use the terms stretch, which is obviously part of the task of the armed forces, and excessive stretch. As the hon. Member for Newark (Patrick Mercer) said, excessive stretch affects individuals rather than units. We must remember that we are talking about individual men and women when we discuss overstretch, not some abstract concept affecting the armed forces as a whole.

However, we should be clear on the matter. The armed forces and our service chiefs have not declined any operational commitments because of excessive stretch. As the House knows, when we deploy forces we do so with the full support of our senior military advisers. Their advice is based on the collective expertise and best information on the availability and readiness of our forces. There is inevitably some risk in any deployment, but we manage and minimise that risk. After all, operational deployment is the raison d'être of our armed forces, although we would not think so to listen to some of the speeches made by Opposition Members.

Perhaps the most vivid illustration that I can give is a simple comparison. At the height of the Kosovo operations in June 1999, 44 per cent. of Army personnel were committed to operations. The worldwide commitment is now about 27 per cent. of personnel, with about 18 per cent. deployed at the moment.

Despite heavy commitments, naval harmony guidelines under which ships spend 40 per cent. of their time in base port are generally being maintained. In the RAF, only about 2 per cent. of trained personnel exceed the planned limit for separated service.

It is true that our armed forces have been very busy. We ask our personnel to undertake demanding tasks, often in difficult circumstances such as in Afghanistan. We must ensure that that there are no doubts in the minds of families and potential recruits about what people let themselves in for when they choose a career in the armed forces. Our forces are for use, not for sitting around in barracks indulging in an endless cycle of training with no other ultimate purpose. Anyone who joins the British armed forces or the reserves must recognise that they will be expected to serve on operational deployment.

That is part of the attraction of the armed forces, and perhaps why recruitment has gone up dramatically over the past three months, especially to the Army. That has led to the problem that was properly outlined by the hon. Member for Newark, namely that recruitment is now greater than our capacity to bring new recruits into training. However, we are considering extending opportunities for people to be given some general training, to whet their appetites for the full training cycle. My right hon. Friend the Minister of State for Defence and I were offered that new strategy last year when asked how we would cope with a sudden surge in numbers. It has proved difficult to cope, as we generally expect numbers to remain fairly static or to increase gradually. The sudden surge in the past three months has posed problems, but we are addressing them.

We are not complacent about the importance of managing the demands that we place on our armed forces. To help determine them, we now seek to record separated service. I am afraid to say that that involves more paperwork. The most efficient running and coverage of what men and women do, which is what counts, requires a much higher standard and detail of record keeping than was common in the past. We need only point to medical and service records from the Gulf war to show how inadequate they were at the time, and hopefully how much better they are now.

More work is required for us to be able to trace the performance and service commitment of every individual in the armed forces. It is no small undertaking. As the hon. Member for Newark rightly pointed out, individuals in units can suffer from excessive stretch and excessive overseas deployment while the rest of the unit shows no signs of it. It is important to show what happens to each man and woman in our service. That is what we are bringing in, and all hon. Members would welcome it.

The provision of systems to capture such information for a widely dispersed and highly mobile population is difficult, and competes for resources with other technical priorities. It is a key objective of our forces personnel strategy, and in the end will give us a much a clearer picture of the demands that we place on individual men and women.

We have substantially invested in that capability, and its coverage will be extended to all parts of all three services as soon as is practicable. Since 1997, the RAF has provided that facility for personnel for periods of

separation of three days or longer. The Navy started recording on a daily basis for the majority of its personnel in September last year. The Army is at present conducting trials in some units, and will bring in a universal system as soon as is feasible.

Turbulence for individual soldiers and families is important, and our general approach is to try to reduce it as much as possible. We aim to commit personnel to operations for no longer than is absolutely necessary to achieve the military aim. They are withdrawn from operations at the earliest opportunity, as in Macedonia last year. Everyone pooh-poohed the idea that 30 days would be sufficient. In fact, the operation was conducted with clinical efficiency. We went in for 30 days; we came out after 30 days of weapons collection. The fact that a fragile peace has been established in Macedonia is due in no small measure to the actions that we took.

Similarly, we said that we would go into Afghanistan for a certain period, and we stuck to that. The Turks took over and are doing a good job.

Mr. Brazier: I accept that most of the points mentioned by the hon. Gentleman should help, but the bald fact is that in the Labour Government's time in office, divorce in the Army has risen by almost half. The haemorrhage of experienced personnel has worsened. Overall, the hon. Gentleman must accept that the Government are losing the battle.

Dr. Moonie: The figures show that divorce rates in the armed forces are similar to those for the comparable group in the general population. They change over time. I shall not waste too much of my speech trying to explain details of vital statistics to the Opposition.

Average unit tour intervals in the Army have improved. They are currently assessed at an average of 23 months, which is just below the strategic defence review target of 24 months. To be fair about that figure, there are differences between units. Not all of them have attained the 24 months figure. There are particular problems with certain light role infantry battalions, engineers and signallers.

I should stress in passing the value of our reserve forces. At present 850 of our reserves are serving in units on active service, and a further 2,240 are on full-time reserve service. That huge commitment by our reserves, quite independent of any other callouts, is an indication of how effective our strategy has been in placing them close to the front line, as far as possible, and using them where they are most needed to plug gaps in service. I hope, over time, to recruit more people to both the regulars and the reserves in specialist areas such as signals and engineering, to alleviate the overstretching of those personnel and bring them back to the norm for the armed forces. I pay tribute to the excellent work done in the past couple of years by the Reserve Forces and Cadets Association and the National Employers Liaison Committee, now known, I think, as Sabre, for their superb work in bringing employers on side, to help to ensure that our reserves are treated fairly and properly by their employers.

Mr. Howarth: I am grateful for the Minister's tribute to the cadet forces. I have heard that it is proposed that he should withdraw from his association with the air cadets. I hope that he can deny that and confirm that he will remain on the council.

Dr. Moonie: No, I do not deny that. I think that all cadet forces should be treated equitably by Ministers, and a Minister does not serve on the council of the Army cadets or the sea cadets. All three cadet forces should be treated in the same way. I can perform more effectively as a Minister responsible for cadets if I do not serve on their governing body, but their governing body reports to me as is proper, in line with the other two cadet forces.

I realise that I have a half-hour speech to make and about three minutes in which to deliver it, so I must try at a breathless rate to cover as many points as possible. On the matter of the use of fire brigade equipment, we have 331 breathing apparatus rescue teams and 59 rescue equipment support teams available. In passing, I should mention that we use a great many sailors in firefighting roles. All sailors are trained, to an extent, as firefighters, because fire is the great fear on board any ship. Because of factors such as the tunnel effect of corridors, they are trained to use breathing apparatus and can provide invaluable support in firefighting activities. The services will not become a fire service; they cannot do that. However, with the equipment available to us, old though it is, I am confident that the thousands of personnel whom we have deployed on firefighting operations will cope well with their allocated tasks.

I am concerned about the matter that was raised concerning the Welsh Guards and lost holiday deposits. I understand that the issue is being intently considered. Frankly, I should think that if people are losing deposits because of unforeseen operational commitments, I would expect them to be reimbursed. I will not make any promises on that, however, until I know for certain what is happening.

We have a robust strategy for defending London from the effects of aerial attack, though I do not want to say any more than that now.

We have introduced retention packages for pilots. I would have thought that the Opposition knew about that. It is a bit early to determine whether the packages will be a success, though we have not made any secret of them.

With regard to the letter from the British Legion, I look forward to—

Mr. Joe Benton (in the Chair): Order. We must move on to the next debate.

Swan Theatre (Worcester)

12.30 pm

Mr. Michael Foster (Worcester): Let me say at the outset that I am disappointed at having to draw the plight of the Swan theatre in Worcester to the attention of the House. Earlier this month, news broke that Worcester district council, through its leader, Councillor Steven Inman, intends to cut the annual grant that it gives to the theatre from £137,000 a year to £54,000. That, combined with its impact on match funding from West Midlands Arts, means that the theatre will be forced to close early in the new year, and I want to draw attention to that act of cultural vandalism today.

Worcester Swan theatre is a 350-seat theatre. It attracts visitors from the city, across the county and further afield. It is a registered charity and a company limited by guarantee. It is governed by a voluntary board of governors and run by a small group of staff aided by volunteers. Of its income in 2001–02, 55 per cent. was earned, 21 per cent. was grant aid from West Midlands Arts, 17 per cent. was from the city council, 3 per cent. was from the county council and fundraising revenue made up the remainder.

The theatre has three strands of work. The first is production, with home-produced plays made in Worcester, with the creative process led by the in-house artistic team.

Mr. Peter Luff (Mid-Worcestershire): It is right that the hon. Gentleman should draw attention to the productions of the Swan theatre, of which my wife is a director. It is particularly tragic that the theatre faces closure now, when, artistically speaking, its productions are some of the finest that it has ever produced.

Mr. Foster: From time to time the hon. Gentleman and I disagree, but, on the issue in question, the city council has done us a great service in that we are united in our support for the Swan theatre, and I put on record my testimony to the hard work and dedication that the hon. Gentleman puts into theatre work in Worcester and in the all-party group on theatre.

Last year, Lance Woodman's "Red Skies Over the Severn" was critically acclaimed, and, as a result, Mr. Woodman was awarded a prestigious Pearson play-writing bursary. *The Guardian* gave the play glowing praise, describing it as

"a play that speaks so directly and urgently to its audience".

The second strand of work is presenting, with increasing quantities of national touring work going to the Swan. In 1998–99, there were 19 performances of six different productions. In 2001–02, there were 75 performances of 17 different productions. An example of that was "Victorian Values", which was watched last year by nearly 1,800 local children aged seven to 11.

The third strand is participation, which is made up of education and community work, as well as amateur theatre. Last Christmas, the theatre produced a musical adaptation of "A Christmas Carol", which linked the core professional actors and musicians with a community company of local, non-professional actors and children from across the city. There is a picture of the performance in the annual report. I cannot see any physical resemblance between Councillor Inman and Scrooge, but I know that many friends and allies of the Swan may disagree with that view.

In 1998, West Midlands Arts announced its intention to remove completely its funding as of April 1999 because it was underfunded and needed to make savings. The Swan was chosen as the sacrificial lamb because historically the local authority had funded the theatre poorly. West Midlands Arts took the view that if a local council did not value a theatre there was no reason to put money into it. The city council responded by agreeing an extra £83,000 a year on top of the existing £54,000 grant. The theatre produced a three-year plan for 1999 to 2001 called "Creative Connections" and West Midlands Arts agreed three years' worth of funding.

Recently, the city council set up a working party to examine arts provision in the city. It comprised three city councillors, representing the three main political parties, who produced a unanimous report that was presented to the executive board of the city council in December 2001. The working party recommended that the grant continue to be paid at the full level in return for monitoring certain performance indicators at the Swan. Earlier this year, the budget was set and continued the grant funding level on that recommendation.

In 2001, Worcester Swan theatre was shocked to discover that it was not included in the distribution of additional funding resulting from the national review of English regional producing theatres. It was one of only four in the country not to be recommended for additional funding, and that was a major blow to the Swan. Perhaps the Minister would like to comment on the reason behind that decision, and to confirm whether it is true that, as Worcester Swan theatre was told, the primary reason for its exclusion was a lack of drive from local authorities.

Shortly after the Swan published its 2002–03 business plan, it was evident that financial viability was threatened. West Midlands Arts, through the lottery programme, funded a report by Andrew McKinnon on the theatre, its operation and finances. Broadly speaking, the report says that the theatre manages its resources well, that it is vibrant and that the chief problem is underfunding.

To continue its present policy and programmes, Worcester Swan theatre would need another £77,000 a year. West Midlands Arts and the Arts Council responded positively, suggesting that they could make an extra £50,000 a year available. Last night, I received a phone call from County Councillor Adrian Hardman, the portfolio holder for resources, who informed me of the council's intention to increase the grant by the extra £27,000 needed to match fund the West Midlands Arts' grant.

Worcester Swan, recognising that in the long term the theatre needs other resources as it is beginning to show its age and its location is not ideal, started discussions with the city council about shaping the theatre's future and what contribution could be made. In the light of those discussions the city council announced its intentions to withdraw the £83,000 of funding. It appears that Worcester city council has financial

problems. Naturally enough, it blames them on the Government, but in reality I suspect it made the classic mistake of anticipating savings and spending them before they were realised. Only on finding that those savings had not materialised did it realise that a problem existed.

Newspaper reports state that the feared deficit for this year is close to £400,000, and the projected deficit for next year is £1.1 million. It is in an attempt to resolve next year's financial problem that the city council has threatened the funding of Worcester Swan theatre. Since that news broke, the public outcry has been enormous. I attended a meeting of more than 300 friends and allies of the Swan on 14 October. The meeting heard from the chairman, Gerald Harris, that due to the actions of Worcester city council, the theatre would close in the new year. It will close unless the city council have a change of heart.

I want local councillors to view spending on the arts not as bailing out the Swan theatre, but as helping to serve the cultural needs of the local community.

Mr. Luff: I am grateful to the hon. Gentleman for securing this important debate. Does he understand that the wider community is not just Worcester city, but the county of Worcestershire? I am getting a great deal of pressure from my constituents, who are urging me to do all that I can to reverse the closure. The play of which he spoke, "Red Skies Over the Severn", was a powerful work about the impact of foot and mouth disease on Worcestershire, which made a powerful appeal to the farming community in my constituency. We are talking not just about Worcester city, but about the county.

Mr. Foster: I could not agree more with the hon. Gentleman. I have a letter from the Bishop of Worcester, the Right Reverend Dr. Peter Selby, who makes exactly the same point as the hon. Gentleman. Dr. Selby writes that the theatre

"serves a much wider area, and to that extent plays quite a part in bringing people into the city."

He then makes a telling point:

"A city without a theatre seems to me ... something of a contradiction".

The theatre provides entertainment and culture for the city. Worcester is a vibrant city with an increasingly flourishing nightlife. Indeed, the city council has paid for a tourist website to show exactly what Worcester has to offer. The council includes the Swan theatre as a major attraction, yet its actions threaten the Swan's very existence.

I also call into question the secrecy surrounding the decision to cut funding to Worcester Swan theatre. The city council has an appointed representative who sits as an observer on the board of Worcester Swan, but he was not informed of the discussions on future funding and he found out about the decision by reading about it in the local newspaper.

The leader of the city council has responded to criticism from local people by attacking Worcester Swan theatre and how it is organised. Councillor Inman was quoted as saying that the Swan could survive if it lost

"the costly shackles of its professionals."

He said that he wants the theatre to be run by volunteers, amateur groups and friends, but I am afraid that that ignores the theatre's important community and educational role. That point was made strongly by Ben Humphrey of the Next Generation youth theatre at the meeting on 14 October. He asked what the 75 young people involved were meant to do in the evenings once their youth theatre group had closed down.

Worcester Swan cannot rely solely on being a receiving theatre. It would be in direct competition with the newly-refurbished Malvern theatre and the loss of in-house production and community work would set back the development of the Swan by 30 years. I accept that there is some confusion among those who provide grant aid as to what Worcester Swan theatre should do. The McKinnon report recognises that and calls for

"a shared view of a sustainable and fundable identity"

for Worcester Swan theatre.

I am pleased to note that the city council has called a special sitting of the community services committee, which will include representatives from the theatre board and the Arts Council, for 4 November. I hope that by then the city council will have realised the enormity of its mistake and changed its policy towards a grant for the Swan.

Perhaps the Minister can help Worcester. Can he give examples of other parts of the country in which there is a genuine partnership with those who provide grant aid for theatres? If so, can he point me in their direction so that all the local players in this game can get together soon to secure the future of Worcester Swan theatre?

Will the Minister consider the funding for the Swan from West Midlands Arts? It pledged an extra £50,000 to meet the findings and new direction arising from the McKinnon report, but that was on the basis of matched funding from local authorities. As of last night, that matched funding was made available. However, I understand that other theatres have had more generous grants of up to £250,000 a year, without the string attached of matched local authority funding.

The very existence of the Swan is being questioned at a time when there is huge potential for it to succeed in a new setting. The McKinnon report concludes that

"a new arts and cultural centre with up-to-date facilities for audiences, artists and the wider community in Worcester is now a pressing necessity."

There are some exciting developments planned in the city centre, particularly the regeneration of the old Castle street hospital, where such a base could find a new and permanent home. But the Swan needs to survive through next year if that is to become a reality and I should welcome advice from the Minister on how to secure the short-term future of the Swan and its long-term existence.

The conclusion of the McKinnon report was written before the city council broke the news of its plan to cut funding to the Swan. The final paragraph states:

"I suggest that Worcester City Council has a principal and primary role to play in this process. As both a barometer and the arbiter of opinion in Worcester I believe it has both the right and the duty to be instrumental in making the decision about the future of the theatre and performing arts in the city. This it can best do by taking a decisive and unequivocal position on the future of Worcester Swan Theatre within its plan for the provision of the arts in Worcester as a whole."

[Mr. Foster]

I doubt whether, when that was written, Andrew McKinnon had cuts in funding in mind, but those cuts are decisive and unequivocal and Worcester Swan theatre will have no future if they go ahead. I appeal to the city council to think again.

I am not a city or county councillor; I have no say in the spending decisions of local councils. My role is merely to draw the attention of those with that power to my fear that Worcester will become a cultural desert. In doing so I have been accused of causing mischief, but if, in being mischievous, I cause people in power to think again, I will have done my job. It is in Worcester's interest to have a successful theatre and I look forward to hearing from the Minister about how he can help tc make that happen.

12.45 pm

The Minister for Tourism, Film and Broadcasting (Dr. Kim Howells): I thank my hon. Friend the Member for Worcester (Mr. Foster) for securing the debate, which has given us the opportunity to discuss an issue that is clearly important to Worcester, and about which the Minister for the Arts also feels strongly. As my hon. Friend rightly said, it is important that Worcester has a thriving theatre at its heart and I regret the funding decision that the city council has made.

However, I am sure that my hon. Friend appreciates that Ministers have no direct influence on the funding of individual art forms or organisations, since funding for the arts is carried out at arm's length from the Government through the Arts Council of England. My hon. Friend and the hon. Member for Mid-Worcestershire (Mr. Luff) will agree that the worst possible thing would be for politicians to start arbitrating on who gets money and who does not with regard to the production of anything creative.

Mr. Luff: Will the Minister give way?

Dr. Howells: No, I should like to make progress.

I make it clear at the outset that the difficulties faced by the Swan theatre in Worcester are not due to a lack of commitment on the part of the Arts Council, but are the result of decisions taken by Worcester city council. Those decisions are a matter of great regret to my Department, but ultimately they are local decisions.

That said, I am aware that the Arts Council and West Midlands Arts have a recent history of close and extensive work with the Swan theatre and its other funders, Worcester city and Worcester county councils, to enable financial and artistic development at the Swan and to ensure an exit strategy from its current building.

The need for a new building was first identified in 1998 following a lottery capital fund feasibility study for capital refurbishment or rebuild of the Swan theatre. That independent study concluded that the cost of refurbishment would not represent good value for money and that rebuilds on the theatre's current site would not be prudent as it lies within the flood plain of the River Severn.

The study also found, through extensive research of audiences, schools, non-attenders and strategic agencies, a

"high awareness but a low level of excitement about the Worcester Swan."

That sounds odd, but I recognise such feelings in my own constituency. People think that it is important for towns and cities to have such theatres but, for whatever reason—perhaps we can discuss those reasons—they do not feel that it is one of the most urgent of considerations.

Having considered the independent report, the board of West Midlands Arts intimated that it could no longer justify investment in the theatre unless further revenue funding could be raised locally and a plan developed to address the medium-term capital needs.

Mr. Luff: The Minister says that he has no response on the funding, but it is quite clear that he has taken his brief directly from West Midlands Arts. I agree with almost every word of the hon. Member for Worcester (Mr. Foster), but the Minister must understand that although the golden bullet was fired by the city council, which I regret bitterly, the gun was formed by West Midlands Arts' history of non-co-operation with the Swan theatre, Worcester city council and Worcestershire county council. The rot set in with West Midlands Arts' unconstructive approach to the Swan theatre, which was the beginning of the crisis.

Dr. Howells: I understand the hon. Gentleman's point, but I shall seek to prove that that is not the case and that there are serious reasons why the theatre is in its current position. I would not include in those reasons any criticism of the level of production in the theatre, because, independently of the brief, I have heard that the theatre is excellent.

In April 1999, extensive discussions took place with Worcester city council and Worcestershire county council. Worcester city council increased its subsidy to the theatre from £54,000 per annum to £137,000, and West Midlands Arts agreed to fund the theatre for a three-year period between 1999 and 2002, and negotiated a funding agreement for that period in consultation with the city and the county. Worcester city council put forward an application to the Arts Council's capital programme when that was relaunched as capital 2 in 2001. The competition for capital funding at that time was intense, and the application was not shortlisted against other priorities since no research or preliminary feasibility work had been carried out by the local authority in support of the idea. That is an important consideration.

West Midlands Arts could not give priority to the Swan theatre's case for new resources to implement the national theatre strategy in 2001 as there had been no resolution of the theatre's capital difficulties. In November 2001, the Swan theatre approached West Midlands Arts to discuss the new financial problems that it faced and its urgent need for assistance in managing its cash flow.

The regional and national offices of the Arts Council worked together to find an additional sum of £50,000 to supplement the theatre's core funding of £179,000 to enable it to continue to operate during the subsequent

two years. Funds were also offered to help with small-scale capital work to keep the theatre open. Those additional sums were conditional on a realistic plan being developed by the city council for the construction of a new arts centre in Worcester.

The city council has decided, in the light of its overall prioritisation of funding, to reduce funding to the Swan theatre. Funding of the arts is a mixed economy, involving the Arts Council, earned income, local authorities and private subsidy. The Arts Council does not seek to be, nor should it be, a majority funder. Money needs to be put into local arts resources by locally based bodies.

There is no statutory responsibility on Worcester city council to provide or deliver a theatre service, and the Department for Culture, Media and Sport cannot dictate how local authorities allocate their funds. The grants offered by the city council to cultural facilities in the area, while welcomed by the Department, are at its own discretion. The modernisation ethos for local government outlined in the local government White Paper seeks to reduce and minimise ring-fenced grants in order to give local authorities more discretion over expenditure.

There have been some reports that local government funding for the arts is under threat. I assure my hon. Friend and the hon. Member for Mid-Worcestershire that my Department monitors the situation vigilantly, and will want to be informed of any instances in which that is the case.

West Midlands Arts is working with Worcestershire county council to develop a touring circuit in Worcestershire that will bring professional theatre to community venues in the county, including Worcester city if the council agrees to participate in the initiative. West Midlands Arts is also aware of a new performing arts facility being developed at University College. Although these cannot replace the professional producing theatre, they will ensure access to participatory and community-based activity. West Midlands Arts will also talk to the county council about other theatre developments, particularly the recently refurbished Malvern theatre, which is just 10 miles away from Worcester city.

Government funding for the arts in general has reached record levels. That will address some of the issues that have been raised, although not the specific one raised by my hon. Friend. In March 2001, the Arts Council announced its theatre review, which discussed how the additional £25 million a year allocated to the theatre from 2003-04 would be spent. West Midlands Arts will benefit to the tune of £1.85 million, bringing the total spend on theatre in the region to £5.5 million, which by any standards is a considerable sum.

This year, the Arts Council joined together with the 10 regional arts boards to create a single arts funding organisation. We are monitoring its progress to ensure that it delivers improved value for the arts and the public. We will also be kept informed of the Arts Council's progress on developing a strategy to address the £8 million to £10 million savings on administration. We want administrative savings to be ploughed back into the arts, especially at regional level, such as in the west midlands.

The Arts Council recognises the tremendous efforts and considerable achievements of all those involved in trying to help the Swan to make a critical transition. Regrettably, however, and after careful consideration, it seems that it is not possible for the funding partners to find between them the investment that the theatre requires in the short term, or for there to be sufficient movement towards a new arts facility that would provide a viable and sustainable future for theatre in Worcester.

The challenge for us all is to develop an understanding and appreciation of what the arts can do that cannot be done in any other way. Their contribution to broader social and economic objectives has been demonstrated time and again. I hoped that Worcester city council would see that as an extremely important vehicle in the equation, but it must be seen as additional to the arts' unique value to us as a people.

I urge all parties to see this as an opportunity to seek enhanced partnership funding within the local community. The thrust of the national policy for theatre in England has been to enable theatre to respond to, and reflect in its organisations, the inevitably changing role of theatre in contemporary society, and to reward those that have that immediate capacity. I understand that, among other things, the building in Worcester continues to be an enormous constraint on that possibility for the Swan.

The McKinnon report recommended a short-term increase in funding and urgent work to establish the route towards a new arts centre for Worcester. As I pointed out, West Midlands Arts was able to find an additional £50,000 to supplement the theatre's core funding towards re-establishing a financially viable base level of support for the Swan. Funds were also offered to help with small-scale capital work necessary to keep the theatre open. I stress that those additional sums were conditional on the city council developing a realistic plan towards the construction of a new centre in Worcester. It is important to remember that match funding was not a condition of the additional funds.

The assertion of the hon. Member for Mid-Worcestershire that somehow West Midlands Arts has conspired against the theatre is wrong. West Midlands Arts very much wanted this to be a success and put money towards it. However, I am sure that my hon. Friend will agree that there is a great deal of competition for that funding, which will, of course, be directed to local authorities and other funding parties for theatres that have made a better fist of it. We have made it clear that we believe that regional and city theatres throughout the country fulfil roles well beyond simply putting on excellent performances, vital though those performances are. Those are the theatres that will receive most of the support.

Upward-only Rental Contracts

1 pm

Mr. John Randall (Uxbridge): It is a great pleasure to serve under your chairmanship, Mr. Benton. I am delighted that the Under-Secretary of State, Office of the Deputy Prime Minister, the hon. Member for Harrow, East (Mr. McNulty), is my near neighbour, especially as much of the work that I have done on this subject has been guided by the Hillingdon and Harrow branch of the Federation of Small Businesses and, in particular, by Mr. Robert Ridley. I shall be interested to hear what the Minister has to say, as both our constituencies share that branch.

One of the issues that I will be discussing is the impact of upward-only rent reviews on various groups of people, including retailers. It is therefore appropriate for me to declare my interest as a director of a family-owned retail business, although we do not have to pay rent because we are hereditary retailers and own the freehold, so the issue does not apply to me. However, being in business gave me, and continues to give me, great opportunities to talk to many small and medium-sized enterprises. Those businesses will always complain legitimately about the problems caused by the burden of the plethora of regulations imposed on them. It is fair to note that successive Governments always promise that they will do something about those regulations—you may have heard those statements yourself, Mr. Benton—but, unfortunately, successive Governments seem to manage to pass more regulations than they remove.

This anomaly, as I will call it, has an adverse impact on many businesses, so it is up to us in Parliament to address it. There is a history of debates on the subject, and I noticed in the course of my research on it that, in years gone by, some of my hon. Friends tried to persuade the Conservative Government of the merits of the argument. In 1993, my hon. Friend the Member for Croydon, South (Richard Ottaway) introduced a ten-minute Bill on the subject, as did my hon. Friend the Member for South-West Hertfordshire (Mr. Page) in 1994. My hon. Friend the Member for Tiverton and Honiton (Mrs. Browning) has also been active on the problem, and I am sure that hon. Members from other parties have also asked questions about it. Unfortunately, it seems that, although the issue has been raised, it is like so much in government in that a great deal needs to be done before anything gets changed.

I will discuss later the code of conduct that has been put in place, but I shall first outline some of the problems involved. I am not an expert in commercial or leasehold law, but I have the benefit of some briefing notes on some of these points. The Landlord and Tenant (Covenants) Act 1995 abolished the old rules relating to privity of contract on new leases, but upward-only clauses for rent reviews can still be incorporated into business leases. One of the justifications for upward-only reviews is that no one forces anyone to sign a contract with an upward-only review in it. It is up to the individual to agree it or to decline to sign it.

In reality, small and medium-sized businesses, which are not backed up by great legal teams, feel under a great deal of pressure. They normally sign up to these things when times are good. The problem with upward-only rental agreements is that they take no account of current market conditions. When the rent comes up for review, it cannot stay the same or go down. The rent can only go up, even if market conditions have changed and there have been substantial changes in the surroundings. A good example would be a town centre that was suffering, as sadly many are, because an out-of-town shopping centre had opened. When times are good, problems can be absorbed, but when things are not so good, businesses will inevitably close.

The Government—I back them on this—have been making efforts to ensure that town centres are regenerated. Small businesses are very much part of that regeneration process and so it is important that consideration is given to helping them. It is also unfortunate that where the business rate is fixed, it takes rental values into consideration. That has another knock-on effect. A code of practice has been introduced which the Royal Institution of Chartered Surveyors has been working hard to try to encourage its members to adopt. Sadly, as it is a voluntary code, it has not had much effect.

In the past six months, for example, McDonald's has been negotiating on around 70 new leaseholds. It is trying to maintain its plan of opening 70 to 80 new restaurants a year. Out of the 30 resulting agreements during that period, no landlord has offered terms in line with the lease code. That is a good example of what we are up against. We often hear that prices and values may go down as well as up, yet this seems the only thing that I can think of that will always go up. The Chancellor would not be very popular if he suggested that interest rates could only go up. There is a real problem.

Another affected group is pub landlords, the majority of whom are self-employed tied tenants. They suffer many problems in being tied for the majority of liquor purchases, at the same time as having to cope with upward-only rental contracts. We are all aware of the difficulties faced by many pubs. The time has come seriously to consider banning upward-only rent reviews.

Such reviews operate in a way that does not recognise that in a low-inflation environment and increasingly fluid modern conditions, markets will go up and down. It is not unreasonable to say that most sectors should be privileged or protected against that—businesses are not—at the expense of others. That should apply to manufacturers and other sectors as well as retailers.

I urge the Government that now is the time. I am hopeful and do not want to talk down the economy by saying that we shall soon face tougher economic times, but I recognise that economic cycles occur. Business is well aware of that. My company has been in business for 110 years, during which many cycles have occurred. Somewhere along the line, despite what we hear from politicians of all parties, I am afraid that boom and bust may well return.

It is time to examine the provisions carefully. The voluntary code needs to be stiffened through legislation because it is not working. The Government can do something to help small businesses.

1.11 pm

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Mr. Tony McNulty): I had intended to stick to the niceties and refer to the hon.

Member for Uxbridge (Mr. Randall) as the hon. Gentleman, but, in the interests of near-neighbourliness and non-partisanship, I shall refer to him as my hon. Friend and I congratulate him on securing the debate. I also accept that Randall and Sons has probably seen more cycles in its 110 years than the Tour de France. I shall let him into a little secret: I am not an expert on commercial leasehold law either and do not profess to be so in any capacity.

I agree that upward-only rent review clauses are a matter of real concern. Our business manifesto acknowledged that they are a source of grievance for many and we promised greater flexibility in the commercial property market. My hon. Friend has provided some of the historical background, but it may be worth reflecting on it again in greater detail.

Upward-only clauses first developed in commercial property leases when inflation took off in the 1960s and 1970s. Landlords letting property on the then prevalent 25-year leases did not want to be left behind with static incomes. By the 1980s virtually every commercial lease included them.

As long as the prices that businesses charged customers rose steeply year after year, few tenants complained about ever-increasing rents, but in the early 1990s the property market turned down as general business conditions worsened. Many small businesses—I accept what my hon. Friend said about them—already suffering badly from the impact of recession found themselves paying rents well above those available in the open market. Some even faced demands for substantial increases in rents, with rents being uprated on the basis of market comparisons that were rapidly becoming out of date. Locked into upward-only rent reviews, tenants had no choice but to pay up. For some, that was the final push over the edge into bankruptcy—or at least ceasing to be able to trade. Tenants then began to complain about their plight, bringing about Government interest in the problem.

The simplistic response, to which my hon. Friend alluded, is that upward-only rent review clauses are a matter of private contracts, so tenants do not have to agree to them. If a tenant does not like them, he can ask the landlord for something else, and if he or she will not agree to an alternative, the tenant should find another landlord who will. That is the easy and simplistic response, which I agree is deeply unsatisfactory. For one thing, there are few alternatives, and, furthermore, it is unreasonable to expect small businesses to be experts in the complexities of the commercial property market. My hon. Friend made the point that small businesses do not have armies of lawyers at their beck and call, as huge conglomerates such as Randall's of Uxbridge do.

Start-up businesses understandably want to focus on their business operations rather than the terms on which they will be occupying premises to carry out their business. As my hon. Friend said, as far as such businesses do focus on the lease, it is primarily on the initial rent payable to start trading, rather than the rent payable several years down the line, when things might not be as cordial—in the business sense—as they were when the business started.

Upward-only rent reviews are not in the interests of small businesses. Any small business would be well advised to ask for a short lease, as is happening increasingly often, so that it will not face any form of rent review. Otherwise, it could ask for a break clause timed to coincide with a rent review, which would allow the business to end the lease if the rent review had unpalatable consequences, and would, as my hon. Friend said, allow the business to appreciate the circumstances of the market at that time, rather than when it had signed up to a longer lease.

What should the Government do about upward-only rent review clauses? In 1994, the Government persuaded the property industry to introduce a code of practice on commercial property leases, not least because of the ten-minute Bill pressure—if I can call it that—coming from some of my hon. Friend's colleagues. I shall compare that code with the current one shortly.

The 1994 code contained useful information about leases but suffered from three major drawbacks. First, it did not require anyone to do anything, so it was a "warm words" version of a code of practice. Secondly, it was not an easy read for those unfamiliar with property jargon. I am sure that my hon. Friend has looked at it. It probably requires something between his excellent proficiency in English and his equal proficiency in Serbo-Croat to be understood; it was not in English. Thirdly, it disappeared without trace. Hardly anyone knew anything about it.

When the current Government came into power in 1997, we took over plans to review the code of practice, and commissioned the university of Reading to gauge the impact of the existing code. When it reported in 2000, the Reading commission confirmed that the code had had no impact whatever, but it found that the property market had undergone significant changes, which is an important point. It found that leases were much shorter. Small businesses in particular had benefited from the trend towards shorter leases. More leases had break clauses than was the case in the 1960s and 1970s, and more had other terms that were more favourable to tenants. However, upward-only rent review clauses were still prevalent in longer leases.

At the time, we considered immediately legislating against upward-only clauses but drew back because of the unintended repercussions of legislation, and particularly of intervening in what remains a very complex market. We acknowledge that in some circumstances upward-only clauses can be of mutual benefit to a landlord and tenant—for example, when they support a sale or leaseback deal. Instead, we prevailed upon the property industry to introduce a new voluntary code, and after some initial setbacks the property industry agreed a new code of practice, which was launched in April 2002.

In the press release to go with the launch, my predecessor, my hon. Friend the Member for Northampton, North (Ms Keeble), said:

> "We are concerned not only about upward only rent reviews, but also about the length of lease, and allowing tenants to occupy on terms which enable them to adapt their lease arrangements to their changing business needs."

That is the notion of flexibility. Self-regulation is not a soft option; I should be very disappointed if we had to resort to legislation after all. I therefore urge everyone, whether owners, occupiers or advisers, to familiarise themselves with the new code and to observe it in the spirit as well as in the letter.

[Mr. Tony McNulty]

I am encouraged by the support for the new code and, in particular, the pledge by leading property suppliers to promote it actively. That pledge had, as my hon. Friend said, the support of the Royal Institution of Chartered Surveyors and several other bodies associated with the property industry. I do not need to mention all of them, but they included something called the Department for Transport, Local Government and the Regions—I am not entirely sure what that is—the Law Society, the Small Business Service, the British Property Federation, the British Retail Consortium, the Confederation of British Industry, the Forum of Private Business, the Federation of Small Businesses and the British chambers of commerce.

I am pleased that the new code has the support of all involved in commercial property—funders, owners, occupiers and the professional bodies. In the context of today's debate, I am especially pleased that the code has the support of small business organisations—in particular, the Small Business Bureau, the Federation of Small Businesses and the Forum of Private Business. I would be more than happy to consider the matter further with the Hillingdon and Harrow branch of the FSB, which covers my constituency and that of my hon. Friend. It says on my brief that the code also has the support of the Government, which is handy.

Why do we expect the new code to succeed when the previous one failed? First, unlike its predecessor, the new code sets out recommended action. It urges landlords to consider offering tenants, among other things, a choice in the length of term of their lease, and break clauses where appropriate. It recommends that the basis of rent review should generally be open market rent, so that upward or downward movements in the market can be reflected. It urges landlords, whenever possible, to offer alternatives to upward-only rent reviews, on a risk-adjusted basis. It urges funders, whenever possible, to avoid constraining landlords in the choices that they can offer tenants. Some commercial landlords will say that it is not in their gift to release lessees from upward-only rent reviews and that it is the funders behind them who insist on what happens. People made hay while the sun shone in the happy days for the property market in the 1960s, 1970s and 1980s and, before the introduction of this code, I imagine that they did not think of anything other than upward-only reviews.

Secondly, the code is short and in plain English; it is accessible to people without expertise in property. It is also accompanied by a leaflet warning first-time tenants of the pitfalls of property leasing. The leaflet strongly recommends that they should take professional advice. It is worth repeating my hon. Friend's point that the terms of the lease are secondary to securing the property, getting in and starting to trade. The terms of the lease may the last thing on a small trader's or small business person's mind.

Thirdly, the code is being widely disseminated and is easily accessible on the internet, from where it may be downloaded, and I am pleased to say that the website has scored more than 100,000 hits. The code has had recent publicity in the property press and has a high profile. Unlike its predecessor, it has not been shelved.

By coincidence, or perhaps more than that, my first ministerial speaking engagement was to the property development faculty—I cannot remember its exact title, for which I apologise—of the Royal Institution of Chartered Surveyors, on precisely this subject. It was remiss of me when I scurried over to outside the Speaker's Office to check whether I had an Adjournment debate, as I always do on Wednesday mornings, not to catch that upward-only rental contracts came under my remit. They clearly do. When speaking to RICS, I said that we were loath to go down the legislative route, not least because of the regulatory burdens that my hon. Friend suggested. However, if we need to go down that route, we will.

We are being ever so slightly precipitate. The code was published in April, it has extensive support from a range of key players in the property industry and we need to give it time to bed in.

Mr. Randall: I am grateful for the Minister's contribution. I hope that this short debate will send out a message, loud and clear, that if people do not stick to the code, the Government will have to legislate.

Mr. McNulty: I share that sentiment and I am enormously grateful to be able to reiterate that message. I am at the penultimate paragraph of my brief, in which it says that the property industry knows that it is under notice to produce changes. The gestation period of the code was long but, after extensive consultation, some of which was fairly bloody, we got there, and people signed up to it. Therefore, to decide in October that a code that has been in place only since April needs to be torn up and the process started again is ever so slightly precipitate. We are not necessarily looking for the elimination of upward-only rent reviews, but we are keen to promote choice and to ensure that tenants are able to negotiate terms that suit their business needs. That element of flexibility is core to the code of practice.

It is perfectly proper to say that those who invest in, and secure their income from, property investment, whether funders or landlords, have the right to earn their money in an entirely appropriate and legitimate market. There must, however, be some flexibility in recognition that there may be small blips up and down in the economic cycle, or windfall-like elements, such as the regeneration of a town centre.

Purely as an aside, my hon. Friend will know that by the mid-1970s and early-1980s Uxbridge town centre was a complete and utter basket case and a good example of how not to redevelop a town centre. Happily, in recent visits to Uxbridge, I have seen that it is increasingly an example of how to build a community around a town centre that serves it well. I have not had the pleasure of going into Randall's of Uxbridge, nor have I bought anything there. That pleasure awaits me, but I am sure that I will get there at some stage during its next 110 years of trading.

We have, once again, asked the university of Reading to monitor the property market, this time over a two-year period ending in December 2004. The university has already assessed the benefits and the efficacy, or otherwise, of the 1994 code. It is revisiting that research and will consider how the present code, which has only been in place since April, beds in. The university will

produce an interim report at the end of next year that will give us some indication of how much progress has been made. We are not just waiting until 2004. The property industry knows that we will consider legislative options if there are not clear signs of change by the end of 2004; I repeat that for its benefit as well as for my hon. Friend.

I congratulate my hon. Friend on his choice of topic and on the informed and gentlemanly way in which he put his case. I ask only that he bear with me. The industry knows that if the new code does not work we will—I repeat—consider the legislative options. If my hon. Friend was asking me to look further at the McDonald's case and that of pub landlords, those are notions that I will take with me. Once again, I say that toward the end of next year the university of Reading will report in full on the state of play regarding research in the market.

Finally, I am pleased to have had the opportunity to reiterate what I said about the strength of the new code of practice. We are keeping a watchful eye on that. When I said that to RICS at its conference in June—my first ministerial speaking engagement—there was an open ear and a will and desire to move forward. Perhaps it knows that if the code of practice is not successful, the legislative option stands behind it. Nevertheless, I think that there is a good deal of equanimity and support for the notion that, in terms of the commercial property world, things have moved on significantly compared with how they stood when upward-only rent reviews first became the norm. That being the case, it is, perhaps, in the interest of RICS to consider relevant matters seriously in terms of supply and demand, and the regulation and efficacy of the market.

I shall make one last facetious point. I am pleased that my hon. Friend did not abuse or insult me in any way. One occasion that we crossed swords in the Chamber was during the passage of the Greater London Authority Bill when we were discussing some obtuse Liberal Democrat amendment about what would be done if there were an electoral tie with an electorate of 5 million. I was waxing lyrical about whether one would toss a coin or draw lots and my hon. Friend asked me, entirely appropriately given the context, whether I was a tosser or a drawer. To this day, that remains one of the best interventions on me during my short career in the House, and I thank him for that. However, it is hard to respond to an intervention when one is laughing.

I welcome the opportunity to reiterate the points that I have already made about the code of practice. I congratulate my near neighbour once again on his informed delivery and I assure him that the university of Reading and the Office of the Deputy Prime Minister will watch over the implementation of the code of practice. I also say to the property industry that we will be back with legislative options at the end of 2004 if the code does not bed in properly.

National Asylum Support Service

1.30 pm

Mrs. Helen Clark (Peterborough): As the Minister is aware, I have been concerned for some time now about the performance of, and the standard of service provided by, the National Asylum Support Service. This is the second debate on the matter that I have sought this year. The first was on 12 March, also in Westminster Hall. On that occasion, I was assured by the then Minister that problems with the past performance of NASS had largely been addressed by a series of internal administrative reforms. In particular, I was assured that all cases involving a failure to deliver NASS subsistence support to an asylum seeker—one of the most common complaints against NASS—are now rectified within a maximum of 48 hours of NASS being notified of the problem.

I was told that further improvements in the performance of NASS would flow from an ongoing programme of regionalisation. However, since that time, I have continued to receive reports of problems with NASS, in my constituency of Peterborough and more generally. In Peterborough, the accurate number of asylum seekers remains unknown owing to the various routes and schemes by which individuals arrive, and despite the great efforts being made in Peterborough to assess them. However, health sources estimate that there are at least 2,500 cases, as do the police. The city council believes that the number could be even higher, particularly because of rapid turnover.

The pressure on housing has been increased by a very rapid rise in the number of homeless applicants in the past year, owing to the widening of duties under the homelessness legislation in July 2002. For instance, the numbers needing temporary accommodation have risen six times, putting pressure on all types of accommodation in the city. The duration of stay by asylum seekers dispersed through NASS in Peterborough—this is probably not untypical compared with other areas—is very short. On average, it is four months. That means that the same private and public sector accommodation is used over and over again as fresh populations arrive and depart. The city council has managed nearly 200 units of accommodation from its own stock during the past year, and in that time three quarters of those housed by the city council have been required to move on by NASS. The private landlords operating in Peterborough would report similar levels of turnover.

Obviously, the short-term nature of placement and the shortage of accommodation create a range of social problems. In general, there is also no recognition of the emotional and physical needs of individual asylum seekers placed in the city. No background knowledge of their circumstances is provided by NASS. It is clear that a number suffer from isolation, mental health problems and trauma. That is made more difficult by lack of work and idleness. Mental health services in Peterborough currently have an eight-month waiting list for counselling.

Despite those difficulties, I am glad to say that in the opinion of our housing director, Sheila Grant, the local picture is generally positive. Local people are no longer surprised by the presence of asylum seekers in the city,

[Mrs. Helen Clark]

despite the fact that more than 40 languages are now spoken. There has been some excellent work by the police, the Red Cross and other agencies and some innovative work with schools to educate young people about the traumas of asylum seekers. However, I regret to say that none of the credit for that can be taken by NASS. I am told that the support given by NASS to the local authority in resettling and rehousing asylum seekers has been negligible.

The Home Office has yet to conclude a formal contract with the city council despite the fact that it has taken accommodation asylum seekers since July 2001, and is being paid for it. That means that permanent staff cannot be recruited. Moreover, no training or advice has been offered by NASS to assist staff in dealing with issues of immigration and so on. In July, BBC Radio 4's "File on Four" programme highlighted the poor standard of service provided by NASS to supported asylum seekers and the organisation's unsatisfactory relationship with many of the local authorities with whom it is supposed to work in partnership. Earlier this month, the National Association of Citizens Advice Bureaux published a report entitled "Distant Voices". It follows on from NACAB's February 2002 report on NASS process error, to which I referred in my earlier Adjournment debate. It is based on the direct experience of CABs between 1 March and 31 August 2002. During that time, CABs dealt with as many as 10,000 NASS-related cases. The report is based on more than 400 specific case examples sent to NACAB, three of them by the CAB in my constituency.

The report paints a disturbing picture of a complex, inaccessible system that is frequently unable to meet the most basic needs of those people it was set up to support, and from which it is almost impossible to get a response when things go wrong, as they do. Despite the assurances given to me in this Chamber on 12 March, many vulnerable people, including families with young children, have been left for weeks and even months without the support that they need to buy food and other essential items. The report describes the case of a single woman with five young children, who in June and July was left without subsistence support for more than six weeks, simply because NASS was sending essential documentation to the wrong address.

An example from Peterborough CAB tells how an adviser spent five hours in total trying to get through to NASS to discuss the case of an Iranian single mother who did not speak English and had been dispersed to Peterborough on 13 June. She had received a letter from Sodexho that advised her to collect her first cash voucher from the local post office between 24 and 28 June. Sodexho is a French company. It has the contract from the United Kingdom Government to print and distribute the vouchers, although one gathers that it does not do so very well. That woman had not received a voucher receipt book from Sodexho as she should have done, and she had been told by post office staff that she must have it before she could be issued with cash vouchers.

A CAB adviser spent 30 minutes on the NASS voucher inquiry line before giving up, having received no answer. She then telephoned the NASS emergency payment line, but again could get no answer. She called the voucher inquiry line again, and spoke to an operator who told her to call the NASS general inquiry line. She tried, but gave up after getting no answer for 40 minutes. In desperation she telephoned the Sodexho helpline, but was told simply to call the NASS voucher inquiry line. She did so again but received no answer, so she called the general line, as advised previously by the voucher line. After waiting 25 minutes to get through to an operator, she was told that the matter was for the voucher inquiry line after all. When the adviser questioned the conflicting advice, a duty manager came on the line and after a short delay agreed to send a voucher receipt book to the client. I am exhausted after recounting all that.

"Distant Voices" describes many such cases in depressing detail. It reveals the remoteness and inaccessibility of NASS, which has no local presence, as I highlighted previously. It also reveals the resultant difficulty that asylum seekers and their advisers, such as the CAB, encounter when seeking to contact NASS by telephone to sort out a problem.

The NACAB report notes that the Government's proposed replacement for the NASS support system—a combined system of asylum induction and accommodation centres—is no more than embryonic and will remain so for many years. That is an important point, and I am sure that the Minister will accept it. It means that NASS is set to remain the principal provider of accommodation and welfare support to asylum seekers for many years, possibly until well after she and I have left the House for good. It is therefore essential that the Government fully address the current shortcomings in the performance of NASS, and especially those in its accessibility to supported asylum seekers.

There is some good news. Although NACAB tells me that it has not yet received a response from Ministers to "Distant Voices", it recently met the director of NASS. On that occasion, she and her senior officials frankly acknowledged the degree and nature of the service delivery problems described in the report. Furthermore, they acknowledged that there appeared to be some "disjoint" between what their quality assurance mechanisms told them about the performance of NASS and the reality. That sounds like progress, and I hope that the Government's response to "Distant Voices" will be to consider, in liaison with NACAB, local authorities and others, the action needed to address the issues that it raises. I look forward to hearing what the Minister has to say about that today.

My local authority has again called particular attention to the need for Government agencies to co-ordinate with benefits, immigration, police and other agencies, and to meet local authorities to advise them of their plans for resettlement and actively to listen to their concerns. I should have thought that that was common sense, never mind a courtesy, as has been said on many occasions and over many months. It would also like to be allowed to negotiate local housing contracts with landlords, rather than having to deal with national agencies such as Clearsprings and Adelphi. It has had particular difficulty getting accurate information from Clearsprings on the number of bed spaces in Peterborough, as it claims that its contract prohibits it from releasing the information. However, it suggested that I could write to its head office in Rayleigh, Essex, if I wanted a direct response.

I look forward to hearing what the Minister has to say about the regionalisation programme. I understood that Ministers may have decided to increase the degree to which NASS will be devolved to regional offices. I welcome that, as I am concerned that the regionalisation programme described by Ministers, not least in this place on 12 March, does not go anywhere near far enough. Although NASS clearly needs to improve its management of accommodation contracts, it is in no one's interests, least of all those of taxpayers, that it should be ripped off by cowboy landlords. NASS also needs to devolve its operational activities on the delivery of subsistence support so as to ensure that service delivery problems can be resolved speedily and without the intervention of third parties such as the CAB.

In January this year, many were sad to hear my hon. Friend the Member for Wallasey (Angela Eagle), the previous Minister, say that the regionalisation programme would not include any operational aspects of providing support. I hope that the Minister will tell me today that that is no longer written in stone and that the fresh approach for which I called in March is at long last beginning to take shape. In previous correspondence, she said that she had no plans to visit Peterborough. I hope that, in the light of today's debate, she will reconsider her decision, and I look forward to welcoming her and her officials to Peterborough as soon as possible.

1.41 pm

The Minister for Citizenship and Immigration (Beverley Hughes): I congratulate my hon. Friend the Member for Peterborough (Mrs. Clark) on securing, within six months, a second opportunity to raise issues of concern to her constituents and her local authority about the operation of the National Asylum Support Service. Neither I nor my predecessor, my hon. Friend the Member for Wallasey (Angela Eagle), have ever made a secret of the fact that, at its inception, NASS was not set up in the best possible way; indeed, it has had difficulties—some would say that they were considerable—during its first two years. We both made it clear, to my hon. Friend and to others, that substantial improvements were needed, and a programme of improvement is now being delivered.

As my hon. Friend said, I was not the Minister responsible at the time of the first debate on 12 March, and I am sorry if she feels that the changes that have taken place since then are not as evident as she would have wished. None the less, those changes are taking place and I am sure that everyone would agree that changes are needed if the system is to work.

My hon. Friend referred to the Government's proposals to bring forward a radical and comprehensive package of measures designed to ensure that the immigration and asylum systems are fair, efficient and timely, and that they operate in a proper and efficient manner. We must ensure the integrity of the asylum system, not least to establish its credibility with the British people. However, we must also ensure that we deal properly with asylum seekers.

The Bill proposes a complete reform of that system, from induction, accommodation and reporting to the integration of refugees—or their removal if their claims are not successful. Accommodation centres are to be the subject of a trial, and, pending the outcome of that trial, the policy of dispersal will continue. We cannot return to the pre-NASS position, with its enormous pressures on London and the south-east, which, as the hon. Lady knows, the dispersal system was developed in response to. We are not complacent about the way in which asylum seekers are dispersed. I have made it clear, as did my predecessor, that we expect NASS officials to work much more closely with local authorities and other organisations in the dispersal areas. I have visited a number of areas and spoken to regional consortia. The feedback from areas such as the north-east and Scotland, which have considerably more asylum seekers than Peterborough, is that the tide is turning. They discern improvements in NASS and—perhaps more importantly—feel that the working relationships between NASS, the local authorities and the partner agencies are improving substantially.

We recognised from the outset that the presence of asylum seekers could lead to additional pressure on local services such as health and education. It was never intended that the pressure would be such that services could not be provided, and I do not believe that that is the case. Colleagues in other parts of government worked with us to guarantee the provision of extra funding—largely through local authorities and other agencies—to ensure that that did not happen.

As Secretary of State for Education, my right hon. Friend the Member for Sheffield, Brightside (Mr. Blunkett) announced that an additional £500 per pupil would made available to schools. Similar additional tranches of money were given to the health service through local development schemes to enable it to provide specified general medical services to meet local needs. I accept that many people coming into the country and claiming asylum have particular needs as a result of their long-term experiences and certainly as a result of their journeys, but it is not the sole responsibility of NASS to deliver the services that they need. Local agencies must take on the responsibility for delivery, albeit that we recognise that—certainly for dispersed asylum seekers—the funding needs to follow.

Since taking up my appointment, I have been concerned that we should accelerate the programme of regionalisation. As my hon. Friend said, as it becomes operational, we should look for ways in which to extend the range of functions that we can devolve to regional level. I am also determined, having spoken to local authorities and consortia, substantially to strengthen the involvement of local authorities at every level.

The internal review into the operation of the dispersal process, as my hon. Friend knows, recommended a regional presence. The process of developing a strong regional infrastructure is well under way and it will be in place by April 2003. That was the time scale that we set. Our intention is to establish a NASS presence as close as possible to dispersal clusters where the need for service delivery is greatest. NASS will regionalise in connection with housing management and investigations, and a separate team will manage outreach contact with asylum seekers in those areas. My intention is that that will enable the organisation to manage the services closer to the point of delivery and strengthen relationships with partners and other stakeholders on the ground. Certainly, outreach staff will visit asylum seekers in their homes shortly after arrival to ensure that

[Beverley Hughes]

they have everything that they need. We will then be able to assist and signpost them in order to negotiate what will, for most of them, be a new environment. They will then be able to get on with daily living and look after themselves and their families as effectively as possible.

A project board has been established to oversee the development and examine which casework functions we can best devolve to regional offices, on which local authorities and key voluntary organisations are represented. Freda Chaloner, the director of NASS, has asked representatives of NACAB whether they also want to be represented on the board, and I am pleased to say that they have accepted. Irrespective of any formal response to the NACAB report and the issues that it highlights, it enables us to obtain a direct input from NACAB and other important stakeholders into the development of the regionalisation project and ensure that we make it as effective as possible in terms of what local authorities and other people on the ground really need.

I expect the regionalisation project to assist the strong working partnership that already exists in many areas, which will be important in dealing with issues such as the provision of accommodation, as my hon. Friend mentioned. NASS should engage more closely with local authorities on property acquisition. Together with officials from the Office of the Deputy Prime Minister, we are trying to ensure that accommodation is not procured in areas that have been identified for regeneration. That is causing a problem in some regions. I also want to examine whether we can involve local authorities much more as prime contractors in the delivery of accommodation, although I cannot say what the outcome will be because it relates to the wider issue of procurement rules and contracting regimes within the Government as a whole.

My hon. Friend also mentioned the operation of NASS, the quality of its decision-making and other aspects of its work. There has been an extensive, radical overhaul of procedures and I am sorry if the changes have not been evident so far because that is an important priority for me, Freda Chaloner and my senior officials. We continue to examine how to develop processes and procedures to improve efficiency, effectiveness and quality. I am not familiar with the individual cases that my hon. Friend cited, but I have no difficulty saying that they are not acceptable. We cannot tolerate people being left in such circumstances.

NASS is working towards achieving an acceptable standard of service with the minimum number of errors and disruption to the people that it is supporting. I hope that, in the not-too-distant future, I will be able to say to my hon. Friend and other colleagues—as I wish to say about the whole of the Immigration and Nationality Directorate—that it is now an excellent organisation that is doing its work in a proper way, and that it is a public service of which we can be proud. Certainly, I do not separate out the directorate or NASS from the wider Government objectives of improving the standard of public services.

My hon. Friend mentioned the number of asylum seekers in Peterborough. I accept that it was not a major point in her contribution, but it has been a theme of my hon. Friend and others in Peterborough that there are significant numbers of asylum seekers in the area—much higher numbers than have ever been the case.

There are at present 520 NASS-supported asylum seekers in Peterborough. I cannot give my hon. Friend an exact figure for the number of people in Peterborough who have only financial support because we do not have that information, but there are 2,450 such people in the east of England. I apologise, I gave the wrong figure earlier. The figure of 520 NASS-supported asylum seekers was for the east of England. In the region as a whole there are around 3,000 asylum seekers, including those on local authority interim support. There are 410 asylum seekers in NASS accommodation in Peterborough and while I cannot give her an exact figure, most of the remainder who are on financial support are in areas that are much closer to London and the outer London boroughs than Peterborough.

My hon. Friend's claim today of 2,500 asylum seekers in Peterborough, which is 500 more than her claim six months ago, is not one that we recognise. That figure is wrong and it is unhelpful to the issues that need to be addressed in Peterborough that elected representatives and others are voicing what some may feel is an alarmist view about the extent to which Peterborough is accommodating asylum seekers. Community relations issues have arisen in that town, and to some extent the presence of asylum seekers has been an easy target for those who wish to claim that asylum seekers and the operation of NASS are the primary reasons for some of those difficulties. As we know from elsewhere, community tensions arise from much longer-term factors concerned with the segregation of communities, where people live in separated housing, young people go to separated schools and people feel alienated and that they have been denied access to opportunities.

Clearly, asylum seekers and the issues that they raise may be part of people's perceptions of the difficulties, but they cannot be a causative factor in the way that some claim. Such factors relate to much more long-standing and deep-seated problems that need to be addressed. I am grateful that officials in Peterborough council have shown themselves to be keen not only to work directly with NASS on the issues raised by asylum seekers, but to work on the wider agenda of promoting community cohesion and developing an action plan to start the process of addressing some of the more deep-seated factors that currently colour community relations in Peterborough.

My hon. Friend said that I had no plans to visit Peterborough. She wrote to me several times over the summer, and she may recall that I told her that I had no plans to visit Peterborough over the summer, because I had already planned to visit other areas in the country where there had been disturbances, but that when I planned my next series of ministerial visits Peterborough would be included as it is an area that I want to visit.

Question put and agreed to.

Adjourned accordingly at one minute to Two o'clock.

Westminster Hall

Wednesday 30 October 2002

[SIR MICHAEL LORD *in the Chair*]

Fireworks

Motion made, and Question proposed, That the sitting be now adjourned.—*[Mr. Heppell.]*

9.30 am

Mr. Michael Weir (Angus): It is perhaps slightly ironic that we are discussing problems arising from a celebration of an attempt to blow up Parliament. I have never been entirely sure whether the failure is celebrated or regretted. In 1605, Parliament was purely English, of course, as I hope it will be again soon.

I would be surprised if there were any Members who do not receive a steady stream of complaints about the misuse of fireworks at this time of year or who do not perceive a steady rise in the problem. There have already been two private Member's Bills and several early-day motions on the subject. The attendance at today's debate shows the level of interest among Members.

Fireworks can and should be enjoyed. As children, we all probably looked forward to 5 November, but time has moved on and the fireworks season has gradually extended well beyond both sides of Guy Fawkes night. The penny bangers and barking doggies of our youth have been replaced by modern fireworks, which are very powerful. Both of those developments have led to a great deal of misery within our communities.

I am sure that everyone present could list horror stories of incidents involving fireworks in their constituencies. We will hear some of them later. In my constituency, many incidents have been reported to me, both last year and this year. In one case, the front of a postbox was blown off by a firework that had been placed inside it. That is a dramatic illustration of the power of modern fireworks. In another village, more than £2,000 worth of damage was caused when a firework was jammed through a letterbox in the early hours of the morning. Think what could have happened if that fire had not been discovered quickly. It could well have been fatal.

There has already been a steady stream of other incidents. In Aberdeen, vandals destroyed the interior of a fire protection officer's car by dropping a lit firework on the back seat. That stupid action could have caused a serious explosion in a residential area. In another incident, fireworks set off in a block of flats started a series of fires, which, again, could have led to fatalities.

Those are incidents that have taken place just in my area. Since the debate has been publicised, I have received e-mails and letters from around the United Kingdom. I was struck by what I heard from John Taylor in Manchester, who told me that last year, idiots fired large rockets at planes coming into land at Ringway airport. The implications and possible consequences of such behaviour are horrendous, especially at a time when the whole of the western world is on terrorist alert.

It is not only reckless, stupid and potentially fatal actions that cause problems. From early September to late November every year—a period of almost three months—many of our communities are subjected to night after night of disruption by the continuous use of loud fireworks. One constituent compared it to living on a battlefield.

Fireworks are meant for enjoyment and celebration, but, unfortunately, they are misused by a small minority and that is causing huge distress to our constituents and to animals. Fireworks are not toys. They are extremely dangerous and can be lethal. It is no coincidence that fireworks are governed by the Explosives Act 1875. Sadly, many of the people most at risk in our society are the most vulnerable: the elderly, the disabled and children.

The number of injuries from fireworks is increasing. In Scotland alone there was an increase of some 35 per cent. during 2000 and 2001. Last year I asked some parliamentary questions to ascertain the dates of accidents involving fireworks, and the answers showed that most incidents took place before and after 5 November, not on the date itself. Even more worryingly, the majority of those injured are under 18. In a submission to the Convention of Scottish Local Authorities, which is investigating the firework difficulties, the chief police officers of Scotland stated:

"the firework season in 2001 seems to have been a watershed with a significant increase in the use and abuse of fireworks."

The Government introduced the Fireworks (Safety) Regulations 1997, which among other things restricted the sale of fireworks to those over 18. To be fair, in 1998 there was a decrease in the number of injuries from fireworks. However, the level of injuries reported in 2001 was higher than that of 1996, and substantially higher than 2000. As I said earlier, there was a 35 per cent. increase in Scotland, but the numbers are also rising in England.

If the increase in the number of injuries is worrying, the age distribution of those injuries is even more disturbing, especially when one considers that under the 1997 regulations, youngsters should not be able to buy fireworks. Injuries to under-13s account for 34 per cent. of the total number of injuries, and a further 25 per cent. is made up of 13 to 15-year-olds. In essence, 59 per cent. of all firework-related injuries are to children under the age of 16—the very people who should not have access to fireworks. It seems clear that the age restrictions in the 1997 regulations are not restricting young people's access to fireworks.

Animals, too, are excessively disturbed by the misuse of fireworks, and some are killed or have to be put down. A recent survey of vets by the Scottish Society for the Prevention of Cruelty to Animals found that more than 8,000 animals were being treated for firework-related problems. The treatment for those animals varied from prescribing sedatives to being put down. Some 90 per cent. of vets reported that they were dealing with such problems. The animals treated by those vets were generally house pets. I could not find any data on the effect on farm animals or wildlife, but one must assume that they are also being seriously affected.

One specific problem has been raised by the Guide Dogs for the Blind Association. It states that every year, guide dogs and other working dogs are forced to retire

[Mr. Michael Weir]

after being traumatised by the irresponsible use of fireworks. Others have to be sedated, and some even retrained, leaving their owners without mobility for weeks at a time. The association reports that the problem has escalated during recent years, as fireworks have become more widespread. The association's chief executive stated recently:

"Sudden loud noises can distress guide and other assistance dogs to such a degree that they are unable to continue working. This means the end of the extraordinary partnership that has taken many months and years to develop. With the day to day costs of training, feeding, insurance and vets bills running at about £10 a day per dog, the financial costs to Guide Dogs are huge."

Although that misuse of fireworks directly affects only a portion of the population, the cost of the misuse hits everyone. It affects resources for the health service, fire brigades and police departments, let alone the cost of property damage and increases to property insurance. As the Under-Secretary of State for Trade and Industry, the hon. Member for Welwyn Hatfield (Miss Johnson), will be aware, the current fireworks legislation is based on the Explosives Act 1875, and the Firework (Safety) Regulations 1997. It is my contention that the legislation does not deal effectively with the problems of fireworks. The industry will point people to the voluntary code that limits the period of time over which fireworks can be sold. Unfortunately, it is a purely voluntary code and is totally unenforceable. Many hon. Members will have received a leaflet from the industry extolling the voluntary code and maintaining that it is more effective because it can react quickly to changing circumstances. That may be fine in theory, but what happens if retailers ignore the code? The answer is nothing, because the code cannot be enforced.

The voluntary code states that fireworks should be sold only during the three weeks leading up to 5 November. However, one large newsagent chain in Scotland has been advertising half-price fireworks since September, and many branches have been selling them since then. They are not alone. Such actions undermine any chance for a voluntary code.

Mr. David Drew (Stroud): I apologise for missing the first minute of the hon. Gentleman's speech, which is obviously cogent and requests action.

Are not the shops that sell fireworks the problem? Standard sweet shops used to sell fireworks, but now virtually anyone can sell them and they do so over a much longer period.

Mr. Weir: I agree entirely with the hon. Gentleman's point, which I was about to come to. I stress that I do not believe in, or seek, a complete ban on fireworks because I do not think that that would be effective and it could lead to a black market in even more dangerous fireworks. However, the industry is very much drinking in the last chance saloon and, unless real improvements are made by a licensing system, fireworks will inevitably be banned altogether or allowed only for organised displays.

I ask the Minister to consider several points. First, in reference to the point made by the hon. Member for Stroud (Mr. Drew), I should like her to consider introducing a licensing system by statute to replace the voluntary code. Shona Robison, a Member of the Scottish Parliament, is attempting to introduce a Member's Bill—the equivalent of a private Member's Bill here. That Bill would introduce such a system under local government legislation, which is unfortunately the only route open to the Parliament for dealing with this matter. The Executive have indicated that they will take on some of the points that have been mentioned.

John Barrett (Edinburgh, West): Does the hon. Gentleman agree that the Bill being introduced in the Scottish Parliament is supported on an all-party basis? It has Labour, Conservative, independent and Green support.

Mr. Weir: The Bill was introduced by Shona Robison and has attracted some support, but it was only under pressure from the Scottish National party that the Executive decided take the issue on, and they have done nothing about it ever since.

Mr. Iain Luke (Dundee, East): Does the hon. Gentleman accept that the control of fireworks is not a political issue in Scotland, and that the need for a licensing scheme is of general concern to a broad consensus of political parties? I believe that there should be a total ban. Does the hon. Gentleman agree that cross-party consensus has been achieved, and that my colleague, the Member representing Dundee, East in the Scottish Parliament, has sponsored the Bill there?

Mr. Weir: I do not dispute that there has been some cross-party involvement in the issue. We should also find some cross-party involvement in this place. It is a great pity that the Government did not take on board the private Member's Bill.

Linda Gilroy (Plymouth, Sutton): I congratulate the hon. Gentleman on securing this important Adjournment debate. I am chair of the fireworks group, soon to be called the all-party fireworks group because enough Members of the official Opposition want to join. The hon. Gentleman will be most welcome to join the group, which has more than 60 members.

Mr. Weir: I am glad to hear that. I am sure that the group will push for a control of fireworks Bill to be introduced by the Government.

Shona McIsaac (Cleethorpes): Will the hon. Gentleman join?

Mr. Weir: I shall certainly do so.

Such a local authority-based registration scheme would ensure uniformity, rather than a piecemeal system of individual local authorities deciding their own approach. Such a scheme would be able to deal with the type of fireworks that can be sold and to whom and, crucially, the time scale within which they can be sold. On the matter referred to by the hon. Member for Stroud, local authorities would decide which shops could sell fireworks. The scheme would also include the essential feature of it being possible to take action to enforce the code if its rules were broken.

It is not enough merely to strike at the retailers of fireworks—the 1997 regulations imposed restrictions on them. The users and producers of dangerous fireworks must be tackled. The restrictions on the Scottish Parliament mean that it can deal only with retailers, but this House can take further action, and there have already been two private Member's Bills and several early-day motions. It is unfortunate that the Government did not take up the private Member's Bill introduced by the hon. Member for Brent, North (Mr. Gardiner), because it would have dealt with many of the problems.

Although it is a crime under the Explosives Act 1875 to set off a firework in the street, it is almost impossible to prove and to prosecute. I had an e-mail from someone in Edinburgh who took up the matter with a local policeman. It states:

"I spoke to our local community cop who just laughed his head off at these points—when they are so under-resourced, the police just cannot afford to go chasing kids who are letting off bangers. More to the point, in order to secure a conviction, the police must see the firework being let off, indeed, see the person light it and then recover . . . the used banger."

The existing law is difficult to enforce. Perhaps the time has come to consider amending it to make it an offence to possess fireworks or to carry fireworks outside protective containers, which might prevent the perpetrators from setting off fireworks in the first place. Such moves would lead to a reduction in the number of inappropriately sold fireworks, especially before 5 November, and, more importantly, would lead to a reduction in their use.

I said at the outset that I am not in favour of a complete ban on fireworks, but it is clear that some of them should be banned because they are far too powerful. Even the industry recognises the justice of that case, and it has agreed voluntarily to withdraw air bombs from 1 January next year. That is good but it is not enough. There needs to be strict limits on the power and noise of existing and future fireworks, and only a statutory code can achieve that.

Measures need to be taken to ensure the safe use of fireworks. Statistics on injuries from fireworks show that the vast majority of them occur away from organised displays. Last year, more than 76 per cent. of injuries occurred at private or family parties or in a "casual incident" in the street or other public place, while only 11 per cent. occurred at large public displays. There should be moves to ensure that more fireworks are used in organised displays rather than sold individually.

Well-organised displays are a better way for everyone to enjoy fireworks safely, but a problem is emerging. In my constituency, a well-organised display that has been held in Carnoustie for more than 20 years has been put in jeopardy because insurance premiums have increased massively and the organisers cannot afford them. In that case, Angus council has stepped in and the display has been saved. However, other people from around the country who are facing similar problems have contacted me. Some underwriters are no longer prepared to run the risk of court action by those injured by powerful fireworks, and that is putting many well-organised displays in jeopardy. If those displays stop, there will inevitably be an increase in the use of fireworks by individuals, and a consequent increase in the number of injuries to people, animals and property.

I drew that point to the attention of the House in early-day motion 1778, and I urge the Minister to discuss the matter with insurance companies to try to ensure that they reduce premiums for specific, well-organised displays, which would inevitably lead to some form of regulation. If it is not possible to get insurance companies to reduce their premiums—it is probably impossible to force them to do so—will the Minister consider the possibility of acting as an insurer of last resort for such well-organised displays, which would have to be subject to some regulation?

This is a matter of public safety and fire prevention. Taking fireworks out of the hands of individuals and leaving their use to well-organised displays would be far more effective than any number of public awareness campaigns. If the Minister fails to do that, there will inevitably be more calls for even tighter restrictions—even for a complete ban. That would be a pity, but public safety is paramount.

9.50 am

Linda Gilroy (Plymouth, Sutton): I congratulate the hon. Member for Angus (Mr. Weir) on securing this timely Adjournment debate and look forward to welcoming him to our soon-to-be-constituted all-party group, which has more than 60 members. Its secretary is my hon. Friend the Member for Brent, North (Mr. Gardiner), who is unable to be with us today, and other members include my hon. Friend the Member for Birmingham, Northfield (Richard Burden), who first introduced the Bill that my hon. Friend the Member for Brent, North and I have introduced at various times in different Parliaments.

Other hon. Members have a long track record in this matter, including the Minister's predecessor, my hon. Friend the Member for Edinburgh, South (Nigel Griffiths), who introduced effective regulations in 1997. Sadly, as the hon. Member for Angus said, the effect of those regulations has subsequently deteriorated. In my first year as a new Member, I was lucky enough to be selected in the ballot for private Members' Bills. I took a Bill through most of its stages—first, in the House of Commons, then, with the assistance of colleagues there, through the House of Lords, including the deregulatory Committee, then back to the Commons, where, sadly, it fell foul of Conservative Members who were intent on ensuring that the anti-hunting Bill was not debated that day.

In 1997 we were very much concentrating on trying to reduce accidents in the wake of two deaths that had occurred at organised firework displays. Since then, two factors—animal welfare and hooligans' use of fireworks—have come much more to the fore. The fireworks group has considered how to tackle those issues in the lead-up to the forthcoming ballot, in which we hope that one of our many members will be lucky in the draw and consider taking on a fireworks Bill.

There are two possible approaches. First—the route that several of us have already tried to follow—the Secretary of State can be given additional regulation-making powers to hold in reserve in case the current attempt to put the jack back in the box does not work. I share the concern of the hon. Member for Angus that it will be difficult to make the voluntary code work, because since the millennium celebrations, a tradition

[Linda Gilroy]

has built up of fireworks being on sale from September to February—in some communities, throughout the whole year. The second route is that taken in Northern Ireland—to ban through regulations, then positively to license certain activities.

Before I consider the pros and cons of each of those routes, I congratulate my hon. Friend the Minister on the work that she has been doing alongside the industry this year, which has resulted in a hard-hitting and targeted campaign for the current fireworks season that is very much aimed at the teenage group mentioned by the hon. Member for Angus. Its message is, "Fool with fireworks and bang goes your image", and hard-hitting posters show the nasty injuries and scars that can result from doing so. She has also worked with the industry in attempting to achieve noise reduction.

Ways have been found to get around the effective regulations introduced in 1997 by my hon. Friend the Member for Edinburgh, South. The voluntary ban on air bombs will not come into effect in time for this season, but will be in operation from early January. The Minister's action plan also includes anticipating European directives that will specify a limit of 113 to 120 decibels and selling the noisier fireworks only in costly packs so that people cannot just purchase them with other fireworks.

Dr. Nick Palmer (Broxtowe): Does my hon. Friend share my concern that the voluntary code applies only to boxes of fireworks and does not actually rule out the sale of small numbers of air bombs?

Linda Gilroy: My hon. Friend is right. I praise the Minister's attempts to do something about the problem, but I also want to ensure that the Secretary of State has regulatory powers to put the restrictions on a statutory footing. My Bill, which was supported by several hon. Members, would have done that, among other things. It also would have provided for statutory footing to confine the voluntary sales period to the new year period and the week before and two or three weeks after 5 November.

The hon. Member for Angus mentioned the Guide Dogs for the Blind Association. In discussions with officers of the association, we were alarmed to learn that each year two or three guide dogs are spooked by fireworks to the extent that they have to be retired. The costs associated with that are £20,000, £30,000 or more. In addition, because of the extended period in which fireworks are misused, guide dog owners—and other pet owners, of course—have to sedate their animals. That means that the owners of guide dogs are unable to call on their services, upon which they rely to such a great extent.

The most recent in a long series of letters from Mrs. Robinson in my constituency bears out the description given by the hon. Member for Angus. It says that what used to be

"3 days on either side of firework's night"

is now

"a relentless pounding from first dark to 2.00 or 3.00 am, every evening at least one month on either side of firework's night."

She says that her female dog

"will very probably have to be put down as she is unable to cope with the intensity of the noise levels."

She goes on to say:

"Vandals in the area are using these fireworks as weapons aiming them at animals being walked in parks."

She said that if I went round and spoke to people in her area I would get a feedback of despair.

On Saturday morning a week ago, I was in the Barbican area of my constituency where some of my constituents are being pursued under the antisocial behaviour order procedure. One aspect of their antisocial behaviour is firing rockets from the top flat of one block of flats to another. The incidents are legion—no doubt some of my colleagues will tell us of others that occur throughout the length and breadth of the country.

The Minister is doing good work to try to deal with the problem. We wish her well, but we also want to ensure that the Secretary of State has the necessary regulatory powers to take swift action without having to resort to primary legislation. Such powers would include giving enforcement agencies a crystal-clear basis on which to prevent hooligan use of fireworks, making statutory the voluntary code and—the industry was very supportive of this part of the Bill—licensing display operators. The hon. Member for Angus may be interested to know that I spoke at a conference of display operators, which was held in my constituency—in fact, the national fireworks championships are held in my constituency each year—and learned that the insurance issue is very real. An insurance broker is promoting voluntary standards that could well form the basis of the sort of standards that would be necessary under a statutory licensing system. If that did not work, my right hon. Friend the Secretary of State should have reserve powers to bring in a statutory licence system quickly.

The other route is that taken in Northern Ireland. There are, of course, special circumstances in Northern Ireland with different legislation-making processes. This year, the Secretary of State has taken powers to ban fireworks. That sounds draconian and I know that most of my hon. Friends want people to be able to enjoy fireworks and to do so safely, but the positive licensing system enables the Secretary of State to license the availability of fireworks in certain circumstances. We should consider that route seriously in the debates that will take place during the next Session of Parliament.

I want to quote from the *Derry Journal* in which Dessie Lowry, the Social Democratic and Labour party councillor on Limavady borough council, said:

"There are definitely fewer problems on the housing estates where these fireworks were thrown about. People are not having them thrown into gardens and dogs and cats are not being terrified."

I understand that other council areas have also reported a significant reduction in the number of incidents involving fireworks since the new legislation was introduced earlier this year.

Whichever route emerges from this debate, it is essential that we find ways of putting the jack back in the box. Our constituents are deeply upset. Some animals are spooked and have to be put down and many others are not able to give their valuable and necessary support to blind people because they have to be sedated for long periods of the year.

I want to ensure that none of us is faced with the death of a constituent or with the severely injured sons and daughters of constituents. My hon. Friend the Member for Enfield, North (Joan Ryan), who campaigns vigorously on this issue, had to face the very sad death of one of her constituents last December. We want to be able to enjoy fireworks safely and I look forward to the observations of my hon. Friend the Minister.

10.2 am

John Barrett (Edinburgh, West): I congratulate the hon. Member for Angus (Mr. Weir) on securing this topical debate on an issue in which I have taken a strong interest. He made a commendable speech, which set out clearly the dangers to human and animal life arising from the misuse of fireworks.

I also congratulate the hon. Member for Plymouth, Sutton (Linda Gilroy) on her contribution. If I am not already a member of her all-party parliamentary group, I shall join very soon and I look forward to it being fully constituted. The hon. Member for Dundee, East (Mr. Luke) said that this is not a partisan issue and that hon. Members from all parties are concerned about the issues that we are discussing today.

I was elected to the House about 17 months ago and an issue that has constantly loomed large in my postbag and at my weekly surgeries is that of fireworks. With 5 November only days away and with serious safety concerns about a firefighters' strike, the issue is uppermost in many people's mind. It is clear from what has already been said in the Chamber today and from the large number of early-day motions, private Member's Bills and parliamentary questions, that my experience is not unique.

I want to take this opportunity to pay tribute to organisations in my constituency that have campaigned long and hard—many of them long before I became a Member of this House—for new legislation on fireworks. I recently met Betty Stevenson of the north Edinburgh fireworks safety campaign group, which covers my constituency and that of the hon. Member for Edinburgh, North and Leith (Mr. Lazarowicz). The organisation has worked long and hard to tackle the misuse of fireworks and, particularly, the problem of the under-age sale of fireworks, which has plagued many communities in my constituency such as Corstorphine, Muirhouse, and Drylaw.

I represent a constituency in Edinburgh, which is well known for spectacular fireworks displays. At new year, Edinburgh puts on one of the most spectacular hogmanay events in the world and the highlight is a fireworks display that is regularly attended by more than 200,000 people. During the Edinburgh festival, Edinburgh castle is lit by another spectacular fireworks display, and only last Sunday, at the end of the week-long Hindu festival organised by the Scottish Indian arts forum, there was yet another fireworks display. Like many of my constituents, and like people throughout Edinburgh and Scotland, I enjoy those displays; they mark out the city as unique.

I am not anti-fireworks and I do not favour an outright ban, as some do, but the current laws governing the use of fireworks are clearly ineffective and drastically need to be updated. As the hon. Member for Angus said, the problem is that much of the law governing fireworks is almost 130 years old. That may be difficult for some to comprehend, but fireworks technology has moved on since the Explosives Act received Royal Assent in 1875.

I do not wish to belittle the measures introduced by the Government, which were mentioned by the hon. Member for Plymouth, Sutton, but the regulations prohibiting the sale of large or more dangerous fireworks and the Government's safety campaigns, including educational kits for schools, although positive, have only tinkered at the edges of the problem. Comprehensive new legislation is required to bring United Kingdom fireworks laws into the 21st century.

It is important to note that the misuse of fireworks affects not only people. The Scottish Society for the Prevention of Cruelty to Animals, whose headquarters is in my constituency, produced the excellent but disturbing and chilling report mentioned by the hon. Member for Angus. The report makes it clear that the impact of fireworks on domestic and wild animals concerns many people. It was that report that prompted me to table early-day motion 791, and I was glad that more than 100 right hon. and hon. Members chose to add their names in support of that—the largest backing of any fireworks-related early-day motion in this Session.

The hon. Member for Angus also mentioned the number of vets who responded to the SSPCA survey. A total of 80 per cent. of vets in Edinburgh admitted having to treat animals for stress and injury directly related to fireworks. Those injuries were reported not only on or about 5 November, but for at least a three-month period. There are stories of deliberate attacks on animals—of cats being affected by inhaling smoke and of dogs being in cars where fireworks were set off.

Other dangers have already been mentioned, including the danger to human life. Recently in my constituency, a young, pregnant mother of a two-year-old was burned to death because someone put inflammable material through her letterbox. It was not a firework, but it shows that hooligans who think that they may be participating in a prank sometimes have no idea of the tragic consequences that can result.

After consulting community councils, the local police force, GPs and others in my constituency, I began a petition campaign calling on my right hon. Friend the Secretary of State to take serious action as a matter of urgency. I was truly overwhelmed by the response. I now have thousands of names on the petition. Many people chose to send letters with their returned forms, which provided me with a catalogue of horror stories—of accidents, injuries to animals and people, and of the fear and distress that fireworks can cause. If there was any doubt in my mind about the seriousness of the issue and its impact on communities, the response to my campaign has removed it.

Why are we in such a sorry state of affairs? I believe that the voluntary code of practice is ineffective and that it fails properly to protect the public. The maximum penalty or custodial sentence has never been imposed under the law that prohibits sales to those under the age of 18, which makes a mockery of the law. It is time for the voluntary code that limits the time of year when fireworks can be sold to the public to be enshrined in law. The code does not work because too many outlets fail to adhere to it. As the hon. Member for Angus said,

[John Barrett]

many outlets sell fireworks long before 5 November. Fireworks can therefore cause fear and misery all year round.

We need rules to ensure that properly trained and licensed pyrotechnicians are at all public displays. I realise, however, that that will not stop all accidents because at a large community fireworks event in my constituency, which was organised by a licensed pyrotechnician, a young girl was hit by a rogue firework. We cannot rule out accidents, but we could minimise the danger, and the presence of trained, experienced operators would certainly help.

I do not want to portray everything as doom and gloom. We seem to be closer in Scotland than in England and Wales to tackling the problems of selling fireworks. The hon. Member for Angus highlighted Shona Robison's Bill in the Scottish Parliament, which has received all-party sponsorship. Last week, the Scottish Finance Minister, Andy Kerr, signalled the Executive's intention to press ahead with new laws on the sale of fireworks. That attitude, and the actions that it promotes, contrast starkly with the inaction at Westminster. The Government are so concerned with focus groups and popularity that it is incredible that they are not taking a bigger lead on the issue. The public would clearly welcome positive action, particularly in our city communities.

It is not a case of being a killjoy. Like other hon. Members, I enjoy a good fireworks display, but it is time for tighter regulations. There is much that the Government can do, and all parties in the House are determined that we should take action. All we need is some direction from the Government, and I hope that the Minister will provide it today.

Several hon. Members *rose—*

Mr. Roger Gale (in the Chair): Order. It will not have escaped hon. Members' notice that a significant number of their colleagues are rising to speak. I will call the first of the three Front-Bench spokesmen at 10.30 am, and it is up to hon. Members how they use the time up until then.

10.11 am

Vera Baird (Redcar): I am grateful for the opportunity to speak, and I shall be brief. I congratulate the hon. Member for Angus (Mr. Weir) on obtaining the debate.

The council in Redcar has taken a lead on firework safety issues. In particular, it has initiated a voluntary registration scheme for licensed retailers. Those who sign up agree to comply with legislation prohibiting the sale of fireworks to under-age children. They also agree not to sell fireworks to people they think are likely to misuse them and to tell the local authority of anyone who uses them inappropriately. The scheme is supported by a dedicated freephone number, which came into operation on 14 October. It has been widely advertised in the local papers, and shop owners and members of the public can use it to report illegal bonfires, nuisances and people who they think are selling fireworks unlawfully.

In tandem with the scheme, the council runs a bonfire strategy and a fuel management scheme. In a nutshell, those measures ensure that materials that could be used for a bonfire can be quickly removed from a public place, particularly if children have collected them for a bonfire. We are well able to remove such materials in Redcar and Cleveland because we have an effective team of neighbourhood wardens.

This year, Redcar council is spending more than £10,000 on four public firework displays, one of which is at Redcar racecourse. The benefits are obvious, and I will not set them out. Such measures will go a long way to ensuring that 5/11, as we should learn to call it, is no longer a public hazard, but a way of enhancing community involvement.

That sentiment is echoed by Chief Superintendent Kelly of my local police division. In parallel with the council's efforts, he has initiated Operation Tinderbox in Redcar, which involves the police taking education packs to schools. Contrary to the experience of the Edinburgh correspondent mentioned by the hon. Member for Angus, the initiative is being supported by a crackdown on antisocial behaviour and damage over the relevant period and in relevant locations. The police are also vigorously pursuing intelligence on the illegal storage and sale of fireworks. Chief Superintendent Kelly tells me that, again, the wardens play an important role. Like the police, they have high visibility and can deter nuisance by dealing quickly and robustly with incidents.

Those manoeuvres and tactical measures are important. The big concern in Redcar is not that there is no legislation, but that catching and prosecuting perpetrators is a problem. That is the view of Mr. Gary Flynn, the council's community safety co-ordinator, who believes that the council's measures are having an impact and that things are nowhere near as bad as they were last year.

The council's fallback position is represented by a petition in all the local libraries in Redcar. It calls for a ban on the sale of fireworks to everybody except those whom the Health and Safety Executive has licensed to make professional use of them. That petition will be brought to the House on 16 November, and the number of signatures on it will offer a final judgment on the effectiveness of the well thought-out efforts of the council and the police. Until then, in Redcar at least, the jury is out on a total ban.

10.15 am

Mr. Russell Brown (Dumfries): I congratulate the hon. Member for Angus (Mr. Weir) on securing the debate. I shall be brief, because other colleagues want to speak.

There are two elements to the debate—the nuisance element and the safety element. I served for several years as a health and safety representative in a workplace, and I believe that safety is of paramount importance. Last year, there was a 50 per cent. increase in injuries to young teenagers, which was the highest rise in seven years. That is quite horrifying. Parliament has tried to do as much as it can to prevent accidents, and after 1997 there was a welcome decrease in injuries. Last year's figures, however, tell a totally different story.

Hon. Members who have spoken this morning have referred to the months either side of bonfire night. From the first week of September, life has been made

unbearable for many people in my area. A lady told me that she witnessed something last week that was like something one might expect to see on television. One evening, a group of six or seven youngsters were standing on a street corner when a car drove up the street at high speed and did a handbrake turn. The back door opened, and a large box was thrown from the back of the vehicle. Some 20 minutes later, everyone in the neighbourhood discovered contained that the box contained fireworks. The lady told me that she could not believe her eyes and, that if someone had told her the story and she had not witnessed it herself, she would have thought that it was pure imagination.

There is one individual in my home town who, from the first week in September, has supplied youngsters with fireworks that he procured in the Newcastle area. I immediately reported the fact to the police and trading standards people, but I was disappointed by the outcome. One of my fears was that the guy might be storing the fireworks in the locality, and that they might put those in the vicinity in danger. However, I discovered that legislation would kick into force only if he was storing them somewhere for more than 14 days. It was patently obvious that the guy was simply part of a system for passing fireworks on from his supplier to his customers.

I worked for 18 and a half years in the explosives industry. That had nothing to do with the fireworks business, but because of that experience I realise how fiercely fireworks burn—they are white hot. Recently there was a horrendous incident in Holland that caused devastation in the neighbourhood, which should be a lesson to people about how much damage fireworks can do.

Linda Gilroy: As a warning to our constituents, I believe that I am right in saying that sparklers are as hot as chip pan fat.

Mr. Brown: My hon. Friend is right.

Last year, I received a tremendous amount of correspondence, but this year I have had only a couple of letters. That is probably down to the good work of Dumfries and Galloway constabulary, who at an early stage have tried to stamp out some of the things that have been going on. Last week the constabulary issued a press release saying that a local man was charged with supplying fireworks to juveniles in the town of Dumfries. We are moving in the right direction.

Along with my hon. Friends, I applaud the work done by my hon. Friend the Minister and her Department. However, I draw to her attention something that my hon. Friend the Member for Motherwell and Wishaw (Mr. Roy) drew to mine. Some firework manufacturers have said that they can make fireworks that do not produce the amount of noise that we have all experienced in neighbourhoods in our constituencies for many years. If she has not already done so, I would encourage the Minister to start talking to manufacturers about what they can do. I appreciate that a tremendous amount of the fireworks on sale in shops are imported, which creates another difficulty. However, we need to make a serious attempt to cut down on the nuisance caused, whether it is to elderly citizens or animals.

I encourage the Minister to speak to manufacturers to see if a positive start can be made to cut out the nuisance that so many people have to tolerate—not only for a couple of weeks before bonfire night and perhaps a couple after, but, in my experience, for at least the two months before it.

10.21 am

Mr. Adrian Bailey (West Bromwich, West): I congratulate the hon. Member for Angus (Mr. Weir) on securing the debate, and I pay tribute to those who have far greater experience of campaigning on the issue than I.

In common with virtually every other hon. Member, I have been made aware of the increasing levels of noise, nuisance and antisocial behaviour, and the adverse effects on animal welfare in my constituency, which seem to have escalated year by year. In common with other hon. Members, I do not wish to be a killjoy. Fireworks are colourful, pleasurable, exciting and a legitimate way for people to celebrate special occasions and events. I want any legislation to be sensitive to people's desire to celebrate with fireworks. I also recognise that in a multicultural society, different ethnic groups have festivals and celebrations at different times of the year during which they want to use fireworks.

None the less, I think that it is necessary to have a regulatory system that will enable responsible people or legitimate organisations to celebrate with fireworks, without giving those antisocial elements that exist in most areas the freedom to use them to make people's lives hell. What is a joy for some can be absolutely appalling for others. We must frame legislation to ensure that those who wish to use fireworks joyfully can do so without other people suffering as a consequence.

I welcome the voluntary code, but only in so far as it is a long-awaited recognition of the fact that there is a problem. I do not think that it will work. One of the arguments against the proposals is that they will create a black market. I do not take that argument very seriously. People who are prepared to bypass legislation have a field day bypassing voluntary restraint. Even within the terms of the voluntary restraint, some fireworks will be used by those who wish to use them antisocially to cause an enormous level of disturbance.

I am conscious of the time and so will wind up fairly quickly. I want to see some form of licensing system. My hon. Friend the Member for Plymouth, Sutton (Linda Gilroy) commented on the fact that a licensing system already operates in Northern Ireland. Although we all recognise that there are special reasons why it is implemented in Northern Ireland, it will give us a body of experience on which we can draw to implement a similar system in this country.

I can see two great advantages in that. First, it increases public awareness about the legislation on fireworks. There is currently a range of legislation, most of it very old, and people do not know what their rights are when it comes to being affected by fireworks. The pet owner whose dog is disturbed by a flying rocket will hardly go to the perpetrator and say, "You are in breach of the Protection of Animals Act 1911 and I demand action." Similarly, many local authorities do not have the staff to implement legislation on noise and nuisance. We need a regulatory licensing system because, then, the conditions of the licence could be known both to the user and to the general public. That would increase people's awareness, enable the police and other law enforcement authorities to know on what basis they can act, and enable them to act quickly.

[Mr. Adrian Bailey]

That is my central point. I thank hon. Members for their contributions and for the benefit of their knowledge, but I believe that licensing fireworks is the route that we should take.

10.25 am

Dr. Brian Iddon (Bolton, South-East): Like many others, I get a lot of pleasure from fireworks and do not support a total ban on sales to the public. In Lancashire, there is a tradition of community bonfires, with treacle toffee and black peas. The bonfires bring the community together. As my hon. and learned Friend the Member for Redcar (Vera Baird) said, Bolton council asks people to register their bonfires and those that are not registered are removed.

As a professional chemist, I am alarmed at the size of fireworks on sale to the general public. They can buy rockets of 5 ft or 6 ft long and 9 in cakes of fireworks with multiple charges that go off over a considerable period. Those are huge explosives, which should not be in the hands of the general public. They should be available only to professional people who have been trained to set them off.

The Government should examine the classification of fireworks. The current system differentiates indoor fireworks, garden fireworks, other fireworks for sale to the general public for displays and fireworks banned from sale to the general public, which can be set off only by trained engineers at public displays. Please will the Minister consider the classification of fireworks and prevent large fireworks from being sold all year round?

There is a large mixed ethnic community in Bolton. The Hindu and Chinese communities have celebrations at different times of the year from ours, so it would be hard on those communities to restrict the sale of fireworks to two weeks before bonfire night.

10.27 am

Huw Irranca-Davies (Ogmore): I thank the hon. Member for Angus (Mr. Weir) for securing this important debate on a cross-party and cross-region issue. Many of my colleagues who represent Welsh constituencies are equally concerned about the matter and their postbags are filled with letters of concern from residents who, for months leading up to 5 November, must put up with fireworks being set off in the streets outside their houses.

An elderly resident in a remote community in one of my valleys, who had been back in her home for two weeks recuperating from an illness, was disturbed in the early hours of the morning when her window was smashed by a firework. As a former lecturer, I know that one of the responsibilities of local authorities is to provide appropriate controls and appropriate leisure outlets. We must acknowledge that the voluntary system of regulation is insufficient, despite the many good examples of best practice shown by councils and neighbourhood watch schemes. If voluntary arrangements are not working, it is clear that we must go further and consider a licensing system. It is not acceptable that the quality of life of our constituents should be put in danger by the present state of affairs.

10.29 am

Dr. Vincent Cable (Twickenham): I also congratulate the hon. Member for Angus (Mr. Weir) on initiating a debate that is topical, and would have been even more so had a firefighters' strike been scheduled for the relevant day. The subject has considerable historical resonance in this place. What the hon. Gentleman and other hon. Members have perhaps been too polite to point out is that what we celebrate on bonfire night—its historical origin—is the ascendancy of English and Scottish Protestants over the Catholic population.

The hon. Member for Dumfries (Mr. Brown) made the point that several separate problems arise. First, safety is a distinct problem. Each year there are about 1,000 injuries requiring attention by accident and emergency departments. As the hon. Member for Bolton, South-East (Dr. Iddon) pointed out, the extraordinarily high explosive power of the new generation of fireworks has a lot to do with that.

Another issue to emerge from the statistics is that, although the rate of injuries is fairly stable, there has been a big increase in injuries to teenagers. That is associated with the second problem—antisocial behaviour, rather than fireworks themselves. The kids who throw fireworks around would otherwise be setting fire to vehicles and throwing rocks.

Shona McIsaac: Is the hon. Gentleman aware of the seriousness of such antisocial behaviour? For example, the front page of my local paper announced "Sixty evacuated in dangerous vandal attack". Fireworks were thrown into a crowded pub, and that sort of thing is not uncommon. No one was injured, but such incidents are not included in the figures, so matters are probably more serious than they may appear.

Dr. Cable: They are very serious. The event that the hon. Lady recounts could be described as a fairly serious crime. I know that the Minister has introduced measures to deal with the throwing of fireworks.

The third distinct element of the issue is the noise problem. Most of the people who write to us are primarily concerned about noise. They include elderly people and people with pets. My hon. Friend the Member for Edinburgh, West (John Barrett), who mentioned that the Scottish Society for the Prevention of Cruelty to Animals has is headquarters in his constituency, pointed out that there is great concern about noise.

Perhaps the Minister can help me to understand: at present, the loud noise of bangers is heard for several weeks before and after bonfire night. Why is this happening? Under the 1997 regulations, as I understand matters, category 2 and 3 bangers have effectively been outlawed. Is the problem that the regulations are being ignored and not enforced, or are category 2 and 3 bangers defined in a liberal way? It is important to understand the answer. The first explanation would present us with an issue of law enforcement, and the second, as the hon. Member for Bolton, South-East implied, an issue of industry standards and how to enforce them.

As to what policy we should adopt, I agree with hon. Members who have stressed the need for proper balance. One person's pleasure is another person's

nuisance. We have all been children and most of us can see aspects of a rite of passage. Community firework displays are important and valued. Open air concerts, all of which seem to finish with Handel's firework music and associated visual effects, now happen at several places in my constituency. I do not know how many hon. Members present were on the Embankment for the phenomenal firework display on millennium eve. Such events are part of a tradition. Many people enjoy them and, if they are done in the right way, we should tolerate them. That attitude should be balanced against the noise, the antisocial behaviour and the danger.

How can we achieve that balance? I would start by considering not new methods of regulation—let alone bans—but enforcement issues. We already have a substantial range of regulations, and the Minister's approach of building on them incrementally is sensible. The issue is why they are not being more widely enforced. Part of the trouble is that trading standards officers bring few prosecutions for things such as under-age selling. Perhaps the Minister has more information about that. The underlying problem is that trading standards offices are hopelessly understaffed, underfinanced and ill-equipped, yet we like to pile more responsibilities on to them. The Minister is in the process of introducing the Enterprise Bill, which will extend consumer protection powers. That will place yet more responsibility on a weak arm of local government. Until it is beefed up and given adequate support, it will not be able to perform its role.

The same is true of the police. In principle, I support the idea of imposing spot fines on people who throw fireworks. However, the police must be able to enforce it. In areas like mine, where there are not enough police officers to have beat policing, the police just laugh at such measures because they do not have the capacity to enforce the law. The enforcement issue rests on the resources of those services.

Huw Irranca-Davies: I acknowledge what the hon. Gentleman says about the need for enforcement on the streets where the nuisance behaviour takes place. Does he agree that that is a good case for the deployment of community support officers to act as the eyes and ears of police, and would he therefore encourage more extensive use of such officers by other police forces?

Dr. Cable: Yes. The hon. Gentleman is right, and I support that. It is a good initiative. Recruitment in London has been encouraging and I welcome it.

Apart from enforcement, the other way in which the Minister can make progress without bringing in widespread bans and new regulations is to tighten up on industry specification, building on the 1997 regulations, particularly in respect of bangers and the dangerous fireworks that the hon. Member for Bolton, South-East has highlighted.

My final concern is whether there is a case for a ban on sales or widespread regulation. I am not sure. We would be introducing a new regulatory apparatus for objectives that are not clear. I have more sympathy with the narrow proposal that limits sales to a specific number of days, and would embody the voluntary code in legislation. There are still difficulties with that, not least the point about ethnic minorities—I have a Hindu community starting in the north of my constituency, heading into west London. There is also the risk of people buying within the restricted time period and storing the fireworks. There are many ways in which enforcement would be difficult.

Would it be sensible to allow local councils to experiment? There are many parts of the country where there is not a Hindu population, with its particular difficulties. Might the way forward be for the Government to empower local authorities, based on their local traditions, the strength of their trading standards departments and other factors, to have a moratorium on sales during a particular period, not necessarily to impose a nationwide restriction?

10.38 am

Mr. Andrew Robathan (Blaby): I, too, congratulate the hon. Member for Angus (Mr. Weir) on having introduced this timely debate, which covers both Diwali and Guy Fawkes night. Could he let the rest of us know how he achieved that? I never seem to manage to secure debates that are so timely.

The hon. Gentleman used the term "irresponsible use of fireworks", and that is the point. I have a dog of whom I am inordinately fond, who is terrified of fireworks. When they go off close at hand, she will hide and shiver. It is worrying for me and even more so for her. I am sure that other pet owners will recognise the symptoms. The worst time was when we accidentally passed close to a public display and she very nearly bolted. If she had not been on a lead, I would probably have never seen her again. That has happened to many people's dogs. The issue is serious, and we all receive many letters about it.

There are far too many accidents. We have heard the accident rate today. One accident is one too many, and I regret that there are any at all. As the hon. Member for Dumfries (Mr. Brown) pointed out, we are dealing with explosives, and explosives are inherently dangerous.

What should we do? In a well-argued speech, the hon. Member for Plymouth, Sutton (Linda Gilroy) pointed out that the 1997 regulations, which were welcomed, have not achieved what we hoped that they would. Indeed, the accident rate went up rather than down last year. I remember that as a child, after much pleading on my part, my mother dispatched me with a note to the retailer that said that I was authorised to buy fireworks even though I was under 14. That was, I fear, some 40 years ago. We used to have a bonfire party in the back garden on 5 November or thereabouts, which was closely supervised by my parents, and there were no injuries. My parents were certainly responsible, and I was forced to be.

Things have changed. The hon. Member for Bolton, South-East (Dr. Iddon) mentioned the amount of explosives in some fireworks, which is an important issue. Furthermore, the antisocial behaviour of young people seems at the root of many of the problems. In Leicestershire last year, the *Leicester Mercury* ran a campaign about the irresponsible use of fireworks. As a result, I received many letters. They referred to the fact that the fireworks season now goes on for five or six weeks. The hon. Member for Angus suggested that it went on for three months, which I thought was a bit long, but we must remember Diwali and hogmanay,

[Mr. Andrew Robathan]

concerts in Twickenham, birthday parties and, this year, the jubilee. It is difficult to talk about time limits. People who say that fireworks should be sold for only, say, a month around a specific date might find that almost impossible to enforce. Apart from anything else, people will stock up on fireworks.

The big complaint is that fireworks are being let off in the street, especially bangers. As I understand it, bangers have been illegal since 1997 and it has been illegal since 1875 to let off fireworks in the street. Such acts are criminal. As the hon. Member for Twickenham (Dr. Cable) said, the question is one of enforcement.

Linda Gilroy: When I promoted my fireworks Bill, some people from the Police Federation were very supportive of it. From the point of view of the police, there is a problem in using the present powers. The proposal in the 1997 Bill, which fell, would have made enforcement much easier for the police.

Mr. Robathan: That is a good point. The time that the police can spend on enforcing the powers is another issue. Unusually, I commend the Government on their pilot schemes in which £40 fixed penalty notices will be imposed by the police for letting off fireworks in the street. The schemes are in Croydon, the west midlands, north Wales and Essex. That is a good way forward. The public need to show a more responsible attitude. When someone sees a teenager—it is typically a teenager—letting off fireworks in the street, perhaps the police will be informed and perhaps they will take greater action. The issue is one of education as much as anything else.

The other big issue that ties in with bangers and the point made by the hon. Member for Bolton, South-East is noise. It is just as frightening for an animal to hear an explosion from a public display as it is for them to hear an explosion in a garden or on the street. There are provisions on the subject in the Environmental Protection Act 1990 and the Noise Act 1996, but they are difficult to enforce. Again, I commend the Government. I quote from the fact sheet sent to me with the undated letter from the Minister, which states that the Government are

"Seeking to make it easier for local authorities to use the Night Noise Offence . . . which targets excessive noise . . . after 11pm".

That is extremely sensible. Let us see how it works.

The hon. Member for Plymouth, Sutton mentioned the national fireworks display in Plymouth. I bet that there are complaints about the noise from that.

Linda Gilroy: There certainly are. It is a problem, but we want people to enjoy fireworks and to enjoy them safely. That is why other hon. Members referred to the possibility of low noise fireworks, on which I look forward to the Minister's comments.

Mr. Robathan: Funnily enough, I again commend the Minister. I do not want to steal all her thunder, but in the same undated letter she refers to voluntary restraint on the noise of fireworks. I will let her cover that in more detail. As the hon. Member for Twickenham said, the key to the issue is a balance between an individual's freedom of enjoyment, danger to others, and the antisocial behaviour of some that restricts their consideration of others.

A degree of hyperbole surrounds the debate. There is irritation and upset, but not the misery that people claim. One of my constituents wrote to me:

"Older people are terrified and how young children sleep with this going on, I do not know."

I have two young children under the age of six, both of whom, I must admit, like sparklers. Like all of us, I have to lay my weary head down somewhere at night. During the week, I live in a very densely populated part of Westminster as, I suspect, do many of us. Although I find fireworks irritating, my children have never been woken up. The hon. Member for Edinburgh, West (John Barrett) prayed in aid the death of one of his constituents, but that had nothing to do with fireworks. The cause was petrol through the letterbox. No one is suggesting yet that we stop the sale of petrol.

Noise, however, is a real problem. If the voluntary restraint in the Government's plans works, there will be many fewer complaints because noise is what everyone notices. It is a question of consideration and responsible behaviour. It is also a question of parental control. One cannot buy fireworks if one is under 18—or rather, one should not be able to do so. So who is buying them, and who is letting their children out on the street with them? I am afraid that the responsibility lies with the parents.

More than anything, there is the issue of adherence to and enforcement of existing law. Hon. Members discussed the further licensing of sales, which might be sensible. The hon. Member for Bolton, South-East made a good point about the excessive size of fireworks. However, I wonder if we really want trained firework-display personnel? I am sure that we have all lit fireworks in our time. When I was in the Army, I went on a two-week fire-training course. It was rather fun going down the pole at a fire station and using a hose. However, the rest of what I learned was mostly common sense and would have taken about 10 minutes to read about in a book.

Do we really want a total ban? I suspect that one could download instructions from the internet on how to make gunpowder. I will make a bet with anyone here, if they like. There are at least a couple of people here who could do it straight away. Clever young physicists aged 15 or 16 are probably doing it already. That is another issue on which we should not dwell for too long. Do we really want more regulation and more restrictions on individual freedom? I do not believe that we do. We do not want to make this country more of a nanny state. The problem is that the law is not observed or enforced.

How will we ensure that new laws are observed and enforced? As a Conservative, I would prefer not to have unnecessary regulation that uses up our time.

Linda Gilroy: The hon. Gentleman might like to consider the Bill that several of us have promoted. It has regulation-making powers, which can be held in reserve, and might be an additional incentive to the industry to reach voluntary agreements.

Mr. Robathan: I am grateful to the hon. Lady. That is a very sensible way forward, which ties in with the

voluntary code that the Government are promoting. As a Conservative, however, I am, in general, against further regulation unless it is proved necessary. I do not believe that some of the regulations that hon. Members call for in this House and elsewhere would be enforceable or effective.

Finally, I return to the subject of my dog, Otter, of whom I am inordinately fond. She is terrified of thunderstorms. When there is a thunderstorm, she cowers under the bed or the table, but I have not worked out what regulations we could introduce to deal with that.

10.49 am

The Parliamentary Under-Secretary of State for Trade and Industry (Miss Melanie Johnson): I congratulate the hon. Member for Angus (Mr. Weir) on securing this useful debate. I am glad to have the opportunity to say a few words on the issue, as I know that it is one about which many people have concerns.

Since last year's Guy Fawkes period there has been an unprecedented level of public concern about the misuse of fireworks in terms of safety, noise and general nuisance. I have seen an increase in the amount of correspondence on the issue in my constituency postbag, as have most hon. Members, which has been reflected in increased parliamentary discussion.

I have heard the representations here today seeking restrictions on the sale and use of fireworks. I am sympathetic to those who are distressed by the noise and frightened by the rogue element that misuses fireworks in public places, and sets them off at unreasonable times of day and night. I also share the deep concerns that I have heard expressed this morning about last year's increase in injuries caused by fireworks.

No one can disagree with the need to control fireworks, particularly to protect the public from harm. The question that we must address today, therefore, is how rigorous those controls should be. We also need to consider the powers that the Government have, and how best those powers can be deployed, a subject to which several hon. Members referred.

Current legislation bans the throwing of fireworks in the street, regulates their storage, and bans their sale to children under 18 on safety grounds. It also restricts, on safety grounds, the sale of certain larger fireworks to the public. There are mandatory standards for fireworks sold in the United Kingdom.

The speakers this morning called for controls that go beyond that, and I understand their concerns. I must emphasise, however, that without further primary legislation the Government cannot take action to restrict the times of year when fireworks may be sold or used, nor can they cut noise levels or introduce licensing schemes.

Currently, the Government can make regulations controlling fireworks only in relation to the safety of the public. Loud noise is a serious issue, but is not directly a question of safety. The question is, therefore, whether there are other means by which we can improve the controls and increase the protection of the public from harm and nuisance, without imposing more regulatory burdens on industry and small businesses. Such means must also allow the large number of people who enjoy buying and using fireworks to continue to do so safely. I believe that that is possible, and on 15 October I announced a new package of measures to enhance protection and reduce nuisance. The measures will be brought forward immediately by the Government.

I will say something more on the safety of the public, because that is of primary concern to the Government. People continue to be injured by fireworks every year, and there are even occasional deaths. Even one death is too many. Sadly, during the 2001 firework season, 1,362 people required treatment of some sort at hospital casualty departments. That number is an increase on the previous year, and represents far too many people being hurt.

This year, we have focused a lot of effort on safety campaigns, targeting particularly the misuse of fireworks by teenagers. As the statistics make clear, injuries to that group are disproportionately high, and are more likely to result from casual incidents in the street or public places; they increased by nearly 60 per cent. over last year.

This year, we sent out thousands of information packs to local authorities, fire service authorities and police authorities. We also sent out 25,000 toolkit packs for schools, which include materials on organising private and public displays. In addition, we are funding posters to be displayed at prominent sites around the country, and distributing leaflets aimed at consumers. My hon. Friend the Member for Plymouth, Sutton (Linda Gilroy) has already mentioned our TV filler campaign.

In addition, many local authorities and fire services run their own campaigns. There have been excellent initiatives in Manchester and Middlesbrough, where trading standards officers have worked closely with retailers to ensure compliance with the voluntary code of practice. I was interested to hear my hon. and learned Friend the Member for Redcar (Vera Baird) speak about the scheme in Redcar, and I shall be interested to hear how that works out. It highlights the fact that the debate is about not only legislation, but enforcement. Several hon. Members addressed that.

Creative ideas exist to get key messages across to youngsters. I recently saw work in north Lincolnshire involving a CD-ROM for schools. I know that some people believe that we should go further and protect the public by banning the sale of fireworks. The Government do not believe that a case has been made for banning the sale of fireworks and limiting their use to organised public displays. Such a ban could lead to the development of an illegal firework market and might encourage people to produce home-made devices. Sensible and considerate use of fireworks is a popular family entertainment.

I reassure hon. Members that the Government are not complacent. We accept that there is real scope to improve the control of fireworks in order to improve safety further and to tackle the distress and annoyance that fireworks cause to people and animals. That is why we have explored with the industry what else can be done and, as a result, I announced on 15 October a package of measures designed to cut the number of firework injuries and to reduce problems of noise and nuisance. I shall not reiterate the existing controls at

[Miss Melanie Johnson]

length because time does not allow me to do so. Safety regulations emphasise the fact that fireworks can be sold legally only to people aged 18 and over.

The hon. Member for Twickenham (Dr. Cable) made remarks about trading standards departments. They make a considerable effort by conducting mystery-shopping activities at this time of year to ensure that retailers comply with the ban on sales to under-18s. Of course, that is easier if fireworks are not sold out of white vans; that market is difficult for trading standards departments or anyone to deal with. I am assured that most shops that sell fireworks comply with the regulations.

Dr. Palmer: I welcome the package that the Minister announced and the stress that she puts on the problem of the use of fireworks by juveniles. I am puzzled that the spot fine pilot initiative applies to only over-18s. In Broxtowe, we are doing well on cracking down on pensioners throwing fireworks.

Miss Johnson: Under-16s are covered by legislation, but provisions under a Home Office Act—I am not prepared to quote it off the top of my head because I do not have it in front of me—do not allow spot fines that apply to over-18s to be imposed on under-18s. Such fines are restricted by current legislation. Powers exist that address the antisocial practice of letting off fireworks in the street. I have held several meetings to examine the work that enforcement authorities can do to ensure that existing controls are properly exercised.

Several hon. Members mentioned the private Member's Bill promoted by my hon. Friend the Member for Plymouth, Sutton in 1997. A future private Member's Bill might be suggested, and the Government will be sympathetic to the draft of such a Bill, although it would have to be considered on its merits.

One of the first things that we did following discussions with the industry was to consider existing products on the market. Consequently, I announced the action that we have taken on air bombs, which I do not have the time to outline in detail. Several hon. Members discussed the power of larger fireworks that are on sale. The largest fireworks are restricted by the 1997 regulations and the powers that are already in place. Packs of fireworks—so-called cakes of fireworks—are considered to be much safer than other fireworks because only one fuse is lit—that is it. They are also more expensive, which puts them out of pocket money range. Evidence shows that such multiple packs are probably not the cause of many difficulties. We are much more concerned about things that fall within pocket money range, so we are considering raising pack prices—putting noisy fireworks into larger and more expensive packs at the point of sale. As I have said, we are banning air bombs.

For the information of the hon. Member for Twickenham, bangers are things that just go bang, but there are fireworks that go bang and make light and so forth that are not actually bangers. They are not covered in the same way as bangers.

Finally, I will turn quickly to the question of animals—

Mr. Roger Gale (in the Chair): Order. We should now move to the debate on consumer debt. Is the Minister present?

Miss Johnson: Yes.

Mr. Gale: I apologise to the hon. Lady. The notes that were given to the Chair indicated that there would be a different Minister for this debate.

Miss Johnson: I appreciate your difficulty, Mr. Gale. My name seems to be down for a number of things today.

Consumer Debt

11 am

Mr. Mark Lazarowicz (Edinburgh, North and Leith): I am pleased to have secured a debate on an issue as important as consumer debt. I begin by declaring an interest: I am a member of Capital Credit Union Ltd. in Edinburgh, which is an expanding and successful credit union. I hope that time will allow me to talk about the role that credit unions can play in dealing with the issues that arise from consumer debt.

All hon. Members face the problem of debt in their constituencies. For this debate, I was fortunate to receive a briefing from Citizens Advice Scotland, for which I am grateful. I should like to put on record the thanks that I am sure many hon. Members would offer to the staff and volunteers in citizens advice bureaux up and down the country for the good work that they do in our communities.

In its briefing note, Citizens Advice Scotland confirms that debt and in particular consumer debt continue to be the most consistent problems with which bureaux have to deal. The problem is growing. In 2000–01, Scottish citizens advice bureaux dealt with more than 400,000 new cases, of which just over 50,000—one eighth of the total—related to debt.

In the two citizens advice bureaux in my constituency, of more than 23,000 inquiries in 2000–01, an even greater proportion related to debt. In that year alone, the service in Scotland dealt with 160,000 ongoing cases, involving around £70 million of debt. That was an increase of £10 million on the previous year. I have no reason to believe that figures for the United Kingdom as a whole or for any of our constituencies would vary greatly from those for Scotland or for my constituency.

Of course, consumer debt is not new and there is nothing inherently wrong with consumer borrowing.

Mr. David Marshall (Glasgow, Shettleston): I congratulate my hon. Friend on securing this debate. Does he agree that the service provided by citizens advice bureaux is very underfunded, especially in Scotland, where they have to deal with ever-increasing legislation from Holyrood as well as from Westminster? Given that 40 of the 52 forms from the Department for Work and Pensions—77 per cent. of the total—refer claimants to citizens advice bureaux, does he agree that funding of the bureaux should not be left only to local authorities and that there should be direct central funding to enable the bureaux to do their very important work?

Mr. Lazarowicz: I could not disagree with my hon. Friend's strong point. In Scotland, citizens advice bureaux have to deal with devolved legislation as well as UK legislation, so they have a heavy work load and an especially important role to play in their communities.

Consumer borrowing is not inherently wrong. At some stage in our lives, we may all have had a mortgage, credit cards, overdrafts and so on. As a result, we are able to enjoy lifestyles that would not otherwise be possible. Lending and borrowing can make the economy go round. However, the increase in the number of people taking their debt problems to citizens advice bureaux shows that the growing consumer debt in our society is now a major problem. Beneath the broad statistics, we all know of individuals who have become trapped in a cycle of debt from which they cannot escape and whose lives, as a result, have become miserable.

Mr. David Drew (Stroud): This is an apposite debate. Does my hon. Friend accept that one of the biggest problems relating to consumer debt is that people who are already in serious debt may still be chased by companies that should know only too well of such people's difficulties and still offer them finance and credit? We are not talking about fly-by-night credit companies, but about the leading banks, mortgage companies, and so on. What is his view of that problem?

Mr. Lazarowicz: I agree absolutely with my hon. Friend. I was just coming to that point. We are not talking about just a few fly-by-night organisations. We are talking about a need for a culture change in the industry as a whole.

Debt can arise from many causes and, even now, poverty remains a major one. That is why I and most hon. Members welcome the measures that have already been taken by the Government to tackle poverty. Poverty is not, of course, the only reason why people find themselves in debt. The major contributor to the problem is the behaviour of several businesses, big and small, which sell credit and encourage consumers to take out loans.

We all know stories about loan sharks, who prey on the poor and vulnerable in too many of our communities. I include in that category not just the local moneylender, but shops that supply goods at ultra-high interest rates to those who could not otherwise get credit at fair rates, and lenders in the home credit market—doorstep credit providers—whose annual interest rates are often in excess of 100 per cent. That market is growing and expanding.

In 1999, Provident Financial plc, the largest home credit company, charged its 1.5 million customers a typical annual percentage rate of 164 per cent. and made pre-tax profits of £155 million. In the same year, Cattles plc, which owns Shopacheck, opened 75 new branches. Those companies alone accounted for more than £1 billion of lending to low-income households. If that money were recycled through credit unions, it could be invested in local communities rather than going to the type of organisation that I have mentioned. I welcome the recent Government consultation on tackling loan sharks and proposals to modernise the Consumer Credit Act 1974. It would be useful if the Minister gave some idea of the progress on modernisation.

Mr. Andrew Love (Edmonton): Does my hon. Friend agree that when it is easier to take out a consumer credit licence than open a bank account, something must be up and something must be done?

Mr. Lazarowicz: Absolutely. Nevertheless, as my hon. Friend the Member for Stroud (Mr. Drew) said, it is too easy just to single out a few obvious bad guys, such as the loan sharks, and think that by dealing with them we have dealt with the problem. Some of our biggest and most respected financial institutions are responsible for

[Mr. Lazarowicz]

pushing people into unaffordable debt. Irresponsible selling by high street banks and credit card companies is a widespread phenomenon and it encourages too many consumers to bite off more than they can chew.

We all know from experience about the type of marketing and advertising that goes on. Our daily postbag at home probably contains half a dozen offers of credit at apparently attractive introductory rates. Telephone sales representatives may try cold calling, perhaps with an offer of a financial health check. One finds increasingly while paying bills that banks issue invitations to take out new credit facilities. In shops, too, there might be unsolicited invitations to take out new credit cards.

Most hon. Members have learned to throw junk mail in the bin or politely to decline the offer of whatever colour credit card is available under the latest wheeze of credit card companies. Given our generous salaries, if we get heavily into debt, we at least have some prospect of getting out of it. However, too many people are not in our fortunate position, and there are too many examples of consumers becoming trapped as a result of over-eagerly responding to invitations to take on credit.

I was struck by one example provided by Citizens Advice Scotland. I was told of the case of a 19-year-old woman who received a credit card from a well known high street building society. Accompanying her card were four cheques of £500 made out in her name. We are all familiar with that sort of marketing tool. The 19-year-old was just about to cash the cheques when her mother realised that credit card rates of interest would have to be paid on the amounts. It is not just loan sharks or moneylenders who lend at high interest; the big banks and the financial services industry need to look at what they are doing as well.

In the time available to me, I want to suggest a few ways that action could be taken. First, we must find some way of preventing people from being charged extortionate interest rates on their borrowing. Present legislation allows a court to set aside grossly exorbitant credit agreements, and to substitute them with terms that are fair and reasonable. However, those provisions are rarely used. I think that fewer than 30 cases have been considered in the courts in the past 25 years or so. In only eight of those have the courts actually held that an agreement was extortionate. The Department of Trade and Industry rightly pointed out in its consultation on tackling loan sharks that the provisions are too narrowly defined, and it suggested that the definition of extortionate credit should be changed so that the courts can deal more easily with examples of extortionate interest. I welcome that suggestion, but I think that we could go further.

Mr. Michael Weir (Angus): Does the hon. Gentleman agree that one problem with loan sharks is that there are no written agreements? Agreements are purely verbal, so there is no way for people to go to court to sort out the matter of excessive rates of interest.

Mr. Lazarowicz: Indeed; as I am sure the hon. Gentleman realises, there are many aspects to the problem. The problem of illegal moneylending is, by definition, one that must be dealt with differently. We also have to pay attention to regulated moneylending. Currently, it is difficult for the consumer to use the legislation that was put in place to help them.

The suggestions in the consultation paper on restricting extortionate interest rates are welcome, but I wonder whether we should approach the issue in a more simple and direct way. Why do we not consider simply setting a legally binding maximum interest rate—an interest rate cap—at a certain percentage above the base rate, so that any obligation on a debtor to pay higher interest would be null and void? If my hon. Friend the Minister would not go as far as accepting that—as I suspect may be the case—perhaps we should change the law so that there is a presumption that interest charged above that cap is extortionate. A creditor would then have to justify to the court why an interest rate in excess of such a cap were otherwise fair and reasonable.

Secondly, we must tackle the problem of inappropriate selling and marketing of credit.

Mr. Love: I apologise for interrupting my hon. Friend but I wanted to pick up on the point about a ceiling on interest rates. The argument against it is that companies would gravitate towards a maximum interest rate for a wider range of customers than is currently the practice. Many people would not be able to get conventional credit under those circumstances, would end up going to loan sharks and would be thrown into the hands of the illegal merchants. How does my hon. Friend respond to that?

Mr. Lazarowicz: I would not deny that there are issues that would have to be pursued if a cap were put in place. I suspect that the difficulty of interest rates drifting up towards the cap could be dealt with by ensuring effective competition in the marketplace. To allow lenders to charge annual rates of, effectively, 164 per cent. is wrong, so we should certainly consider a cap that makes such an extortionate interest rate impossible.

We also need to tackle the problem of the inappropriate selling and marketing of credit. I have a simple—perhaps too simple—suggestion. Why not bar the unsolicited direct selling of credit? By that, I mean no more unsolicited direct mail, cold calls from telephone sales representatives and the like. That may seem too radical for many—I am sure that it would represent too much regulation for the hon. Member for Blaby (Mr. Robathan), who speaks for the Opposition—but we should bear in mind that lots of professions and businesses are restricted in how aggressively they can market their services. For example, solicitors can advertise their services, but—certainly in Scotland—they cannot phone homes at 9 o'clock in the evening to ask whether somebody has tripped over a paving stone that morning or is feeling poorly and would like to make a will. There are many restrictions on the types of selling and marketing that can be undertaken. Indeed, the House has just passed legislation to restrict tobacco advertising.

I am not suggesting that lenders be banned from advertising. They can advertise in the media or in their shop windows and send information in response to queries or, within reasonable limits, to their existing clients. If people want to get credit, they will have no

difficulty in finding out how. I am merely saying that no one wants unsolicited junk mail, telephone calls or e-mails. I observe in passing that any Government who passed such a measure might find themselves gaining a massive popularity boost in the opinion polls from people whose evenings were no longer disrupted by such telephone calls.

Mr. Drew: My hon. Friend has been generous in giving way, because many points need to be made. Does he agree that one of the worst aspects of advertising arises when advertisers who are trying to get people to roll up their debts do not make it clear that they will charge them the costs of that advertising to get them on to their books? I hope that my hon. Friend the Minister will give that urgent consideration, because it is compounding the misery of the very people whom we should be helping.

Mr. Lazarowicz: My hon. Friend makes a valuable point. If my simple suggestion to stop the unsolicited selling of credit does not find favour with the Government or with other hon. Members, I hope that it, together with the concerns expressed during the debate, will at least serve to emphasise to those in the financial services industry—big and small, respectable and not so respectable—that they must get their act together on advertising, marketing and the various ways in which they can push their products.

Thirdly, people need to be more aware of what they are getting into when they take on credit. Interest rates must be transparent and people must know their rights under existing law—even more so if the rights of consumer creditors are to be extended as the Government suggest. Several good initiatives have been introduced by the Government and by many in the financial services industry. I hope that the national debt helpline that is being piloted by the Department of Trade and Industry can be rolled out UK-wide as soon as possible. Nationwide building society provides its customers with a simple table containing details of the key features and costs of its credit card so that customers can more easily compare the costs and benefits of different credit cards. That is an excellent initiative, and I hope that other lenders will follow its example. I do not want to suggest that the work of the major high street institutions is all bad. Many of the big banks do good work in financial education by promoting awareness of the need to manage one's finances sensibly.

More alternative sources of credit at fair rates are required. A crucial role can be played by credit unions, as community-based suppliers of low-interest loans that can release people from the loan sharks and high-interest lenders in the home credit market.

I want briefly to mention a particularly Scottish aspect of the debate that was drawn to my attention by Citizens Advice Scotland. Consumer credit is a matter that is reserved to the Westminster Parliament, but the way in which UK-wide law is applied in Scotland seems to give rise to an anomaly whereby debtors in Scotland get less protection than those in England and Wales. Provisions in the Consumer Credit Act 1974 allow debtors in Scotland, as in England, to apply for a time order so that a court can both consider a debtor's ability to repay their debts and set a repayment figure that a debtor can afford.

Citizens Advice Scotland had begun to use that procedure and had represented clients in court, but the Sheriff Courts Rules Council—the judicial body that sets down rules in court in Scotland—now states that because UK legislation is silent on the issue of lay representation, no lay representation can be permitted in a Scottish court on that matter. Indeed, because the legislation is UK law, it states that the matter can only be dealt with by changes to UK primary legislation—to the Consumer Credit Act. I am not sure whether that interpretation is correct, but I ask my hon. Friend the Minister to look into the anomaly identified by Citizens Advice Scotland. If legislation is required in the UK Parliament, I hope that she will modernise the Consumer Credit Act.

I have spoken for longer than I intended, but I have taken several interventions. The problems that arise from unaffordable levels of consumer debt affect us all. Too many people find themselves crushed under mountains of debt from which they find it almost impossible to break free. The problem is getting worse and I welcome the Government's action to tackle it, but I urge them to press ahead with their plans for radical reform of the laws on consumer credit and to shift the balance firmly in favour of the consumer.

11.21 am

John Barrett (Edinburgh, West): I congratulate the hon. Member for Edinburgh, North and Leith (Mr. Lazarowicz) on securing this morning's debate. I agree wholeheartedly with many of the points that he raised. In fact, I wondered whether I should declare an interest as someone who has relatively large debts—a mortgage, a credit card and an overdraft. As he pointed out, consumer debt is not such a problem if one has a regular income and is able to manage one's debt.

In areas of my constituency, house prices are rocketing and few people do not have significant debts. Consumer debt is not a problem for the majority in my constituency, but sadly that is not the case throughout. Areas such as Muirhouse and Pilton, which border the hon. Gentleman's constituency, have high unemployment and deprivation. I regularly see an increasing number of elderly people who are living close to the breadline and young, single parents who are struggling to get by. I recently visited my local citizens advice bureau and sat in on some cases in which, as has been mentioned, debt was a recurring issue. The funding of local citizens advice bureaux is key because they have experts who are able to give advice that people need.

I should like to raise the issue of the constant pressure on people to take on more debt. I must admit that the Liberal Democrat party constantly hounds its members to take up the Liberal Democrat credit card, but that is not a major problem—*[Interruption.]* I believe that the rate of interest is very competitive. People are constantly being put under pressure through not only the post but the medium of television. There are regular advertisements about rolling up debt and somehow replacing it with payment of a lower weekly or monthly amount. Such commercials are often aimed at people who have no job and are watching daytime television. They are given the misleading impression that all they have to do is make a telephone call and their problems will be sorted out. Clearly, we need to ensure that people avoid loan sharks and high rates of interest.

[John Barrett]

We need to consider the practices of reputable establishments. Some years ago, I held an account with a bank in the United States. Its literature stated that a bank should be more than a source of money; it should be a force for positive change. Frankly, I do not see that among many of our banks, which do not go out of their way to attract poorer customers because they want those to whom they can sell insurance and for whom they can provide more credit and finance.

We must look forward to adequate resourcing of those who are giving expert advice. Protection of the vulnerable is one of the key issues. The way forward is for people to avoid debt if they can. Many cannot manage to live week by week, and providing such vulnerable individuals with access to credit is not the way forward. I look forward to hearing what the Minister says about how we can protect the most vulnerable.

11.24 am

Mr. John MacDougall (Central Fife): I am grateful for the opportunity to contribute to this important debate, and I pay tribute to my hon. Friend the Member for Edinburgh, North and Leith (Mr. Lazarowicz) for securing it.

I recognise that the Government have already acknowledged the issue under discussion. I am advised that the actions that they have taken so far have been supported by the setting up at the end of 2000 of a debt taskforce that has called for clearer and more understandable credit agreements. On 19 March 2001, in answer to a written question, my right hon. Friend the Chancellor of the Exchequer stated:

"Tackling financial exclusion is an essential part of the Government's strategy to tackle social exclusion." —[*Official Report*, 19 March 2001; Vol. 365, c. 30W.]

I recognise the Government's work, and that they have embarked on a massive and complex task. That has been recognised by many of the organisations involved. My hon. Friend rightly paid tribute to the work of citizens advice bureaux, as well as highlighting issues in Scotland.

We must ask what else can be tackled to minimise the scale of the impact of consumer debt. Issues that have cropped up highlight what we need to do: clamp down on lenders who prey on vulnerable consumers; put a stop to irresponsible lending; help consumers who want to settle loans early; protect a greater number of credit agreements and stop the so-called free credit deal sting; enable online agreement; improve the transparency of loan information; and simplify advertising regulations and curb misleading marketing. All of that has been referred to this morning in one shape or another.

The main issue, however, is the hidden enemy: loan sharks who approach vulnerable people—perhaps those in their younger years with high aspirations, or elderly people who fail to understand what is being presented to them, sometimes in the form of a cheque. Such people are easy prey and can be duped into signing for something for which they cannot deliver the repayments. That worries me greatly.

Much has been done in Central Fife to encourage the use of credit unions and to establish their value as a credible way of borrowing. Someone can try to sell themselves as a friend on the doorstep when they are really one's worst enemy. No mercy is shown in the marketplace. Areas in which there has been high unemployment through the loss of traditional industries—my area has suffered badly in that regard despite the best efforts—are particularly vulnerable. Debt can lead to other problems such as desperation. Hon. Members have already raised the issue of heavy handedness during debates in the House.

The issue is not political inasmuch as no one can disagree that such serious problems must be tackled. Consumer debt is a big industry. Total UK consumer debt is somewhere in the area of £700 billion, which is by no means a small figure or one of little concern to the Treasury or us as parliamentarians. The amount of outstanding, unsecured consumer credit in the UK has increased 11-fold since 1979. In August 2000, unsecured credit had reached £122 billion. Clearly, behind it is a certain amount of human misery, which breeds other reactions and must be addressed.

As I said, much has been done. However, I hope that the debate will allow us the opportunity to focus on the scale of the challenge ahead and on the legislation that is necessary to minimise the effect of this serious problem in our society. A solution to the problem of extortionate credit rates lies in effective legislation. Although the issue is complex, such legislation could make a significant difference. It must be accessible to the consumer and help to improve the ability of consumers to make more informed choices from a range of credit options, as opposed to the hard sell option that frequently confronts them on their doorstep.

Mr. Love: The matter is being considered at European level. It is likely that the discussions will result in a recommendation to ban door-to-door selling of credit agreements. Would my hon. Friend agree with that?

Mr. MacDougall: Any measure that minimises the present scandal, in which exploitation is on the wrong side of the equation, must be considered seriously. Clearly, the Government must take the proposal on board and develop a considered opinion on it. My hon. Friend makes a good point, which highlights the need to consider other options, such as the proposal of my hon. Friend the Member for Edinburgh, North and Leith on maximum interest on loans. If that is not acceptable, we must at least appreciate the scale of the problem and try to make changes in addition to the measures that have been taken to minimise effects.

Mr. David Marshall: Will my hon. Friend comment on another insidious practice that is in the small print of some agreements? So-called reputable finance houses, often the subsidiaries of major banks, are used by retail outlets that advertise zero per cent. finance. People who sign such agreements make monthly payments totalling half the amount, leaving one final payment of 50 per cent. of the total debt, which they often cannot make. If they buy televisions, videos or hi-fi equipment for £1,500, for example, they are left with a final one-off payment of £750. If they do not pay it in time—the deadline is also in the small print—they are usually

charged 30 per cent. interest on the full original loan—not on the amount outstanding. Is that not a sharp practice that the Government should stamp out?

Mr. Roger Gale (in the Chair): Order. I remind hon. Members that interventions must be interventions, not mini-speeches.

Mr. MacDougall: Members of the public must have more information about their choices and a range of credit options from which to choose. I do not think that anyone in this Chamber could honestly say that they would clearly understand every agreement that they may be asked to sign. We are not ignorant of the problem, yet such agreements would present a challenge to us. How can we expect the citizens of this country to understand the options that are presented to them?

I referred to the need for legislation that prevents the imposition of what I would classify as extortionate credit rates. We have already highlighted the scale of the problem and the work that has been achieved so far, but we have yet to contend fully with that very important issue. I do not know whether we will ever find the absolute answer, but any measures that the Government can take to improve on the work that has been carried out so far would not go amiss. As the Chancellor of the Exchequer has highlighted, there are strong links between debt and poverty and financial and social exclusion. I hope that the debate serves as a reminder that the issue is very serious. It requires serious attention and a continued effort to try to make a difference.

11.35 am

Mr. David Drew (Stroud): I shall keep my remarks as brief as possible, because I know that other hon. Members want to speak. I congratulate my fellow collaborator, my hon. Friend the Member for Edinburgh, North and Leith (Mr. Lazarowicz). It is good that we have already heard one of the answers to the problems: the growth of the credit union movement.

I pay tribute to citizens advice bureaux. When I am at the annual general meeting of the citizens advice bureaux in Stroud, I notice that, more and more, the discussion is given over to consumer debt. That does not belittle the other problems of housing and employment difficulties, but consumer debt is the problem of our age. Much as it pleases me that through the prudent operation of the Chancellor of the Exchequer we seem to have got a hold on public debt for the first time in a generation, on the other hand there has been an enormous growth—

Mr. Andrew Robathan (Blaby): What about the Chancellor of the Exchequer's off-balance sheet debt, which many people are talking about? It is at its highest level ever, and it is growing.

Mr. Drew: I will not take the opportunity to discuss financial prudence in the macroeconomy, but I do want to make the point that the huge burden of consumer debt is growing.

I pay tribute to the citizens advice bureau in Stroud, which is under the managership of Caroline Pym, who is supported by Lindsey Waddington, Ann Horner and Chris Lingarde. They pick up issues with me all the time. In the past week, they have picked up on the need to deal with the social fund. The most vulnerable people in society still face arrangements that many of us think are ineffective and which go about trying to help people in the wrong way.

I want to concentrate on a couple of detailed areas and then to consider consumer education, which has not been discussed, even though many people get into debt because of the complexity of the arrangements. First, I return to an issue that has already been raised: without labouring the point, I want to emphasise that what seems to be wrong at the moment is that even the reputable financial companies try to offer more and more debt to their customers. The companies might call it credit, but, in reality, we are talking about debt. We need to recognise that.

I am not going to mention the companies by name because I have not got time, but we all know that they could do more about the situation. When people are in serious debt, companies tend to exact the last penny by imposing additional interest and chasing people. That is the wrong way to handle the situation; indeed, it is reprehensible. When people are in difficulty, there ought to be a point at which they are no longer chased. At the moment, companies offer even more opportunities for people to borrow, which is extraordinary, and then they go after people. That damages those people for the rest of their lives.

When people are at the ultimate stage of not being able to pay back their debt and seek to wipe the slate clean, two courses of action are open to them. They can either seek an administration order through the county court, or they can sue for personal bankruptcy. The problem with the former is that the amount of money that people are allowed to write off through an administration order has not changed since the 1970s. It is still stuck at £5,000, which almost certainly means that, owing to the complexity and level of their debt, more and more people have to sue for personal bankruptcy. My hon. Friend the Minister may want to write to me about that.

Suing for bankruptcy comes at a cost; people must have the money to be able to do it. To us, £250 plus court fees and a petition for bankruptcy may not sound a lot, but if people have no money, it is an added difficulty to raise it, so they go further into debt. We must search for a mechanism whereby people can try to work their way out of that dreadful problem.

In the short time available to me, I want to consider the other side of the matter. One of my constituents, Marie Jennings, who is—I hope—well known to my hon. Friend the Minister, has spent a lot of time trying to work through the complexity of consumer issues. She writes regularly for the *Daily Mirror*, the *Daily Mail* and other earnest publications, and her starting point is that it is not the fault of the individual that such levels of complexity are allowed to increase. The industry fails to explain, often deliberately, what people need to know. She has spent her lifetime trying to get those points across and I pay enormous credit to her.

Mr. Love: The recent Treasury Select Committee report highlighted the issue of transparency. Does my

[Mr. Love]

hon. Friend agree that there needs to be much greater transparency and simplicity in all the arrangements so that consumers know exactly what they are getting into?

Mr. Drew: My hon. Friend puts the matter more succinctly than I could. The nub of what is wrong is that we are encouraging greater complexity instead of simplification and transparency. Marie Jennings has told me many times that achieving the latter is not impossible. It may be difficult due to the myriad of different schemes, but that is up to the industry, the regulators and, therefore, the Government who appoint the regulators. I know that that is not the responsibility of my hon. Friend the Under-Secretary, but the Financial Services Authority needs that to be at the centre of its work in this area.

We have just had the Sandler and Pickering reports. My friend, Marie Jennings, is critical of the way in which they fail to go to the nub of the issue: how to enable people to understand their pension provision, what their pensions consist of, what is happening to them, and so on. That may seem to be irrelevant to consumer debt, but we must look at people's whole-life experience. They get into debt because their financial affairs go wrong not in one area but in multiple areas. If older people are kicked out of a final salary pension scheme on whose income they were relying, they will have difficulties. Marie Jennings has told me many times that we must recognise that consumer education, starting in school and continuing, is essential and possible, but the industry, through the regulator, must take responsibility for that. It is the only way in which to prevent some of the awful situations about which hon. Members have spoken today.

That is the main message that I want to leave with hon. Members. It would be particularly useful if my hon. Friend the Under-Secretary considered it in terms of education and the way in which we deal with specific problems, including the one to which I referred. The problem will not go away; it will increase and it is time that we in this place and elsewhere took it seriously.

11.43 am

Mr. Michael Weir (Angus): Before I was elected, I practised as a solicitor for many years. Consumer debt always caused problems and I often had to go to court to deal with small claims and summary cause cases. I reiterate the point made about the time orders under the Consumer Credit Act 1974. It would be helpful not only to individuals, but to courts if representation were available in such cases. There is nothing more frustrating for a court than to be faced with someone trying to conduct their own case and getting completely out of their depth. It takes up an extraordinary amount of time and goes nowhere.

The citizens advice bureaux give very good advice on these cases. Allowing them to be represented in court would be a major step forward, and should be instigated jointly with the Scottish Parliament. Under the Debtors (Scotland) Act 1987, there is a similar time by which to pay an order, and representation is allowed. There seems to be an inconsistency, which the Minister should examine, which perhaps highlights the complexity of the matter in that it crosses not only Parliaments but Departments.

In its briefing note, Citizens Advice Scotland referred to what it calls the

"failure of the Social Fund",

which, I appreciate, is not directly under the Minister's control. It also says:

"The Social Fund was set up to help those on benefits cover large expenses such as household furniture or funeral payments."

It finds that the fund is failing those people, however, because a criterion for receiving the money is the ability to repay the loan. Many people who are in dire need of a loan cannot repay it, so they are turned down for the loan in the first place. Citizens Advice Scotland says that 40 per cent. of applicants are turned down for budgeting loans, 66 per cent. are turned down for community care grants, and 27 per cent. are turned down for crisis loans. Its point is that that drives away many of the people who still need to get the money to doorstep lenders, loan sharks and others; which leads to the problem of debt. I ask the Minister and her colleagues to examine how the social fund may be reformed to tackle those problems, although I appreciate that that does not fall within her remit. As I said, such people turn to unrestricted lenders.

There is also a particular problem in Scotland with in-court advisers, which, again, this Parliament and the Scottish Parliament should tackle jointly. Many courts in England have in-court advisers who can advise people in debt cases, but there is only one in-court adviser in Scotland—in Edinburgh. I ask the Minister and her colleagues to re-examine the social fund in relation not only to consumer credit, but to other forms of credit, as they all affect people.

11.46 am

Mr. Russell Brown (Dumfries): I congratulate my hon. Friend the Member for Edinburgh, North and Leith (Mr. Lazarowicz) on securing the debate. This morning, we have heard about high levels of personal debt, which, we would all agree, can cause misery for hundreds of people, especially at this time of year in the run-up to Christmas. People are often lured into credit agreements to buy presents on the basis that they receive interest-free credit for a few months. My hon. Friend the Member for Glasgow, Shettleston (Mr. Marshall) described some of the things that can go wrong when people cannot afford to pay for the goods. A one-off payment needs to be made within a given period. When that period expires, the amount due, as he explained, can increase by as much as 30 per cent. of the initial cost, even though a downpayment was made.

In today's society, it is becoming much easier to obtain credit. Regrettably, however, it is becoming more and more difficult to escape the problems that can be caused by debt. In 2000, the citizens advice bureaux in Dumfries and Galloway had 1,930 people on their books who owed approximately £4.5 million in debt. During the following financial year, the advice service handled another £2.8 million of new multiple debt, which resulted in the overall debt figure rising to some £5.8 million.

The manager at my local citizens advice bureau recently gave me an indication of some of the horrendous problems with which people are confronted. I shall briefly mention three of them. She mentioned a client on income support who had an outstanding debt of £12,018 with a high street bank. It had refused its

client's offer to repay the debt by £10 a week. Thankfully, however, they managed to agree the terms of repayment with the intervention of the citizens advice bureau. A single man who was off sick long term following a nervous breakdown owed £22,000 to five different finance houses. The only feasible option was sequestration, but the delay in the process took its toll on his precarious state of health.

In another case, a single parent with three part-time jobs had a total weekly income of £84.40 and debts amounting to more than £5,600, including money owed to two banks and the local authority. We must appreciate that people do not have only one debt; they tend to have several debts, which may include council tax payments or rent arrears.

Mr. Drew: My hon. Friend is making an important point. One of the problems in the case of multiple debts is that those who are owed money will not talk to one another, and I regularly hear that the debtor in a case will not talk directly to the CAB. Those complexities add to the confusion and increase the problem.

Mr. Brown: My hon. Friend is right. The various parties will often not talk to one another. I am sure that he and other hon. Members have experienced difficulties helping individuals who have similar problems and are familiar with the standard letter in reply, which says, "Sorry, we cannot disclose any information until we have something in writing from our client."

I have recent experience of two cases. My bank manager may think that I am just hitting high street banks, but, worryingly, high street banks have caused some of the most significant problems. The staff at banks seem to have information at their fingertips, almost at the touch of a button, and some problems seem to flow from the availability of information. In one case, the main breadwinner in a family, the husband, had become ill. The family decided to go to the bank for a small loan to cover a family event. After some detailed discussion at the bank, they were granted the £200 loan that they sought.

A couple of weeks later, the bank contacted the family saying, "We see that you also have a car loan, which you pay through the bank by direct debit. Would you like assistance with that?" The outstanding car loan was for £500 or £600, and the couple decided that it would be a splendid idea to pay it off. They paid off the car loan, increased their monthly repayments, and then the bank telephoned again to say, "It is getting near to Christmas. We realise that you are not receiving any money from your husband's employer. Is he still unwell? Would you like some assistance over Christmas?" In the end, a £200 loan became a £4,000 debt, hanging around the family's neck. It reached the stage when the family had to seek loans from the bank to make their payments to the bank. The situation became ridiculous and the family got out of the mess only when another family member assisted them.

In another case, a gentleman in his late 70s or early 80s, who had worked in a profession for many years, used his experience to provide holiday cover for businesses in a certain sector of the community. On the basis of that work in retirement, he managed to secure a loan from his bank. Regrettably, he contracted a life-threatening illness and his part-time work stopped, but the interest charged by the bank on his loan caused him great distress and he became almost suicidal on one occasion. Finally, with the assistance of my constituency office staff, we managed to establish a new repayment scheme, which eliminated all interest.

Since summer last year, the Government have taken significant steps and introduced a package of proposals, including increased protection for some of the most vulnerable consumers by clamping down on loan sharks—we have all heard sad stories involving them. Steps have also been taken to try to stop irresponsible lending. I include banks and other high street organisations in that category. Lenders must now consider whether their prospective borrower is overcommitted.

The issue of consumers wanting to settle loans early is important. It is difficult for people to get their minds around it. It is ridiculous that people should face tough penalties for settling early. I suspect that, like me, other hon. Members have dealt with people who have tried to settle a mortgage early and found that the building society wants an astronomical figure to allow them to do so. There should be a clampdown on such practices.

The point made by my hon. Friend the Member for Stroud (Mr. Drew) on educating the public about credit was right. Consumer education needs to be part of structured systems in the 21st century. We live in a consumer-driven society. Regrettably, many people fall foul of the systems in their continual striving to keep up with the Joneses. People suffer at the hands not only of loan sharks but of lenders who are perceived as responsible.

11.56 am

Dr. Vincent Cable (Twickenham): I add my congratulations to those that have been offered to the hon. Member for Edinburgh, North and Leith (Mr. Lazarowicz). I do not know whether it was good luck or inspired judgment on his part that led to the debate being held after the release of the recent striking set of figures on consumer debt, but the circumstance prompts me to begin my remarks on a slightly different note from other contributors.

The consumer debt problem can be viewed at a micro, personal level—and rightly, because of its effect on people's lives and because of the working of the consumer credit market for individuals. However, it is also useful to look at the big picture and what is happening in the economy as a whole. There has been striking growth in consumer credit—13 per cent.—in the past year. We are in the middle of an extraordinary boom in consumer credit, at least as substantial as that of the 1980s.

I understand that in the past five years consumer credit debt has grown by about 55 per cent. In the 1980s it roughly doubled, so we are in the middle of a boom of the sort that last happened when Nigel Lawson was Chancellor, which came to a messy end. One hopes that this time things will not end in the same way. One must ask under what conditions the boom could come to a sticky end. The relevant figures were accompanied by a veiled warning from the Bank of England, in the coded language of its chief economist, that there could well be trouble along the road.

[Dr. Vincent Cable]

How could the trouble arise? The one thing that makes individual consumer debt unsustainable is unemployment. My hon. Friend the Member for Edinburgh, West (John Barrett) referred to that. As the Liberal Democrat Member of Parliament for Edinburgh, West, he has long-term, secure employment, but many of our constituents do not.

I am forcefully reminded of that when I think about my constituency, which is in many ways a model of the new prosperity. We have virtually no unemployment. House prices have gone through the roof and the prosperity is visible. However, last month, for the first time in seven years, there was a sharp increase in unemployment. People are being laid off on a serious scale by the IT industry and by City accountants. That effect is spreading through the hitherto highly prosperous suburbs of south-west London. The first signs of serious problems are beginning to appear.

What happened in the 1980s will happen now. As people are laid off, their first task is to protect their mortgage. Many of them have heavily over-borrowed. They give first priority to their mortgage payments, but that puts pressure on their other consumer debt, much of which is credit card debt and conventional bank loans. Half of all consumer debt is credit card debt. Such people then find it difficult to escape their obligations, so they borrow in order to finance their borrowings and end up in a distressing cycle.

Although the British economy is in relatively good shape compared with those of other rich countries, recession is rolling in from the United States, Germany and Japan, and compounded by deflation— which none of us has experienced because it last happened 70 or 80 years ago—it might affect us. A world in which prices are falling is an horrific environment if one is a debtor because the value of the debt rises instead of falling over time, and one gets into a debt trap. I can envisage an alarming situation arising for people who already have high levels of consumer debt.

Mr. Drew: I totally concur with the hon. Gentleman on the macro side. To return to individual cases, job loss is often compounded by relationship breakdown and by illness. It is difficult to deal with a situation in which various forces have come to bear on multiple debt. In such circumstances, people need advice very quickly, but it is often not forthcoming.

Dr. Cable: That is a helpful point. Divorce has been a key factor in personal financial distress and, as the hon. Gentleman says, people need advice. The latest figures from the CAB suggest that there has been a 35 per cent. increase in people seeking financial advice—usually in distress. That is the context of the debate.

I should like to consider some positive ways forward. The hon. Member for Edinburgh, North and Leith seems to be promoting mutuality as a way of dealing with consumer debt. I strongly endorse that and I know of his work, and that of the hon. Member for Edmonton (Mr. Love), on credit unions. Mutuality is a way out of the trap for many who are caught with escalating debt obligations. The problem with credit unions, however, is that although the regulatory environment has improved, we are far short of the large-scale mutual lending practice in Ireland and the United States. I hope that we shall pay more attention to that.

Secondly, as the hon. Member for Stroud (Mr. Drew) has said, there are various ways in which Government and the regulatory agencies can assist with the problem of financial illiteracy. I do not mean that in a pejorative way. We are all financially illiterate to various degrees—the FSA pointed out yesterday that collectively we lose some £700 million a year as a result of not doing elementary things like checking the relative costs of bank accounts and credit. We can all learn. The FSA could help by placing more emphasis on financial education.

The hon. Member for Stroud made my third point too. A lot of problems arise not because of rogue lenders but because of mainstream ones. The problems with banks and credit card companies are real; they often charge more than they should. I always raise the following matter in debates relating to the financial sector, but in the interests of teasing the Minister, I still ask what is happening to the Government's proposals to deal with the banking system. Three years ago, a report suggested that the cost of credit was too high. The Government have made helpful suggestions on business lending, but there has been nothing about bank lending and no follow-up on the Cruickshank report. The regulation of the payment system is still out in the ether. All those things affect the cost and availability of credit.

Where do the Government stand on the credit card market? It has been argued that credit card interest rates are simply too high. The effective rate of interest is 15 to 20 per cent. in an environment in which the actual interest rate is 2 to 3 per cent. That is a high cost of credit, and the interest is often not transparent. I know that the matter has been considered by the Office of Fair Trading, but are the Government satisfied that the credit card market is working effectively and in the interests of consumers, bearing in mind that more than half of consumer debt is credit card debt? There are big questions to be asked about banks and credit cards.

Most hon. Members have mentioned non-status borrowers and non-status lenders—companies at the fringes of lending. I share many of the concerns that have been expressed, but it is important not to stereotype all companies in that line of business. Moneylenders are not necessarily a bad thing; they exist because the banking system fails and because people who cannot get credit from mainstream banks are bound to turn elsewhere. Some moneylenders are responsible and conscious of the fact that they deal with vulnerable people, but many are outright crooks. We must acknowledge that we are dealing with a spectrum of companies with different standards of integrity.

Certain practices are, however, clearly unacceptable. The hon. Member for Dumfries (Mr. Brown) mentioned the obvious and especially bad example of individuals who are penalised for trying to repay loans early. There are also the classic free-credit scams. People buy a washing machine on free credit, but incur penal interest rates if they miss any of the instalments by as much as a day. Their cheque or giro may have taken seven days to clear, but the credit company takes no account of that and is happy to impose penal interest rates. Other

companies start imposing much higher rates once a debtor gets into difficulties. There are all kinds of malpractice.

What does the Minister think is the best way forward? How should we deal with the many malpractices that have been highlighted in the non-status lending market? There seem to be various options, and the OFT has considered the issue. The Enterprise Bill, which recently went through the House, will give the Government new powers to make stop-now orders. How many practices could be dealt with in that way? Will it be necessary to introduce legislation to update and strengthen the Consumer Credit Act 1974? I do not know the answer, and I am interested to hear how the Minister would deal with abuses that we all recognise as real and that clearly need attention.

12.7 pm

Mr. Andrew Robathan (Blaby): Like the hon. Member for Twickenham (Dr. Cable), I shall focus on the macroeconomic causes of the increase in debt and on what the Government can or cannot do about it.

As the hon. Gentleman said, this debate is timely. The headline on the BBC online news at 10.16 yesterday was "UK shoppers build up record debt".

The accompanying article noted:

"Total lending rose by £8.9bn in September, the strongest monthly rise since records began in 1993".

It added that the level of debt was

"13.1 per cent. higher than the same time last year."

Similarly, mortgage lending has surged.

Like the hon. Member for Edinburgh, West (John Barrett), I should disclose a small interest. I, too, feel crushed by a mountain of debt, because I have a distressingly large mortgage. However, that was my choice and, like all hon. Members, I am privileged to have a regular income and relative job security. It is about two and a half years to the next election, so I will not take out any debts that extend beyond that time. I address that remark to every hon. Member, because no one can be certain in the game of politics. None the less, we are relatively privileged. Other people have limited or irregular incomes, and many suffer the problems of consumer debt.

Like other hon. Members, I shall briefly quote NACAB Its annual report states:

"Debt cases have continued to rise this year, with a 46 per cent. increase in the number of consumer debt problems dealt with by CABx over the last five years."

It notes:

"the top three reasons for indebtedness were job loss, poverty and over-commitment."

We all have tremendous sympathy with those who plan their lives reasonably but who are struck by job loss—perhaps as a result of illness—and whose lives fall apart. One third of those surveyed owed more than £10,000.

Sue Beaumont runs an excellent citizens advice bureau in Lutterworth, in my constituency. It gives me a good service, and I hold my advice sessions there. Sue Beaumont also keeps me well briefed on issues such as this.

I turn to another point that the CAB mentioned: in September 2001, there was £1.2 billion of unsecured consumer debt. That is an enormous problem and its impact on individuals' lives is dramatic, as we have heard. What should the Government's role be? I look forward to what the Minister has to say.

The net debt position—the difference between total saving and total borrowing—is the important and alarming factor. According to the figures from the Bank of England, the savings ratio has fallen to 3 per cent. As recently as five years ago, it was 10 per cent. Everybody in this Chamber believes that individuals are responsible for their own actions; they make choices from which they may or may not benefit. I do not think that anyone believes that the state is in the business of bailing out people who have become over-indebted. However, I think that we would also say that, notwithstanding individual responsibility, the Government are not absolved from their duty to create and maintain the right incentives so that individuals are neither encouraged to borrow too much, nor discouraged from saving too much.

The Government have discouraged savings—an issue on which I take the macroeconomic position. That is why the savings ratio has fallen. They abolished tax-free TESSAs, replacing them with less generous ISAs, which are a simple way of saving that many have taken up. The taxing of pensions through the abolition of the advance corporation tax credit has taken £5 billion a year out of people's savings.

We are now enduring a succession of leaks about how pensions will be less attractive in future—for instance, the reduction of the tax-free lump sum that people may take out. That is another discouragement to saving. The Government are so proud of their spending plans, though we now know that tax rises—perhaps up to £20 billion-worth—may be required by as early as 2006. That means that people's incomes and savings will be taxed further.

People are beginning to feel that no matter how carefully they try to save their money—in a bank account, on the stock market or in a pension fund—it will be taxed again. That is at the root of why the savings ratio has fallen. Individuals are therefore spending money, running down savings and amassing more debt, because they fear that the Government may take the money off them. The problem is not that people do not want to provide for their futures, but that the Government have not made it worthwhile for them to do so through personal savings. People are therefore spending money in a way that is traditional in this country: investing in the property market. The result is a debt-fuelled property boom, as the Bank of England identified, which is in danger of over-heating. We must all be concerned about that.

Through the Enterprise Bill, which I think the House is finally discussing again this evening, the Government plan to make bankruptcy easier. That will exacerbate the problem. Commenting on the Bill, the Institute of Chartered Accountants in England and Wales pointed out that the incidence of bankruptcy arising from consumer debt, as opposed to failed entrepreneurship, is rising. The institute argued that to reduce the bankruptcy period to 12 months will encourage consumers to embark on feckless financial behaviour. It stated:

"Our overall impression on the proposals on bankruptcy is that they appear too radical. Bankruptcy will become increasingly easy, to the extent that potential bankrupts will have little

incentive to come to an agreement with their creditors, or avoid a repeat of their problems. Figures quoted in the White Paper confirm that at present more than half of personal bankruptcies, a proportion that is rising fast, are caused by consumer, not business debts."

The institute went on to argue that to reduce the period of bankruptcy to a maximum of 12 months for "honest" bankrupts would increase the number of bankruptcies. As the stigma and disadvantages of bankruptcy are reduced, there will be less incentive for debtors to reach an agreement with their creditors and so they will be more likely to opt for full bankruptcy.

Other hon. Members have mentioned the problems that confront individuals, and perhaps that is the basis on which the hon. Member for Edinburgh, North and Leith (Mr. Lazarowicz) initiated the debate. I was appalled by the story told us by the hon. Member for Dumfries (Mr. Brown) about a high street bank encouraging a customer to get into such debt. That was plainly irresponsible. We know about predatory lending at high rates to poor people. We all have constituency cases of that sort. I would not necessarily describe such people as financially illiterate, but they may not be as privileged as we are, and may not have had a decent or reasonable education with some understanding of maths. However, they are plunged into debt with little hope of getting out of it often because of ghastly loan sharks. The credit unions can do a good job of helping such people, and the citizen advice bureaux do a good job in helping them to reschedule their debts.

The other, more difficult issue is the bombardment from credit card companies, which encourages debt by offering over-generous introductory rates. That could be considered a demonstration of how successful and competitive the consumer credit market is, but I think that anyone who pays debt on a credit card is foolish, because the annual percentage rate on such debts is higher than almost anything else. Nevertheless, I understand that the average credit card debt is in excess of £500 per card.

I have great sympathy with the points raised, particularly those by the hon. Member for Edinburgh, North and Leith—for instance, about the encouragement caused by the advertising of unwanted offers. I do not receive unsolicited junk mail because I am registered with the mailing preference service, which I recommend to everyone, including to my constituents. However, that does not get us away from the problem. I am generally against banning things. I am generally against banning unsolicited mail, but the Government have taken on board the fact that that some practices are unhelpful and should be discouraged—if not more.

I thought that the hon. Member for Stroud (Mr. Drew), with an intervention from the hon. Member for Edmonton, made a good point about the need for transparency and simplicity in offers. If one does not have the wherewithal to understand things—not every one does, and not all our constituents are as fortunate as us—one can be trapped by the headline offer. Those who do not understand the small print often end up in dire straits. On that note, I look forward to hearing what the Minister has to say about the Government's plans on the subject.

Mr. Deputy Speaker (Sir Nicholas Winterton): In calling the Minister to reply to the debate, may I congratulate her on her stamina in sitting through two full debates this morning.

12.17 pm

The Parliamentary Under-Secretary of State for Trade and Industry (Miss Melanie Johnson): Thank you, Mr. Deputy Speaker, although I must add that colleagues have joined me.

I first congratulate my hon. Friend the Member for Edinburgh, North and Leith (Mr. Lazarowicz) on being selected to lead this debate. I am glad to have the opportunity to say a few words in response because personal debt is on the increase. Indeed, hon. Members have commented on the fact that we read of it almost every day in our newspapers. The nation is increasingly using credit facilities, but the majority of the population do so successfully and can cope with their repayments. It is the use of credit as a tool—an enabler—that is increasing, and credit is a growing part of our day-to-day lives, but most of us can manage our loans or other credit without difficulty.

Borrowing can be a useful tool; it can help households to smooth their incomes over time, and such debt is not necessarily a problem. Manageable debt is not the same as unmanageable over-indebtedness. Debt becomes a problem only if people cannot afford the repayments, and when that happens it turns into over-indebtedness. Such debt has a cost. It has an impact on people's lives, and a cost to industry in terms of outstanding loans and goods not paid for.

We need to ensure that all consumers can manage their credit effectively. The Government want to build a nation in which all consumers understand that it is important to be able to master their finances and know how they might achieve it. People need to be able to make appropriate decisions about their finances and understand the choices open to them—and their implications.

Ultimately, individuals have a responsibility to manage their own finances effectively, but the Government's role is to empower them to do so. We need to be able to create the right regulatory framework to facilitate a competitive market environment and ensure appropriate consumer protection. My hon. Friend rightly pointed out that consumers need to be fully aware of what they get into when they take credit. One way in which we might help consumers is to consider how we can address the amount of small print in credit agreements, and identify ways in which lenders can minimise it and make such agreements easier to understand.

We need to ensure that individuals are financially literate. In doing so, we need to enable consumers to make informed judgments and take effective decisions. We must ensure that the appropriate generic information on financial management and products is available to them. Also, we have a role to play later in the debt cycle in dealing with over-indebtedness when it

happens. We all need to ensure that consumers have access to debt advice and debt-management programmes when they need them.

We want to ensure that the Government's many initiatives that are designed to empower the sensible use of financial services are joined up, and that as a Government we always work in partnership with consumer groups, the voluntary sector and the credit industry to ensure that we get things right. I join several of my hon. Friends and other hon. Members in paying tribute to the work of citizens advice bureaux, National Debtline and others that provide invaluable advice and assistance to consumers with debt problems.

I want to address the debt statistics. Although I do not deny that there are some concerns, hon. Members' worries may be unduly out of kilter with the overall debt environment. Although the sum of money owed is clearly rising, as are the number of calls to citizens advice bureaux, the number of accounts in arrears is equal to that in some previous years. County court judgments are falling. The percentage of accounts in arrears for one to three months was lower in July than it was in November 1996. I could give other figures, but I shall not spend time on them. The facts suggest that we use more credit facilities, but not necessarily that consumers are in general increasingly over-indebted. That is not to minimise the problems of over-indebtedness and the difficulties that several hon. Members have set out in persuasive detail.

The immediate question raised today is about irresponsible marketing. Two years ago, the Government set up an over-indebtedness taskforce to examine credit industry marketing techniques, among other things. I published the taskforce's first report in July 2001. At that time, the taskforce recommended that all relevant trade associations should either agree a general code of practice on marketing credit or develop their existing codes to cover best practices by no later than March this year. The taskforce agreed that best practice included, among other things, not giving the impression that easy credit was readily available and encouraging consumers to consider fully whether they could afford repayments. It concluded that the Office of Fair Trading should ensure relevant principles of marketing best practice when endorsing credit industry codes. The taskforce was reconvened this summer. It reviewed the progress of industry codes since its first report, and I expect to receive its second report soon.

An additional recommendation of the taskforce in 2001 was that a DTI working group, which includes representations from the credit industry, regulators and consumer groups, should be set up to examine specific marketing techniques. Those include the sending of unsolicited, pre-approved loans—they have been much mentioned by my hon. Friend the Member for Edinburgh, North and Leith and other hon. Members—credit card checks and overdraft facilities. The marketing techniques working group met several times between autumn 2001 and summer 2002. Its recommendations have been considered by the reconvened over-indebtedness taskforce.

The 2001 report also recommended a review of advertising regulations as part of the review of the Consumer Credit Act 1974, which hon. Members have mentioned. I am proposing to consult on reforming advertising regulations in the spring, with the aim of achieving clearer regulation and ensuring that consumers receive clear and understandable information to help them in their decision-making processes.

I turn to one further aspect of over-indebtedness. I refer to the performance and innovation unit's report, "Lending support: Modernising the Government's use of loans", which recommended a review of Government policy on over-indebtedness. The review, which is co-ordinated by the DTI, will investigate the demand for debt advice and financial literacy programmes. It will clarify the roles and responsibility of Government Departments on over-indebtedness, including the role of the social fund, which was mentioned by the hon. Member for Angus (Mr. Weir). It will make recommendations on future Government policy on reducing over-indebtedness.

The Government have a key role to play in ensuring that the market framework is right and that there is the right regulatory framework to foster a competitive and innovative financial services industry with proper consumer protection.

As hon. Members are aware, I have undertaken a radical shake-up of our consumer credit laws, which are now some 30 years old. The review of the Consumer Credit Act will ensure that it is up to date and relevant to today's modern environment, and will deliver the Government's manifesto commitment to improve protections against loan sharks. I have already consulted on increasing or removing the Act's financial limit, and I expect to publish our response to the consultation shortly. Before the end of the year, we will publish our proposals for allowing credit agreements to be made online. Most crucially, improvements will be made to the consumer credit licensing regime to make it more focused on enforcement and on strengthening consumer protection against extortionate credit of the kind that hon. Members have described.

I agree with my hon. Friend the Member for Edinburgh, North and Leith that it is too easy to get a credit licence. As part of my review of the licensing regime, I am also considering introducing a fitness test for applicants and an increase in the licence fee to enable the Office of Fair Trading and local trading standards departments to undertake effective enforcement in the marketplace. I shall consult on that issue before the end of the year.

As for legislating on loan sharks, I expect to make legislative changes next year. How that will be achieved will depend on the outcome of consultations that will be undertaken this year and early next year, but I expect some of those changes to be made through secondary legislation or through regulatory reform orders.

On the question of whether the big financial institutions are equally to blame for getting people into debt, I do not think that interest rate ceilings are the best way in which to deal with extortionate credit. The National Association of Citizens Advice Bureaux concluded in a report entitled "Daylight Robbery" that a ceiling rate could not operate effectively in the United Kingdom. I shall consult shortly on toughening the protections under the Act against extortionate credit, thereby making it easier for consumers to ask for the agreements to be re-opened. That will tackle the

[Miss Melanie Johnson]

problem more appropriately and effectively than risking the removal of a sector of the credit market that actually helps some consumers.

Citizens advice bureaux do an excellent job in helping vulnerable consumers with debt and other problems. The Government give significant financial support to the service through a grant to NACAB, which amounted to nearly £17 million last year. Individual bureaux provide a local service, however, so it is right that they should be funded locally to provide services appropriate to their local communities.

My hon. Friend the Member for Stroud (Mr. Drew) mentioned the role of financial education and literacy. There are many issues to consider, not least that some 7 million adults in Britain have literacy skills below those expected of the average 11-year-old. An even greater number have a big problem with numbers. Research shows that adults with the poorest skills are those least likely to have savings and investments and those more likely to admit to being in debt. That is why we are working to improve financial literacy and to ensure that consumers have easy access to information. Students have the opportunity to be taught personal financial education in school through key stages 1 to 4 in the school curriculum. An adult basic skills agency is working on financial literacy and basic skills and we are working with the FSA in the ways that hon. Members mentioned.

May I conclude by drawing attention to work being done—

Mr. Deputy Speaker: Order. I regret that the Minister will not be able to complete her speech because time is up. We thank her for her reply, and we come to the next debate.

Parcelforce

12.30 pm

Sue Doughty (Guildford): Parcelforce is a wholly owned part of Consignia, which is run by the Government; or not, depending on how one looks at it. We have a strange problem, in that Parcelforce has failed to make a profit for 10 years, but now it looks suspiciously as if areas of Parcelforce's business might turn in a profit. However, it has started choking on the part of its business that might make a profit. During the company's restructuring, it pushed a different type of service on to its customers. It said that that service would be better, but was amazed when the service was accepted; it said, "We did not expect you to do this."

The company is owned by the Government and subject to regulation. I have written to the Secretary of State about the company, and I hope that the Minister knows about the problems that we have encountered. The company seems to be rushing headlong over the cliff despite the fact that the problems are avoidable. Parcelforce's operation could affect many people; people in business who sell goods and use Parcelforce to ship them to customers and people who enjoy shopping from their homes and receiving deliveries.

One of my constituents drew the problem to my attention. He owns a successful mail order company that has been in business for many years. It employs 35 people and dispatches 40,000 items a year. It pays its bills on time and does a good job. It delivers to household addresses, does catalogue work for itself and others and deals with offers in newspapers. For example, people might read their favourite newspaper and scan it for readers' offers to find the garden gnome of their dreams. They might think, "That's just the offer. The price is right. What's the charge for postage and packing?" Such a person might send away for the garden gnome to complete a collection, and my constituent might handle that business. He would wrap up the gnome, take the customer's details, sort out the money and label up the package. Parcelforce would then deliver the package, or that was the plan.

At this time of year, demand for such services increases due to a seasonal uplift. Looking at my favourite garden gnome, I might think, "Gosh! Wouldn't my dad really like a garden gnome? I'll send for one for him for Christmas." The time at which the events that I shall discuss happened is pertinent to seasonal uplift. Businesses print their catalogues around August because they want an uplift of their autumn and winter trade. Their prices must remain consistent, which is an important part of the running of the businesses.

My constituent has used Parcelforce for many years. He has considered other carriers but decided that Parcelforce understands the business. Parcelforce said that it could provide a better service using track and trace technology—I shall refer to that later—which was essential. My constituent invested £12,000 in software to run the technology, so that if a customer rang up to say, "I haven't had my garden gnome. Is he lost?" my constituent could reply, "No. He is running around a particular depot and you, madam, will receive your garden gnome tomorrow." That is important and it is what customers expect in this day and age.

After Parcelforce's announcement of the restructuring and rationalisation of its business, it met each of its customers to explain that it was withdrawing its 72-hour delivery service but could provide a 48-hour delivery service at an increased price. All the businesses said, "We do not want to hear that. We have already published our prices, but we accept that we will have to take that hit because we feel that Parcelforce is the right company to do business with. Having examined the options, we feel that the company is the only one we can do business with."

In June, Parcelforce said that it was withdrawing the 72-hour delivery service and would provide a 48-hour service, which could be better for customers. However, that service is offered at the increased price of £3.20 a parcel. On 22 August, after the contracts had been signed with all its customers, Parcelforce went back to those customers and said that it was sorry, but it had got its sums so badly wrong that it could not renegotiate on price. It then said to some, but not all, of its customers that it would stop working for them in three weeks, although the contract had been signed for a year. That was Parcelforce's approach.

I took the matter up with the Ministry, although I did not get very far. We also negotiated a short extension with Parcelforce to the end of October, for which the price has increased again.

Some of the parcels business is being absorbed by the Royal Mail, but mail order businesses do not have parcels that are all of equal weight. For a book-ordering business, a transfer to Royal Mail might be possible and, if so, Royal Mail has options to pass business on to others. However, that choice was not offered to my constituent. He asked Parcelforce if he could pay a higher price rather than look around to see what other options were available. Parcelforce said that he could not pay a higher price because it could not take his business.

There is no problem with Parcelforce wanting to make a profit—that seems a sensible thing for it to do—but what will happen to my constituent's business? If he gets his costs wrong, it could be the difference between being in business and going out of business. It is possible to absorb price rises. It may be tight and businesses do not like doing it, but in the interests of continuity they may decide to do so until they enter into a new contract.

Other issues would arise if my constituent moved his business to another company. The issues around domestic delivery are very different from those of commercial delivery. If a parcel is delivered to one of the big commercial companies, there is always someone there to sign for it and delivery is usually no problem. A signature is also needed for domestic deliveries, but an arrangement needs to be made for cases in which the customer is out. Is the price of delivering on an alternative day or holding on to the parcel included? Is there a different price for delivering to a different address?

Domestic deliveries work in a different way. If someone orders, for example, a set of garden gnomes—a whole family—the price is related to weight, not to where the person lives. There is a universal price. If there is an established relationship with a customer, there are cages in which to pack things so that they are transported safely. Is international delivery possible, and what are the compensation levels? Those are all things on which any business would want a proper deal and a contract. Parcelforce has always offered that.

Mr. Alistair Carmichael (Orkney and Shetland): I agree with absolutely everything that my hon. Friend has said so far. The impact on end customers in my constituency is more fundamental, because if her father wished his garden gnome to be delivered to Orkney or Shetland, for example, he would probably find that, in the small print of the terms and conditions of the Sunday supplement, the delivery would not be free or cheap. In many instances, delivery would not be made at all to those islands. Even if delivery were possible, there would very often be an extra charge of £15, £20 or even £30 for the package.

Sue Doughty: I thank my hon. Friend for pointing that out. We are concerned that that will also be the case in the more far-flung parts of the mainland.

Mr. Alan Reid (Argyll and Bute): I am grateful to my hon. Friend for giving way and for making the point about remote parts of the country. Is she aware that Parcelforce has drawn a line across the country, stretching from Fraserburgh on the North sea to Arrochar at the head of Loch Long, and that those living north-west of that line are disadvantaged, because prices are doubled for delivery to that area? For example, in two villages that are seven miles apart, it costs more than double to deliver to the village that is further away.

Mr. Deputy Speaker: If the hon. Member for Guildford (Sue Doughty) can answer that, she is a better hon. Lady than I thought she was.

Sue Doughty: I cannot answer that, but I thank my hon. Friend for drawing that to my attention, because we do not have those problems in the south of England. The point of mail order is to help those people who cannot get to shops. That includes people with disabilities, pensioners and people who do not have their own transport. A range of people want to shop at home, but may not be able to choose other places.

The problem cuts across other Government initiatives, such as e-commerce. I believe responsibility for postal services lies with the same Department as e-commerce. If my father, for example, had chosen his favourite garden gnome from a website and wanted it delivered to the north of Scotland, the e-commerce company might be deeply unhappy. The problem does not just apply to my constituent's business; it is much more widespread. My constituent contacted 15 companies to try to get them to take on the business. They had all sorts of reasons why they could not deliver: for example, they did not deliver in different parts of the country, there was differential pricing, they could not track the parcels and they did not have any arrangements to deal with signatures for domestic deliveries. Even worse, many of the 15 were going to come back with a price but had been rung by other mail order companies and backed off.

One major company, a well-known name in commercial delivery, has said that each of their 80 depots was receiving three of four calls a day from

[Sue Doughty]

customers dropped by Parcelforce. That is not insignificant business. That company had an appointment to see my constituent with a view to taking on his business, but it suddenly realised that it would be overwhelmed by Parcelforce moving out of the sector and would not be able to make the investments necessary or the changes to its systems. That company then backed off as well.

I wrote to the Department of Trade and Industry, and hoped for an answer in three weeks. I rang and rang and, eventually, an extension was given. However, that did not really help because it takes six months to bed in a new supplier, not six weeks. There is some discrimination going on, as well. There is another mail order company on the same trading estate as my constituent's business. In fact, it is a competitor. One was allowed to renegotiate the price, but not the other. Is that fair?

We wrote to the Office of Fair Trading. It replied that it was not its responsibility, but that of Postcomm. We contacted Postwatch, which seems to be rapidly going out of business, and were told that it had nothing to do with such cases, and in any case the man I spoke to was about to leave his job. That was the end of that.

Dr. Vincent Cable (Twickenham): Is not the essence of the problem that the company has a de facto monopoly in many areas of its business and is abusing that monopoly, and that the regulator is—for whatever reason—unable or unwilling to intervene?

Sue Doughty: Absolutely, and that is clear when we address the real nature of Parcelforce. The Government made it clear to me that the activities of Parcelforce were a commercial matter for the board of Consignia. However, we are now learning from Postcomm that Parcelforce may be in breach of its licence. I should like the Minister to follow that up with Postcomm, look at the licensing terms of Parcelforce and check whether Parcelforce is in breach of its licence. If it is a commercial issue—we have no problem with Parcelforce becoming commercial, and no problem with competitiveness—where do we stand?

Let us consider the Government's history on the issue. In March, the Secretary of State announced the restructure. She said that Parcelforce Worldwide would concentrate on the growing market of guaranteed next-day and two-day deliveries in the UK and overseas, and transfer its universal service to the Royal Mail. However, when Parcelforce was renegotiating its contracts in June, was it looking to fit its customers into that growing market of 48-hour guaranteed deliveries? My constituent was moved on to that basis; it cost him more but he accepted it because he thought that there would be benefits, as well as disbenefits.

Parcelforce said of itself in an annual report:

"We see real potential in the express marketplace where we've grown our revenue by 10 per cent. in the last year. It's clear that this is where a successful future lies, and . . . builds on the success of our Coventry hubs and on track and trace technology".

Like Consignia, Parcelforce is repeatedly examined. When its representatives appeared before the Public Accounts Committee, they said that the introduction of track and trace technology—in which my constituent invested £12,000 to be compatible with—would make them more able to take on competitors. The Government saw the business plan and invested the money, so they must be stakeholders. Perhaps they care about their investment, even if they do not care about the customers whom Parcelforce is dumping.

I have brought the matter to hon. Members' attention not only because I am deeply concerned about my constituent, but because I want to raise with the Minister the inconsistencies involved. The Government own the business. On 28 May last year, the then Secretary of State denied privatisation plans.

We must query the role played by Postcomm. It stated that the "threat of competition" is the best way of dealing with Consignia's inefficiency but, as my hon. Friend the Member for Twickenham (Dr. Cable) said, there is no real competition in the domestic delivery market; we wish that there were. To achieve what we want, consumers must be taken into account. Yes, let it make a profit—there is nothing wrong with that—but it is important to maintain the domestic market, and nothing is happening to generate that. It is rather like the Government taxing fuel to manage a traffic-related problem, yet failing to invest in alternative transport.

I have other concerns. Do the Government really know what is going on with Consignia and Postcomm? Does Postcomm really know what Consignia is doing? Although Postcomm is now on the case, does it really understand what is happening? In April and May this year, the then Minister implied to the Select Committee on Trade and Industry that he had cautioned Postcomm about the possible effects of its proposals and stressed the need for Consignia to share information.

It seems that nobody has a clear strategy as regards the changes. In June, the Secretary of State said of the Consignia business:

"The challenge . . . is to improve the quality and reliability of its services, so that it can keep its customers rather than losing market share."—[*Official Report*, 13 June 2002; Vol. 386, c. 1017.]

I wish that Consignia could see it that way, because we need to encourage a business that is good at this very specialist market.

My constituent starts with a new supplier this week. He will work hard to make the system work, but switching takes six months, not six weeks. If there are snags in the system, his business will get the blame. When other mail order companies or newspaper businesses are looking for another supplier, he may fail because his track record has been damaged by the teething problems that he has encountered. I hope not, because he is desperately keen to make it work. How will all the other suppliers that are being dumped fare? Many jobs will be lost in those companies, as well as at Consignia, and the Government may be hearing from them before too long.

The Government have responsibilities, and they must meet them. I look forward to hearing the Minister explain just how they will do so.

12.48 pm

The Minister for E-Commerce and Competitiveness (Mr. Stephen Timms): I begin by referring to the wider position of Consignia, which provides the background

to the debate. My right hon. Friend the Secretary of State for Trade and Industry made two statements to the House, in March and in June, following the announcements by Allan Leighton, the chairman of Consignia, about plans to restructure its postal services. The first phase of those plans concerned the restructuring of Parcelforce and the transport network of Royal Mail; the second related to changes in the way in which deliveries are made to households. Between them, those plans will reduce by £1.4 billion a year the costs that are being borne by the business. As my right hon. Friend made clear, that means significant reductions in the size of the work force. The chairman of Consignia announced the company's intention of achieving that on the basis of voluntary redundancies and by offering alternative jobs elsewhere in the company.

The process will be very difficult for everyone, but it is very much needed. The company showed a pre-tax loss of £1.2 billion for the last financial year. Much of that comprises exceptional costs from restructuring, but there was still an underlying loss of £318 million on its day-to-day operations—about £1.2 million for every single working day. Turnover in that year grew by 3.6 per cent., but there was a 4.8 per cent. rise in costs. Clearly, such losses cannot continue. An aim of the renewal plan that has been announced by Consignia is that losses will be eliminated and the company will return to profit in the next three years.

The Government's view is that greater commercial freedom in the public sector is the right way forward for the Post Office. We know that in exercising its new freedoms, some decisions were made that, with the benefit of hindsight, were wrong. In his announcement, Allan Leighton made the point that

"management mistakes have been made over a number of years".

Some of the international ventures that the company entered into illustrate that. However, the renewal plan is intended to address such problems and get the company back to profitability.

The Government have agreed a package of measures to help put the company on the right financial footing. They were outlined by my right hon. Friend the Secretary of State in June. The company will be able to use its balance sheet reserves of £1.8 billion, which represent accumulated past dividends and cash generated by the business, to back investment in the mails business to implement the renewal plan and to support the nationwide network of post offices, subject where necessary to the relevant state aid clearances. In addition, the Government do not intend to take any cash out of the business by way of dividends during the three years of the renewal plan.

Let me turn specifically to Parcelforce and the points that were raised by the hon. Member for Guildford (Sue Doughty) and other hon. Members. Parcelforce has been losing £15 million per month. As the hon. Lady said, in its 10 years it has never made a profit and has now amassed losses of nearly £400 million. Repeated attempts to make it work have not succeeded. Clearly, the situation could not be allowed to continue, because losses on the parcel business were draining the rest of the business of much-needed investment. For the sake of the company as a whole, the board decided that it had to restructure Parcelforce's operations in order to achieve profitability.

Radical reshaping has begun. Once it is complete, annual savings will be £500 million. In the future, the company will concentrate on high value, time-guaranteed express services. It has withdrawn its standard three-days-plus delivery service and is reducing its depot network from 100 depots to 51. The changes will mean that Parcelforce will have a capacity of 40 million parcels a year, reduced from 120 million in the past. The company considers that trading in excess of that capacity would put at risk the quality of service provided to its remaining customers. In particular, Consignia is concerned that delaying the restructuring or not going ahead with it would result in the board reconsidering the possibility of closing Parcelforce completely, with the loss of a further 5,000 jobs. Therefore, it is most important that the changes are put into effect.

Parcelforce will be smaller but it will be more efficient and competitive and better able to respond to the needs of its customers. It is in a fully competitive market, in which many hundreds of competitors offer courier and parcels services.

Mr. Carmichael: I am very interested in the Minister's remarks about competitive markets and commercial freedom. Today, he has heard a description of the deregulation of Parcelforce, which has meant the end of a universal service for my constituents. Postcomm seems hell-bent on doing exactly the same thing to the delivery of letters. Will what happens to letter post be any different from what has happened to parcel post?

Mr. Timms: It is important to emphasise that a universal parcel service will continue. Consignia is licensed to provide a universal postal service by Postcomm, which can take action under that licence if Consignia fails to meet its obligations. The Parcelforce division of the business will not deliver the universal service, but will be integrated into the Royal Mail, which will, of course, operate on the basis of a uniform tariff. Consignia will continue to meet the universal service obligations that we have enshrined in legislation, and the Royal Mail will take on that task. People will be able to send parcels from their local post office, just as they do now, at a uniform tariff to every part of the country.

I want specifically to comment on the case raised by the hon. Member for Guildford. She has pursued it diligently, and I commend her on that and the work that she has done on behalf of her constituents. She will recognise that Consignia now has greater freedom to operate commercially without interference from the Government, and that it is for the company to determine how to deliver a range of services that best meet its customers needs and to decide the structure it needs to deliver those services.

As a result of decisions taken by Parcelforce, there is no doubt that some services used by some customers will be changed, or even withdrawn altogether, and replaced by others. I understand that 350 out of the total 30,000 account customers will be affected by the termination of express contracts in the way in which the hon. Lady has outlined, due to the reduction in capacity by Parcelforce. That is because Parcelforce has concluded that it cannot serve those contracts profitably.

In the case of the particular organisation in the hon. Lady's constituency, Consignia tells me that the price offered was too low to fit in with its restructuring plans,

[Mr. Timms]

and the decision was taken to cancel the contract. The contractual requirement was for two weeks' notice and, as she has stated, that period, which ends tomorrow, was extended to nearly three months to give the company the opportunity to find an alternative supplier. I welcome her making the point, which matches my understanding of the matter, that the company has found an alternative supplier.

Consignia has also offered to support the company in reconfiguring its software systems to allow them to be used with the new supplier. The hon. Lady made a fair point about the difficulty facing the company in changing its system, which it had recently done, making a substantial investment in doing so. It is absolutely right that Consignia should make an offer, which I understand has been agreed, to help the company to reconfigure its system to deal with the new supplier.

Sue Doughty: My constituent would dispute the point about prices because he offered to pay a higher price, but it was made clear to him that his business was not wanted.

Mr. Timms: It is helpful that an alternative supplier has been found. The hon. Lady was right to draw attention to the importance of e-commerce because online purchases increased by more than 40 per cent. last year; it is an area of rapid growth. It is important that the needs of everybody in the industry should be met, whether they are supplying garden gnomes or other products. Given the variety of suppliers in the marketplace, we can expect that to happen.

The hon. Lady referred to the Office of Fair Trading, which investigated the case and concluded that Parcelforce did not infringe the requirements of competition legislation. I understand that Postcomm is considering whether there was a breach of the licence conditions, and it will shortly notify the hon. Lady's constituent of its conclusion.

I well understand, as do all hon. Members here, the desire of many of Parcelforce's customers to remain with a well-known and trusted postal service supplier. Royal Mail and Parcelforce will between them continue to offer a wide range of services, including the standard universal service, at a uniform tariff to every part of the country and a range of competitive services that have been developed to compete with other suppliers—

Mr. Deputy Speaker: Order. I regret that time is up. We thank the Minister for his reply.

Gloucester South-West Bypass

1 pm

Mr. Parmjit Dhanda (Gloucester): I am grateful to be granted an Adjournment debate on Gloucester's south-west bypass. The issue has transport, regeneration and economic implications for my constituency, the whole county of Gloucestershire and the south-west region.

For reasons that I shall outline, I seek £17.6 million of Government funding through the local transport plan to support Gloucestershire county council's bid to complete—at long last—the building of the Gloucester south-west bypass. In taking up the cause, I am supported by the South West of England Regional Development Agency, whose chairman, Sir Michael Lickiss, has already written to the Deputy Prime Minister and the Secretary of State for Transport. I am also supported by the regional branch of the CBI, with which I met on Friday, Gloucestershire county council, Gloucester city council and, including me, five Gloucestershire Members of Parliament, encompassing all three major political parties. Such is the urgency of this matter.

I begin with the transport implications of the scheme. The bypass will bring great public transport benefits and improve road safety throughout the area. It will provide a new strategic link from the M5 south of Gloucester to the A417 west of Westgate bridge, and relieve congestion on the existing A430, known as Bristol road. It will create an efficient high-quality public transport corridor through the city and improve the immediate environment of local residents. It will also provide a long-awaited bypass for the local village of Hempsted in my constituency. In addition, it will link up with the Gloucester inner relief road to enable a substantial reduction in traffic and congestion in the centre of Gloucester, bringing environmental benefits, including pedestrianising the Gloucester docks area. Those public transport benefits are much needed in themselves and formed a chief part of the original scheme for the bypass, which was devised in the early 1990s.

However, the bypass does not just relate to transport. More than £500 million of town centre regeneration and development are hanging on the completion of the Gloucester south-west bypass. Sir Michael Lickiss, the RDA chairman, said:

"There is now a real opportunity to secure very substantial regeneration benefits in the heart of the city which could have a major impact on the economic performance of Gloucester. The completion of the bypass will act as a catalyst to create the commercial confidence needed to stimulate the regeneration of the City."

Gloucester's western waterfront is one of the most significant waterfront regeneration projects in the UK, made up of a series of interconnecting development areas that wrap around the western and southern parts of central Gloucester and overlook the canal, the docks, the river and areas of flood plain. The scheme could unlock more than £500 million of public and private investment in jobs, retail, tourism, leisure, housing and education; part of the scheme includes a new further education college in the docks. Part of the key is £17.6 million from the Government when they make the local transport plan announcements in a few weeks.

The potential output of the scheme meets all the Government's targets for brownfield development. Part of the scheme would ensure the regeneration of more

than 70 hectares of brownfield land. Almost 90 hectares of greenfield land would be protected. More than 2,000 new homes would be created. More than 4,250 m of waterfront would be improved. More than 80 historic buildings would be repaired with the support of English Heritage, which is also a key partner in the developments in the Gloucester docks area. Importantly, there would be a significant reduction in the flood plain with the removal of obstructions when putting the road in place.

Gloucester's schemes tick all the Government's boxes concerning brownfield development. The major development proposals in the area include the St. Oswald's park development, also known as the cattle market site. It is a mixed-use scheme, blending employment, retail, leisure and residential uses. It is valued at more than £100 million and would create a whole new urban quarter for Gloucester in what is at the moment a rather unattractive former landfill site. There are no major objectors to the scheme and, although the Office of the Deputy Prime Minister has called the scheme in, I hope that we shall get the green light this week for the scheme to progress. Part of the difficulty is that the scheme encompasses a £700,000 contribution to the bypass, as do so many private development schemes. Uncertainty over the planning process brings about greater uncertainty in terms of section 106 moneys, on which I shall elaborate in a moment.

Westgate island is another key part of the scheme that would create a new entrance to the city centre from the west and provide a new setting for Gloucester's 900-year-old cathedral for those approaching the city. The docks basin is the key site on the western waterfront because it would provide a link between the waterfront developments and the city centre. The site has recently been bought by the RDA, which demonstrates its commitment to development in the town centre. It would provide a mixed-use development, including housing, in the city centre.

Perhaps the biggest part of the scheme is the Gloucester quays development, which is a mixed-use development, including more than 1,000 homes, a superstore, an hotel, a designer outlet centre and the new Gloscat college of further education, which would be in the docks. The new college in the docks would be alongside the 12th century Llanthony priory, which is now alone and derelict in the docks and could be used as part of a performing arts venue if it were revived alongside the campus with the support of English Heritage. Gloucester quays is valued at well over £200 million and an outline planning application has already been lodged. The key to unlock the development is £17.6 million.

The Government first accepted the bid for the bypass back in 1994 and it was made clear that that acceptance was based on Government expectations of maximising developers' contributions, but therein lies part of the difficulty. The size and scale of the now massive potential development has grown since 1994 and it is now even more in the Government's interests to complete the south-west bypass and unlock that potential. The benefits of the project are not in doubt locally and throughout the country. All local Members of Parliament have signed up in support of the scheme and I believe that the Government accept that there are real benefits. What is uncertain is the funding. Gloucester's south-west bypass is an approved road scheme dating back to 1994, but its funding has always relied on securing significant contributions from private sector developers.

The current estimated cost for the whole bypass is £35.3 million. Contributions from developers amounting to £6.2 million have already been secured and £11.5 million of Government funding has previously been approved. That has allowed two sections of the bypass to be built, but those currently stand in isolation and do not offer the benefits that would be provided by the overall improvements. A completed bypass would make a huge difference. The two isolated parts are simply a reminder to the people of Gloucester of what could have been achieved and, perhaps, what still might be.

Original cost estimates presented in 1994 were significantly lower than the £35.3 million figure that is currently being reported. I share what are bound to be the concerns of my hon. Friend and the Department about the escalation of the costs. The speed of progress has been held back by the need to capture developer contributions as schemes led by the private sector have emerged. Indeed, the inflation of construction costs, year by year, has added more than 5 per cent. to the cost of the scheme.

Other factors have led to price increases. Those include the need for enhanced flood protection works and constraints on working due to difficulties with underground gas and oil pipelines. Time slippage and general cost inflation have also had a significant impact on the scheme. In some respects, it is a bit like a game of poker. Let me give my hon. Friend an example; a major potential private sector contribution to the bypass was linked to the development of the former RAF Quedgley, or Eastchurch site, lying to the south of the city of Gloucester. The developer had offered a £6 million contribution to the bypass, subject to its securing planning consent for a mixed-use development that would include a substantial number of houses.

As a result of a planning appeal the development proposals became the subject of a public inquiry. The inspector recommended that the proposals should be approved and that the Government office for the south-west also recommended approval. The Secretary of State, however, issued a minded to refuse letter and requested additional submissions from the parties who were represented at the inquiry. That is not intended as a criticism of the Deputy Prime Minister or his Department, but it is an example of how things can go awry if we expect all the dominos to fall into place. There are, in addition, two issues to deal with: planning, which falls under the remit of the Office of the Deputy Prime Minister, and transport, which is overseen by the Department that my hon. Friend is representing today.

In the interim period, both the timetable and the outcome of the Secretary of State's decision are uncertain and, as time drags on, the costs will inevitably increase. In the Gloucester quays area, other developers see the viability of their project begin to suffer, and Gloscat is left in the dark as to whether the new further education college can go ahead without guarantees about the bypass; and so it goes on. The result is an

[Mr. Parmjit Dhanda]

increasing lack of confidence on the part of the developers who are waiting for the road and would, in turn, encourage private development in the city.

My hon. Friend and his Department can remove the confusion and hesitation in one fell swoop by accepting the bid. In this case, it is desirable to break the link between the private sector contributions that are being sought for the bypass and the sensitivities of the planning process. I know that there have been several meetings between the Department for Transport and the city and county councils to discuss the additional funding requirements. It is understandable that Department for Transport officials have been keen to explore whether other private sector contributions might be captured and whether the regional development agency and local authorities might offer more direct support.

The city and county councils, the RDA and local Members of Parliament are confident that all reasonable avenues for support have been exhaustively explored. All the key partners appreciate that the Gloucester south-west bypass needs to be completed within a committed time scale. That is a fundamental precursor to unlocking the full regeneration potential in the city and will have a knock-on effect on jobs and prosperity in the rest of the county and wider region.

The Government have a clear opportunity to resolve the issue with an increase in the local transport plan settlement for Gloucestershire. A sum of £17.6 million will enable us to complete the bypass on budget and on time in 2005. My hon. Friend is a good friend of Gloucester and has been a regular visitor over the years. I hope that he and his Department will accept my arguments and I hope that he will listen to the partners who are involved in this massive scheme. Those partners include the regional CBI, the Learning and Skills Council—which is backing the further education college plan to move to Gloucester docks—Gloscat, the private developers, Gloucester city council, Gloucestershire county council and the South West of England Regional Development Agency.

The partners also include Members of Parliament; my hon. Friends the Members for Stroud (Mr. Drew), who is here today, and for Forest of Dean (Diana Organ), the hon. Members for Cotswold (Mr. Clifton-Brown) and for Cheltenham (Mr. Jones) and myself, the hon. Member for Gloucester. We encompass all political parties. We need this road; it is a road to prosperity and regeneration.

Mr. Deputy Speaker: I call the Minister, who is a regular attender in Westminster Hall.

1.16 pm

The Parliamentary Under-Secretary of State for Transport (Mr. David Jamieson): Thank you, Mr. Deputy Speaker. Sometimes I feel that I am as regular an attender as you.

First, I congratulate my good friend, the hon. Member for Gloucester (Mr. Dhanda), on securing this debate and on the cogent and powerful way in which he has presented his case. At the risk of embarrassing him, it has been good to witness someone who speaks so forcibly, volubly and knowledgeably about his area and constituents. I am flattered to be called a friend of Gloucester. If there are friends of Gloucester, it is mainly because of the charm and personality of my hon. Friend.

The Government recognise the importance that the hon. Gentleman places on the completion of the bypass. I recognise his role, both in improving transport in his constituency and in the wider aims that he has set out so clearly. I appreciate that there is strong local support for the scheme.

In the time available, I want to set out what the Government are doing to ensure that local authorities can deliver improved integrated transport in their areas. I will address the specific issues that my hon. Friend has raised on the Gloucester south-west bypass. The Government are committed to sustained, long-term investment to improve local transport. That is a key element of our 10-year plan for transport. We have already made clear the importance that we place on the improvement of local transport provision.

The 1998 White Paper on integrated transport introduced the concept of five-year local transport plans—LTPs—which set transport within our wider objectives for local authorities and within our national framework for integrated transport. In December 2000, we illustrated our commitment to delivering improvement by announcing an £8.4 billion investment package to implement five-year local transport plans across England outside of London.

The local transport capital settlement, which was announced in December 2001, gave details of the second instalment of the funding, with £1.5 billion being made available to authorities in the current financial year. That increased and sustained funding will help to deliver the Government's vision of a high-quality transport network that meets people's needs and offers more choice to individuals, families, communities and businesses.

We have schemes that will help to meet the targets and deliver the outputs that are set out in our 10-year plan. They will reduce the environmental impact of traffic by improving air quality, reducing emissions and noise and reducing congestion in large urban areas. However, the projects are not only to do with infrastructure. We are providing the investment that will allow authorities to deliver a huge range of small-scale integrated transport projects, from local safety schemes, bus priority measures and park-and-ride services, to schemes to encourage cycling and walking.

I have seen at first hand, especially in Gloucester with its go-ahead thinking, what a difference such schemes can make to the safety and well-being of local communities. An especially successful local transport project is the Gloucester safer city project, which has been a major success and is a flagship for the work that a local authority can do when it uses its funding to improve transport in its area.

I referred to the increase in investment in local transport at a national level, but it has been much in evidence in Gloucestershire. We allocated £16.5 million to Gloucestershire county council in 2001–02, and £18.1 million in 2002–03, making more than £34 million in the first two years of its five-year local transport plan. That compares with a total of £16.5

million in the previous two years, and is more than a doubling of the resources available in Gloucestershire for improvements to transport. It reiterates our commitment to boosting the resources for local authorities to implement five-year plans and provides Gloucestershire with the opportunity greatly to improve its local transport provision.

I am sure that my hon. Friend would agree that the Government are committed to improving local transport. We have provided local authorities with not only the funding to implement the measures in their plans, but the flexibility to determine their own priorities within their local transport allocations. That is in line with the Government's policy on providing local accountability. In giving local authorities in Gloucestershire the extra resources to which I referred, we have also given them the discretion to allocate those resources within their local transport plan. Local people can now make local decisions in accordance with local priorities.

That means that local authorities, like the Government, will have to make choices and sometimes take difficult decisions about where their priorities lie. Greater local discretion may mean that local authorities have to reprioritise their allocations to meet changing demands, such as increases in the costs of individual schemes. That is just a summary of the general points that the Government have made and where we stand with Gloucestershire.

Mr. David Drew (Stroud): I apologise for my lateness, which was due to my complete inability to read the Order Paper correctly. Before my hon. Friend the Minister talks about the south-west bypass, I must emphasise that our problem is that other parts of that bypass have already been completed. That is causing so much inconvenience and stress, and I hope that he will bear that in mind when he talks about how we can find the money for it.

Mr. Jamieson: That is very kind of my hon. Friend the Member for Stroud (Mr. Drew). He may not be able to read the Order Paper, but he has certainly read my speech because he has anticipated some of the points that I was about to make.

On the specific issues of today's debate, the Gloucester south-west bypass has a long history that dates back to the mid-1990s, as my hon. Friend the Member for Gloucester said. The proposal for Government funding was first put forward under the predecessor of the local transport plan system, the transport policies and programmes, or TPP, system.

My hon. Friend very adequately described what the bypass would do and what has been developed so far, and I will not detain the House with another description. The scheme was approved for Government funding in December 1994, and has been receiving financial support through the transport supplementary grant since April 1995. Successive Governments have demonstrated their continuing commitment to that scheme with allocations totalling £11.5 million over the past seven years. Last year, for example, we gave Gloucestershire more than £1.6 million, and £0.8 million in the previous year.

When the scheme was originally accepted for funding, the estimated total cost was £17.7 million, with £5 million provided through developer contributions. The original programme completion date was 2000. According to current estimates, the total cost of the scheme has risen to £35.3 million, and the completion date is now about 2005. Any Government would be concerned about such delays in completing the scheme and the substantial increase in projected costs. I am sure that my hon. Friend would agree that we want the benefits from our investment delivered to the travelling public and the local community as quickly as possible. I am sure that that is true locally, for the development of the local economy.

I readily accept my hon. Friend's point that some of the cost increases have been unavoidable and are for additional works that could not have been anticipated when the scheme was first proposed. However, I am sure that he will appreciate that the Government, rightly, cannot provide a blank cheque for every cost overrun on every scheme. We cannot plan effectively on the basis of funding cost overruns that may happen as a matter of course.

Mr. Dhanda: It is worth remembering that £6 million has been secured in developer contributions. My hon. Friend the Under-Secretary has made that point himself. Part of the difficulty is that the scheme dates back to the early 1990s, when the value of the scheme to Government, the county and the region was nothing like as great as it is now. The scheme now has a value of about £500 million, and is annually worth billions of pounds of revenue in jobs and opportunities. I hope that his Department will consider that when it deals with the bid for £17.6 million. It is supported not only by local agencies, which would obviously support it, but the RDA, which has put a significant sum of money—well over £20 million—into the docks area.

Mr. Jamieson: I was not trying to pour cold water on the scheme. My hon. Friend was looking a little concerned, but I was making the strong point that we must have good value for money. The people of Gloucestershire would want that as well in terms of the expenditure. It is for the local authority to make the case for increased funding and to provide adequate assurances that the scheme will be delivered without delay and further additional costs. That would be in his interests and those of Gloucestershire. If the Government unquestioningly met such increases, every pound spent on an overrun on one project would be a pound not spent on another. It could be a pound not spent on another scheme in Gloucester.

I welcome the fact that Gloucestershire county council has made good progress on securing further contributions towards the scheme from private developers that will benefit from it. My officials have been in discussion with officers from the county council on the case for additional funding for the scheme.

My hon. Friend made a coherent and well argued case for the Government to provide additional resources for the bypass to be completed. My ministerial colleagues will carefully consider the case made by the local authority for additional funds. They will assess not only the transport benefits of the scheme at the increased costs, but the points that he made so clearly today. I welcome Gloucestershire county council's agreement in principle to provide funds from its transport budget towards the additional costs, especially as that further

[Mr. Jamieson]

demonstrates its commitment to the scheme and the recognition of the priority that the council places on its completion.

The local authority has provided my Department with the required additional information to support the case for increased funding. We shall consider it carefully in coming to a decision in December on the level of further Government funding, as part of the local transport capital settlement. I assure my hon. Friend that, in considering the case for further funding, we will be all too aware of the persuasive arguments that he has made today in relation to the vital role of the bypass in the delivery of transport and economic improvements in Gloucester. However, I remind him that sometimes authorities have to make difficult decisions, just as Governments do.

I hope that, in the short time that I have had available, I have been able to convince my hon. Friend the Member for Gloucester that my ministerial colleagues and I are well aware of the case that is being put forward with respect to the Gloucestershire south-west bypass, and that we shall endeavour to reach a decision as soon as is practicable.

Mr. Deputy Speaker: Order. We now move on to the next debate, but, sadly, without a Minister. *[Interruption.]* The Minister has arrived. I confess I was padding things out a bit.

Cross-Channel Shopping

1.30 pm

Mr. David Laws (Yeovil): I am delighted to have an opportunity to raise this important issue, and I welcome the Economic Secretary to his place. As you said, Mr. Deputy Speaker, he was delayed slightly, and one could perhaps say the same of yesterday's announcement by the Government. We should be grateful that they both turned up eventually.

I do not know whether to describe the debate as timely or particularly untimely in the light of yesterday's announcement by the Economic Secretary, which, broadly speaking, I welcome. However, the debate provides an opportunity for us to scrutinise the announcement, to ask questions about the implications for relevant Treasury policy and to find out whether the Government's new policy is likely to deal with the problems that have been created in the past couple of years.

According to the press release issued by Customs and Excise and to the Economic Secretary's statement, yesterday's announcement was not a change in policy. He described it, in his introductory comments to a press conference, as the next stage in a Government strategy to combat cross-channel smuggling. A Treasury source seemed particularly insistent about this, telling the *Evening Standard* that it was ridiculous to speak of a U-turn, as the announcement was part of a long-term strategy. That will surprise many people who have for some time been lobbying on the matter, including many of my parliamentary colleagues, Members of the European Parliament, the European Commissioner Mr. Bolkestein and others.

The Economic Secretary's comments yesterday seem to jar somewhat with those made by his right hon. Friend the Chief Secretary to the Treasury at a meeting we had with him some months ago. I am glad that there has been a rethink of the issue and that the Government have decided to move in the direction suggested by the legal judgments, the EU Commissioner and, perhaps, some of the newspapers that have campaigned on the issue recently, not least *The Sun* and the *Daily Express*.

You will probably recall, Mr. Deputy Speaker, that, in September, the Economic Secretary was criticising the European Commissioner, Mr. Bolkestein, for raising the question of the UK Government's attitude to cross-channel trade in tobacco and alcohol. He criticised Mr. Bolkestein for trying to be a popular hero on this issue and for trying to whip up enthusiasm among the press over cross-channel trade. I was therefore rather surprised by an article in *The Sun* on 21 October—only a few days before this announcement—with a headline suggesting that the Economic Secretary was ordering a U-turn; that seems somewhat off-message. A rather nice picture of the Economic Secretary bore a caption stating that he was backing shoppers. The Government's thinking about this matter seems to have undergone a welcome change, but it is not yet clear whether legal pressure forced them into it, or whether they have had a change of heart.

I welcome the substance of yesterday's statement, because it is intended to deal with three areas of concern raised by, among others, the Commission, Members of Parliament and Members of the European Parliament.

The first issue that it deals with, in part, is the burden of proof. It is outrageous that, in a single market—and in a legal system such as ours, under which people are assumed to be innocent until proven guilty—control of cross-channel trade in tobacco and alcohol by Customs and Excise should result in people having to demonstrate their innocence, rather than Customs being obliged to establish that they are bringing in alcohol and tobacco not for their personal use, which is not restricted under EU rules, but for on-sale to other parties. For the past year or so, Customs has been operating on the presumption that the burden of proof is on individuals coming across the channel to prove that they are not smuggling.

The extent to which the burden of proof has been balanced in that way is shown by another aspect of the crisis. The Minister who formerly had responsibility for these matters—the current Chief Secretary to the Treasury—contacted me about a case that I had raised on behalf of a constituent. The lady concerned lent her car to her son so that he could travel to France. He was stopped on the way back and was found to have an amount of tobacco that was over the guideline amount but not the limit amount. The car, of course, was seized by Customs, but it was not returned to the lady; as a consequence, she had problems getting to work—Somerset is a rural area—and was in danger of losing her job.

The Chief Secretary indicated that where the owner of the vehicle was not present, they must be able to demonstrate that they were genuinely innocent of any involvement. Customs interprets that to mean that aside from where a vehicle is stolen and reported to the police prior to seizure, a person who has consented to the use of the vehicle by others accepts a risk by doing so. In other words, if you lend a vehicle to someone, you are assumed to be as guilty as they are if they come back with an amount of cigarettes or alcohol in excess of the guideline amounts. It is outrageous, by any standards, that people should be assumed to be guilty until proven innocent, but that is how the assumption of guilt has been working; people who lend out their vehicles are assumed to be guilty unless the vehicle has been stolen. That is bizarre, and I am glad that the Government have tried to address the issue.

The second issue that the Government have tried to address is the fact that, in many cases, the penalties are draconian in relation to the offence. We are not here to defend those who engage in serious, large-volume cross-channel smuggling and fraud, but some of those who have brought back alcohol and tobacco, been aware that there was no personal limit on the amount that they could bring back for personal use and been caught out by Customs officers, who have accused them of bringing back amounts over the guideline amount. For small excesses, their vehicles are then confiscated and may not be returned.

Vehicles with a value of £15,000 or £20,000 could have been seized and not returned as a consequence of an amount being brought back in excess of the guideline amounts by only a moderate amount. That seems draconian and unfair. Equally unfair is the fact that those bringing back tobacco or alcohol over the guideline amount by a larger amount who drive vehicles of a lesser value would, by losing that vehicle, incur a much smaller penalty than those with large and expensive cars who, in the view of Customs officers, happened to be over the guideline amount with no good reason.

The third issue that the Government have sensibly sought to address is the mismatch between the guideline amounts for alcohol and for tobacco. People were able to bring back 90 litres of wine, which is a substantial amount by anybody's standards; one certainly could not whistle through that in a few days. However, the number of cigarettes that could be brought back was far less in magnitude and could be consumed by a household within a short time. Increasing the guideline amount for cigarettes was extremely sensible and welcome.

It is important that we do not simply focus on the good things, much though the Economic Secretary might want me to. We should highlight concerns and ask where the changes may lead and what problems may arise.

First, we must press the Economic Secretary on the amount of resources that will be available to Customs to police the new arrangements, which, in some respects, will be no easier to police than the previous ones. He will be aware of the difficulty that Customs has had in dealing with the huge amounts of tobacco and alcohol that have been smuggled during the past few years and of the need properly to resource its efforts. I hope that he will say something about that.

Secondly, will the Economic Secretary clarify the issue of stop and search, which came up in the Hoverspeed legal judgment? The Government's approach was challenged, and it was suggested—with good reason, I suspect—that Customs officers randomly stopped and searched people coming back over the channel to see whether they had more than the guideline limits. Should Customs officers stop and search individuals returning from the continent in a free and open single market? Will the guidelines for officers be clear in that respect? What evidence will give officers reasonable grounds to stop and search a vehicle?

Thirdly, we need assurances about the vehicles that Customs has seized and which are still in the pounds. People who are waiting on appeals will have heard yesterday of the change in policy and will be wondering whether the Government will now take a more reasonable line. That is particularly true, now that the guideline limit has been changed, of those whose vehicles were seized because they had more tobacco than was allowed. Will the Economic Secretary consider an amnesty to return cars that have been seized? Is he prepared to compensate those whose cars have been destroyed in the meantime? Such people will be angry to discover that the Government have changed their mind and acknowledged that it would be sensible to treat the amounts that those people brought back as being for personal use.

Fourthly, there is the substantive issue of how the new rules will work in relation to the burden of proof. The Government have given the impression that the burden of proof will again fall on Customs staff and that it will

[Mr. David Laws]

not be for the citizen to prove his innocence. However, yesterday's Treasury press release, and the notes to editors, clarify show how the burden of proof will be treated, stating:

> "In practice, this new policy also means that individuals who bring back more than that required to keep the average smoker in supply for more than six months will be required to provide an explanation to Customs for their purchase. If they cannot, then Customs may very well conclude that the goods are for a commercial purpose."

How different will that be in practice from the current arrangements? Will Customs not still put the onus on the individual to explain his circumstances in a way that meets its requirements? The approach in the press release is very different from that in the rest of the law, which assumes that people are innocent until proven guilty. If I walked down the street outside the Palace of Westminster with an expensive stereo, the police could not ask me to justify why I had it; they could arrest me only if they had good reason to assume that I had stolen it. I am not sure that the new Government guidelines are sufficiently clear in that respect.

Lastly, there is a much wider issue, which I urge the Government to consider. I had a useful meeting yesterday with the chairman of Shepherd Neame, the brewers, which has been active on this issue. There is a wider concern about the misalignment in alcohol duties between this country and the continent. Although the Liberal Democrats are not in favour of the enforced harmonisation of taxes in Europe and believe that the issue should be resolved through tax competition, there is concern about whether the arrangements can be policed satisfactorily in a single market in which people are assumed to be innocent until proven guilty. It is not acceptable to stop and search people randomly.

I urge the Economic Secretary to hold an independent inquiry, or at least a Treasury inquiry, to consider the consequences of reducing duty in the UK towards European levels in order to tackle illegal trade. In addition, I urge him to consider the health effects of putting higher duties on tobacco and alcohol to see whether they are working and whether a reduction in duty towards the European average would have the desired effect.

Hugh Robertson (Faversham and Mid-Kent): I represent a brewing town, so the jobs of many of my constituents and the survival of many local pubs are directly affected by illegal imports. I am sure that we would all agree that cutting excise duty would reduce smuggling, but Shepherd Neame has proved comprehensively that, by cutting excise duty, we could also increase the legal take, and therefore the amount of revenue available to the Treasury. Will the hon. Gentleman ask the Economic Secretary whether he would be prepared to meet representatives from Shepherd Neame to discuss that proposal?

Mr. Laws: The hon. Gentleman raises a powerful point subtly. As an economist, I am not yet persuaded that a reduction in duty would be self-funding, but there is a case to answer. The Government have raised the issue to some extent by freezing duty on alcohol over the past few years, rather than continuing with the policy of over-indexation pursued by the Conservative Government, as well as by the Labour Government when they first took office.

There is a case to answer and, although I realise that I am raising a wide issue at the end of a narrow debate, I urge the Economic Secretary to keep an open mind on the subject and to be willing to commission research in the Treasury to find out whether there is a case for reducing the duty differentials between the European continent and the UK.

1.47 pm

The Economic Secretary to the Treasury (John Healey): I begin by congratulating the hon. Member for Yeovil (Mr. Laws) on securing the debate. His membership of the Treasury Select Committee gives him particular expertise in the area. He wondered out loud whether the debate was timely or untimely in the light of my announcement yesterday. It is timely for me, because it gives me chance to explain further what I said, but I always welcome the chance for Parliament to play its proper role in scrutinising Government policy.

I welcome the hon. Gentleman's welcome for my announcement, and particularly welcome the fact that the new regulations will clarify the burden of proof and refine the penalties. As of yesterday, we dealt with what he described as the mismatch between the guidelines on alcohol and tobacco.

I shall deal with the questions about resources and stops in my other remarks. I shall also give some explanation of the burden of proof. On vehicles, we have already put in place procedures for reviewing any seizures and procedures for the proper restoration of fees. I have no intention of making the new package retrospective or of putting in place an amnesty because procedures are in place to deal with the problems.

To reassure the hon. Gentleman on tax, we can enforce the regime, and yesterday's announcement was an important part of enabling us to do that in future. I emphasise to the hon. Gentleman and to the hon. Member for Faversham and Mid-Kent (Hugh Robertson) that low duty rates are no defence against tobacco smuggling. Italy, Spain and other European countries have much lower tobacco duty rates than we do, but they also have a serious cigarette smuggling problem.

Despite the common talk of booze cruises, the most serious problem lies with tobacco; the hon. Member for Yeovil, a member of the Select Committee, will be aware of that fact. Some 20 per cent. of the tobacco market is illicit, compared with only 4 per cent. of the beer market and 3 per cent. of the wine market. That was the reason why, in the 2000 Budget, my right hon. Friend the Chancellor announced the tackling tobacco strategy.

The Government put £200 million into that strategy, which has led to the recruitment of nearly 1,000 extra staff at our frontier ports and inland. The hon. Member for Yeovil was concerned that not enough resources were in place to operate the regime, but the resources are there. We have also installed more high-tech equipment, including a national network of x-ray scanners to detect the high volume of smuggling in freight containers. As part of the strategy, we introduced tougher sanctions and penalties, including the seizure of vehicles used for

smuggling, along with a fiscal mark to help to identify those cigarettes that have been smuggled and those on which duty has been paid.

Mr. Laws: Is the Economic Secretary saying that, in spite of changing the regulations yesterday, he can offer no comfort to people who had their car seized last week because they were 200 cigarettes over the limit? Will no flexibility be given to those cases?

John Healey: The review procedures are in place to deal with such instances, and we shall see that they are followed through. The announcement that I made yesterday does not have a retrospective impact.

I shall proceed, because the time available to me is shorter than I should have liked. Without the action that we took two years ago, it was forecast that, by this year, the illegal tobacco market would have been 34 per cent. Customs is bringing the problem under control and reversing the growth in smuggling. I shall publish figures alongside the pre-Budget report in a few weeks' time that show the improvement in Britain's tobacco market.

The results of the tobacco strategy's first stage have been especially dramatic. They include a 75 per cent. cut in smuggling alongside a 10 per cent. growth in spending in legitimate shopping. It is worth dwelling on the juxtaposition between smuggling and shopping, which offers strong evidence that the crooks, not the consumers, have been the target of customs activity. Each year, 14 million people cross the channel and nearly 99.9 per cent. pass through customs without a problem. Tobacco and alcohol is seized from only around 14,000 annually. Customs has a tough job to do in difficult circumstances. Most worryingly, we have seen recently cheats and smugglers becoming increasingly clever at mixing with and posing as honest shoppers.

It is now time to move to the next stage of our tobacco strategy, which is the new package of measures that I announced yesterday. The package of measures has the twin aim of reinforcing our action against smugglers and reinforcing our protection of the rights of genuine shoppers. It is fair for shoppers, tough on smugglers and clear about the difference between the two. It is designed to resolve arguments about the legality of customs actions, guarantee fairness for honest shoppers and bear down harder on bootleggers who corrupt the system.

The regulations that I laid before Parliament yesterday will repeal the Personal Reliefs Order enacted by the previous Conservative Government in line with European Union advice in 1992 and replace them with new regulations. The changes will make it clear that alcohol and tobacco on which tax is paid elsewhere in the European Union and which is imported into the UK for own use is not liable for duty. It will also make it clear that tobacco and alcohol imported for payment in cash or kind for profit or for reimbursement is subject to UK duties.

The new regulations remove the burden of proof on the individual to show that goods are for their own use. That was introduced in 1992 by the last Government and reflected guidance at that time from the European Union. It would be for Customs to be satisfied that goods were for a commercial purpose, and the decision would be based on criteria set out in the new regulations in UK legislation for the first time, including the explanations offered by people importing large quantities. Customs will widely publicise those criteria and stand ready to explain its reasons for reaching its view to any court or tribunal as necessary.

In practice, Customs has always had to be satisfied that, when challenged, it can explain and defend the judgments it makes. The new regulations reflect recent interpretations offered by the courts, and represent a useful overhaul of 10-year-old EU-based legislation. They bring the UK legislation into line with the court ruling in the Hoverspeed case in July, and the reality of existing practice.

Only a tiny proportion of those entering the UK are stopped by Customs. Stops are made due to a range of factors, based on knowledge of smuggling techniques and behaviour that changes constantly. Often, they occur as a result of pre-arrival selection, informed by general, and sometimes specific, intelligence. That is supplemented by professional observation. A typical stop only lasts a few brief moments, unless the exchange gives rise to increasing doubts.

I reaffirmed yesterday the absolute commitment of Customs to ensure that its actions fully comply with its legal obligations and I called on others to ensure that they, too, met their obligations. In particular, I made clear that I expected those in the international passenger transport industry to ensure that the records kept on transport movements were complete and accurate, that the information provided to passengers did not mislead and that they co-operated fully with Customs to prevent criminal use of their operations. The best already do; the rest must now do the same.

However, there is confusion. There have been arguments concerning popular campaigns, court actions and questions raised by the European Commission, and these have sown confusion for the cross-channel traveller. They have also made it more difficult for the frontline Customs staff to run the current regime. That is why I announced the refinement of our tobacco strategy in the package yesterday. I am determined to make the position clear.

Yesterday, I announced new indicative guideline levels for cigarettes and hand-rolling tobacco.

Mr. Laws: The Economic Secretary said that yesterday's announcement would clarify policy and help to clamp down on smuggling. Is he predicting that the amount of cross-channel smuggling will be cut by yesterday's measures?

John Healey: The package of announcements made yesterday mean that we will be able to achieve the targets that we have already set for our tobacco strategy. We have reached the second stage of that strategy, so we are still committed and on track to reduce the level of the illicit market in the UK by 2005–06 to 17 per cent.

Let us be clear about two things. First, those new indicative levels will help draw a clearer distinction between the shopper and the smuggler, and, in doing so, both the shopper and Customs staff will benefit. Secondly, travellers may still be stopped and have goods seized when they have amounts below the new indicative levels if Customs staff are satisfied that those goods are for resale either for profit or reimbursement.

[John Healey]

However, we can do more to ensure that our excise duty regime draws the clearest possible distinction between the shopper and the smuggler. I confirmed yesterday that I have also asked Customs to adapt its vehicle seizure policy, to publish a clear new guide to appealing and complaining—available from yesterday—and to undertake a review of the present appeals and complaints system with the Lord Chancellor's Department.

Yesterday I also confirmed that we would not relax the regime or soften our actions against smugglers. I confirmed that those who use vehicles to smuggle on a large scale or a repeat basis would be offered no opportunity for restoration. I confirmed that Customs expects to conduct an increased number of prosecutions, and would examine the scope to hit finances of criminal gangs using the new proceeds of crime legislation. I confirmed that violence against Customs officers in carrying out their duties will not be tolerated and will be subject to prosecution. Finally, I confirmed that cross-channel operators would be expected to play their full part in helping to tackle smuggling and helping shoppers know their rights and responsibilities.

I can do no better than cite the leader in the *Evening Standard* today, which said that the package struck a reasonable balance between the right of the public to purchase drink and tobacco in the EU and the duty of the Government to pursue lawbreakers who smuggle goods—

It being Two o'clock, the motion for the Adjournment of the sitting lapsed, without Question put.

Westminster Hall

Thursday 31 October 2002

[SYLVIA HEAL *in the Chair*]

Foreign Policy (Terrorism)

[Relevant Documents: Seventh Report from the Foreign Affairs Committee, Session 2001–02, HC 384, and the Government's response thereto, Cm 5589]

Motion made, and Question proposed, That the sitting be now adjourned.—*[Mr. Woolas.]*

2.30 pm

Donald Anderson (Swansea, East): It gives me great pleasure to open this debate on the seventh report of the Foreign Affairs Committee, "Foreign Policy Aspects of the War Against Terrorism". It is vital that the parliamentary dimension of the subject be given high priority and it is unfortunate that a similar debate has been timetabled this afternoon in the Chamber. I understand that at least one of my colleagues intends to deliver the same speech both here and there—a speech, I understand, that he was not called to give during our party conference.

I am reminded that today's date has real significance and relevance to our topic. It was on 31 October 1971 that an IRA bomb exploded in London's Post Office tower. We in the United Kingdom have had long experience of terrorism in our cities and are well aware of the nature of the threat, the ruthlessness of the terrorist and our own vulnerability. It was, perhaps, the belated recognition of their own vulnerability that has coloured the debate in the United States since 11 September 2001 and, some would say, has had a disproportionate influence on priorities as if that date were year zero.

Clearly, terrorism is not a new phenomenon, but 11 September marked a defining moment. The world witnessed a most audacious form of terrorism on an unprecedented scale, the goal being mass destruction and casualties. There is much debate about the extent to which the world changed on 11 September, but change it did. We were awakened to new realities and a new form of threat. A new kind of response was necessary. Even today, we learn of arrests in Sydney and Perth in Australia. The Italian deputy Prime Minister told me last week of arrests in Italy. There are outbreaks in peaceful Singapore. It is a worldwide phenomenon.

The war against terrorism is unlike any previous war. Therefore, it was right that the Foreign Affairs Committee put this at the top of our agenda. Indeed, we propose that the inquiry will continue. We hope to produce another report to the House before the end of this year and thereafter to continue with different facets of the same problem. The timeliness of the debate hardly needs mentioning after the outrages in Yemen, Kuwait and Bali, the Moscow theatre disaster and the revelation in the Hamburg court in the past few days of the link between the pilots on 11 September and some of the Chechen rebels. The report provides a platform for what I hope will be a wider debate.

How did the Committee carry out its inquiry? Obviously, we built on previous work in the last Parliament on weapons of mass destruction and in the first Session of this Parliament on British-US relations, which was debated here in Westminster Hall. That illustrates the importance of continuity in the work of Select Committees. We began our inquiry just after 11 September. We visited Washington and New York, where I had the privilege of laying a wreath at ground zero. The role of the Prime Minister at that time and since has been much appreciated. We made further visits to the United States in March and two weeks ago we were in New York and Washington where we met all the relevant Departments and senior members of Congress such as Senator Biden, who chairs the Foreign Relations Committee, Senator Lugar, the leading Republican and Congressman Porter Goss, who heads the Intelligence Committee in the House of Representatives.We also discussed the topic during meetings with the Spanish and Danish presidencies and with the Turkish Government and during informal meetings with individuals, including Mr. Hamid Karzai and Dr. Abdullah, both of Afghanistan, Sir Jeremy Greenstock, our ambassador in New York and Mr. John Bolton, arms control director in the State Department.

We heard oral evidence from academic and other experts that is set out in the report, which was published in June. As with all the reports of the Foreign Affairs Committee, it was unanimous. It is not the Committee's last word on the subject. The Government's response, which was published at the end of August, was generally positive, but issues of contention remain between the Committee and the Government, which this debate may help to resolve.

It would not be helpful for me to go step by step through the Committee's 43 recommendations and key findings as I shall cover most in the course of my speech. It may be helpful to draw attention to one or two of the more significant recommendations. For example, the report states in paragraph (hh):

"We recommend that the Government propose a deadline for Iraqi compliance with the UN Security Council Resolutions".

In their reply in August, the Government stated that they would be giving further consideration to that recommendation, which has now been taken up within the United Nations.

Paragraph (kk) of the report states:

"We recommend that the Government follow the precedent which it set in the period leading up to military action in Afghanistan, and publish the fullest possible documentation".

Prior to the debate during the recall of Parliament on 24 September, a dossier relating to weapons of mass destruction was published. Paragraph (qq) ends on the following note:

"But to 'know thine enemy' is not enough. We also need to determine how the conditions that have contributed to the development of terrorism can be removed, or at least reduced."

The answers to those questions will provide a far safer world than even the best intelligence and preparedness can provide. As the war against terrorism proceeds, this country and its coalition allies must seek out these answers and learn about and deal sensitively with the causes of terrorism—to coin a phrase, with "terrorism and the cause of terrorism."

What developments have there been since the publication of the report in June? We have continued our inquiry as a Committee. Since September we have

[Donald Anderson]

had two meetings with the Foreign Secretary, meetings again with academics, lawyers and former diplomats and also have had a session on a related matter—the biological and toxic weapons convention.

We visited the United States from 13 to 18 October. Since then it is fair to say in the context of that war that there have been a number of setbacks and some progress. The setbacks have included the atrocities that I outlined earlier—the oil tanker in the Yemen, the attacks on US marines in Kuwait, Bali and now Moscow—all following what purported to be a call to the faithful, the extremists, from bin Laden and al-Jazeera.

So far as Indonesia is concerned, the writing had been on the wall for some time. It had been recognised that it was a failing state and many warnings had been given. It is perhaps only after Bali that the Indonesian Government have begun to take some serious action against the extremists in their midst by arresting Mr. Bashir, who is alleged to be the leader of Jemaah Islamiyah and cracking down on the work of a number of those extremists. A number are Arabs who are said to have linkage with al-Qaeda, in that they harbour al-Qaeda terrorists and train with them. As we well know, the nature of al-Qaeda is such that it does not hand out membership cards.

Among the setbacks has been the continued negative attitude of the United States Administration to arms-control treaties. That was best illustrated recently by their response to the protocol on the BTWC, and it does not fit easily with the leadership of the US in the fight against terrorism.

On the side of progress, by far the best example of positive regime change in the past year and a half is Afghanistan. However, it must be fully supported, as there are still real concerns about that country. Indeed, an assassin's bullet a month or two ago might have fundamentally set back the progress that had been made. The key questions remain, such as how we can spread beyond Kabul the stabilising effect of the international security assistance force.

There is also a funding problem, in that the international community has made grand declarations, but has not been ready to follow them up with money. Writing this week in the *Washington Post,* Dr. Abdullah Abdullah, the Foreign Minister, made the plea that at least $10 billion was needed for reconstruction work in the next five years. It is hoped that, bit by bit, Afghanistan will turn into a successful model of our campaign against terrorism and extremism.

I need hardly say that the position of women in Afghanistan has been radically transformed. I welcome to the Chamber a number of my hon. Friends who have been playing a leading part in respect of the enhancement of the position of women in that country.

It is also fair to say that there has been some progress in dealing with terrorist suspects. A trial of a suspected terrorist is taking place in Hamburg, and Abu Qatada has been arrested in the United Kingdom. In addition, at least some of the Guantanamo bay prisoners have been released. Obviously, those who are responsible for the attacks must be brought to justice.

The British Government's response to the threat from weapons of mass destruction has been largely positive. My right hon. Friend the Prime Minister announced in July a commitment of up to $750 million over 10 years to the G8 global partnership against the spread of weapons and materials of mass destruction. We have also made an initial voluntary contribution of £250,000 to the International Atomic Energy Agency protection against nuclear terrorism fund.

The United Nations counter-terrorism committee has made significant progress. Indeed, no body other than the UN could have done this task. We have heard glowing tributes to the work of Sir Jeremy Greenstock, our ambassador to the UN in New York and our permanent representative, in chairing that committee. It has already received reports from 174 member states and five others. Those that have not replied have tended to be small states, perhaps without the administrative capacity to do the work. Those deficiencies will be identified and there will be an attempt, region by region, to supply the necessary assistance in, for example, combating money laundering. The review of those that have completed their questionnaires will continue.

What happens now? Obviously, the war against terrorism is far from over. No clearly defined end is in sight. In the war against terrorism, there will be no surrender of an enemy, victory parades or peace document to be signed. This is not war in the conventional senses, but more like a war on drugs, AIDS or poverty. Some academic experts are wary of using the word "war" in this context because of the international legal implications. Professor Greenwood, for example, pointed out in an article for Chatham House that the war against terrorism is understandable in political terms, but should not be understood to refer to the concept of war in international law. For him, "armed conflict" is more apposite.

The immediate question is Iraq, which I anticipate will figure prominently in the debate. We are at a turning point, awaiting the outcome of the UN deliberations on the draft resolution. I understand that a breakthrough could occur within the next day or so. If not, it could be put back until after the mid-term congressional elections next week. Clearly, other members are deeply anxious about an easy trigger mechanism to war: hence the case for referral back to the Security Council before any decision on war is taken. Phrases such as "serious consequences" and "material breach" should be examined carefully in the light of how they have been used in the past.

Mrs. Alice Mahon (Halifax): My right hon. Friend will be aware that the chief weapons inspector, Hans Blix, has visited Washington yet again. Some members of the Security Council are concerned about the number of such visits. Did my right hon. Friend hear the former UN arms inspector, Bill Tierney, admitting, when interviewed on Radio 4 on 22 October, to working as a spy for the Pentagon intelligence wing by collecting information on suitable targets? Does my right hon. Friend share my concern that that should not happen again? We must have a genuine inspection team, free from the undue influence of the Pentagon.

Donald Anderson: I did not hear that particular interview. I know that the United Nations Monitoring,

Verification and Inspection Commission has largely learned the lessons of the United Nations Special Commission, but UNMOVIC must have the relevant technical expertise. Sadly, and to be realistic, much of that expertise comes through the defence establishments of individual Governments. That is part of the dilemma. I have heard similar allegations in the past. I have also heard that Dr. Blix is highly respected and is no one's puppet. When he appeared before the Security Council earlier this week, he said that a new resolution would substantially help him to fulfil his task. We should take what he said seriously.

Developments over the summer include military preparations and the UN debate of 12 September. That was particularly significant because of President Bush's speech, which was positively influenced by the Prime Minister in two respects: first, the President and others were persuaded to take the UN track and, secondly, linkage, however indirect, with the middle east peace process was accepted. Progress was made in those respects.

The UK dossier was published on 24 September. It broadly came to the same conclusions as the International Institute for Strategic Studies and CIA dossiers. The international community largely agrees about the threat that Saddam Hussein poses. Disagreement rests on how imminent that threat is and how best to deal with it.

Longer-term issues include serious questions about the role of international law. If the international community is to move forward on an agreed and proper basis, it must be set fully within the parameters of international law. Complex questions are posed by the publication on 20 September of the US national security strategy. It eloquently sets out the case for pre-emptive self-defence—or, as the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) might say, borrowing from Welsh rugby, "Getting your retaliation in first."

With the development of chemical and biological weapons, must this concept of imminence and imminent threat in international law be construed in a very different way? There are worrying implications if the doctrine of pre-emptive defence were extended widely. What sort of licence would it give to China in respect of Taiwan, or to India or Pakistan in respect of their dispute over Kashmir? These and other questions raised in our report lead to the question whether international law has in some ways been left behind by current developments and needs to be revisited. In Guantanamo bay, for example, the rights under the Geneva convention had to be re-examined in terms of the non-state actors and the irregulars who are there. What is the appropriate response of international law? International law, in essence, has been the law between nations. Now, so much of the threat comes not from individual nations but from within nations and irregular groups that can be used by nations for their own ends. It is a moot question whether the current system provides an adequate framework. There is no question of scrapping it, but of seeking to re-examine it and adapting it to the changed environment. Having said that, I am, alas, sceptical about the readiness of the international community seriously to consider these questions.

Another factor, of course, has been the growth in anti-western hostility. There may be no response on the street in areas such as Cairo because of the strong security system there, but it may well be on the streets of cities in western countries. There has been a rise in violence and extremism, which claims to be religiously motivated. I am talking not about the overwhelming number of moderate followers of Islam, but about the extremist groups who are bent on a jihad and for whom no serious negotiation is possible. Indeed, one of the world's most respected scholars of Islam, Professor John Esposito, who is respected equally in the west and in the Muslim world, wrote in his recently published book, "Unholy War: Terror in the Name of Islam", that the 21st century will be dominated by forces of globalisation and by the global encounter of two major religions, both of which will strain relations between the west and the rest of the world. We need to develop clear strategies to deal with those tensions, and it is imperative that we tackle the growing gap between rich and poor and reduce the potential for misunderstanding between different cultures and faiths as we seek to co-exist. Global engagement and co-operation are the only way forward.

It is not just war or the threat of war that is relevant to terrorism. We must also examine the Doha round, for example, as well as education in Pakistan and Indonesia. The education that madrassahs provide leaves young people wholly unprepared for the modern world.

Mike Gapes (Ilford, South): My right hon. Friend referred to two religions, but is it not a fact that this conflict has the potential to involve people in other religions? Even in this country, there are conflicts between Hindus and Muslims. There are also conflicts in the middle east. We must be very clear that we stand against all forms of extremism from wherever they come and from whatever religion. It is dangerous to talk about crusades, a clash of civilisations and conflict between two camps. It is much more complicated than that.

Donald Anderson: My hon. Friend is absolutely right. Professor Esposito explicitly repudiates Samuel Huntingdon's thesis in relation to a clash of civilisations. Although it is far more complex, as my hon. Friend rightly said, the particular conflicts mentioned by the learned professor relate mostly to militant Islam throughout the world.

Glenda Jackson (Hampstead and Highgate): Does my right hon. Friend agree that the call for the international community to come together to tackle international terrorism arose only after the appalling events of 11 September, when citizens of 30 sovereign states perished in that obscene attack? Until then, I was not aware of any calls, certainly not from my country, that there should be some form of attack by the international community on international terrorism, even after the appalling and equally death-creating terrorist attacks in Sri Lanka, certain parts of India, and in Pakistan. I hope that it is not the case, as certain elements in our own society say, that we as a Government care more about white euro-centric deaths than any others.

Donald Anderson: The point that my hon. Friend makes is partly true. There is, however, a fundamental

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difference from the terrorism that occurred in Sri Lanka, for example, the Punjab, the Basque country or Ireland, because those terrorists had limited objectives. They operated almost entirely within one regional context. The difference that emerged on 11 September was that not only were the victims from all countries, but the aims were far wider. There had been a degree of complacency and the events on 11 September were, perhaps, a wake-up call, but those events were different in kind from the previous extremism that we had faced.

Mr. Alan Duncan (Rutland and Melton): May I take the right hon. Gentleman back to something he said a moment ago? He made the point that international law does not easily cover the detention of people in Guantanamo bay. In paragraph 144 of the report, he calls on the Government, implicitly of the United States,

"to uphold standards of international law and ... ensure that prisoners are tried in full accordance with internationally accepted norms of justice."

Is it his view, and that of his Committee, that those standards are being met, following the detention of people without trial for over a year, or are there recommendations that do not yet appear in the report, which he would make to the UK and the US Governments about their future conduct?

Donald Anderson: The Committee did not come to any conclusion about the current methods of detention. Certainly, there was widespread concern about the methods of transporting those individuals, and the initial means of detention, illustrated by those photographs, which were extraordinarily damaging in public relations terms. The British Government have been concentrating on the seven British subjects who are still there, to ensure that, as far as possible, they are treated humanely, that our consular officials have access to them, and that, as far as is practicable, proper legal safeguards are applied.

No one can doubt the threat that the world faces from terrorism today. Last year, more than 3,000 people were killed and in the past few weeks, more than 300 people lost their lives. We have made some progress in the past year, but there is still a long way to go. The war on terrorism may have no end, and will certainly take a long time.

If we were to jump 10 years hence, where would we be in the campaign? Will we have reduced greatly the threat from terrorism or will we be fighting a rearguard action? Can the swamp ever be totally drained? I do not believe so, but I believe that substantial progress can be made. The greatest challenges may well lie ahead, and the stakes are raised by the proliferation of weapons of mass destruction, and particularly of biological weapons.

In some ways, we are in uncharted territory, but we can make significant progress with the existing body of international law as our starting point, and with sufficient international co-operation, focus and commitment, not just in the narrow fight against terrorism, but in poverty alleviation and in the areas that help the terrorists to thrive. Will the international community now get its act together? Many lives will depend on that.

I assure those hon. Members here who are not on the Foreign Affairs Committee that we take the matter seriously and will ensure that it remains high on the agenda of that Committee.

2.59 pm

Mr. David Atkinson (Bournemouth, East): I commend the Committee on the breadth of its report, particularly for its justification of what the international coalition has done in Afghanistan in response to the events of 11 September. Since then, there have been more recent acts of Islamic terrorism—the atrocity in Bali, others throughout Indonesia, the Washington sniper and the Chechen hostage taking in Moscow—and they demonstrate the varieties of such terrorism.

Although the international community continues to respond with appropriate initiatives, as the Secretary of State said in the closing paragraphs of his response to the report, the roots of terrorism can be eliminated in the long term only by spreading the benefits of globalisation, eradicating poverty, improving human rights, adhering to the rule of international law and promoting democracy and good governance.

I want to make three points in response to the Committee's conclusions and recommendations. First, I fully support the conclusion in paragraph (s), which is

"that the Government must strive to uphold standards of international law"—

to ensure that detained Taliban and al-Qaeda suspects are given a fair trial—

"in full accordance with internationally accepted norms of justice".

That is why I appealed to the Prime Minister at Question Time earlier this year to convince President Bush that the right place to try international terrorist leaders such as Osama bin Laden, were he to be alive and arrested, is the International Criminal Court, and not behind closed doors in a military tribunal, as the Americans proposed.

The Rome statute of 1998 was one of the most important events of the last century. It put an end to impunity for the perpetrators of crimes against humanity. I hope that it will be amended, as soon possible, to include terrorist activity in its jurisdiction. It is a tragedy that the United States and Israel have refused to ratify the Rome statute. I applaud the Government for the opportunities that they have taken to disabuse the United States of its fears. I am particularly surprised that, of all nations, Israel has chosen not to recognise the court, the forerunner of which was the Nuremberg tribunal that brought the Nazi leaders to justice, not least for their crimes against the Jewish people.

We in the House probably meet our American and Israeli counterparts more frequently than other parliamentarians. Many of us are members of the British-American group, and of the Friends of Israel within our respective parties. I am sorry that the Committee does not recommend that British politicians do more to convince members of Congress and the Knesset of the foresight, logic and wisdom of giving full support to the International Criminal Court.

Secondly, I agree with paragraph (v), which says that the threat of terrorism requires us to press even more urgently for an end to the middle east conflict. Unfortunately, the Committee does not recommend any new initiatives in that respect. I have said many times that the humanitarian situation in the 49 refugee camps run by UNWRA, the United Nations Relief and Works Agency, in Palestine—the camps are some of the principal breeding grounds for terrorism and extremism in the world—can no longer remain unresolved. That will require a United Nations-sponsored plan, and the establishment of a fund for the permanent resettlement of refugees similar to that proposed by the Council of Europe in 1998 in resolution 1156. That appears to be much the same as what President Clinton proposed at Camp David. We also require an international conference on the middle east to be held as soon as possible and the final status negotiations to be resumed by the end of the year. That is what the Prime Minister called for at the Labour party conference in Blackpool last month. However, the Government's response to the Committee's report does not mention any of that. I hope that their policy on the middle east will be clarified today.

Finally, to return to the role that democracy and human rights can play in tackling the roots of terrorism, recommendation (g) calls on the Foreign and Commonwealth Office to

"provide a full statement on EU-wide co-operation and progress in countering terrorism".

It has done so in its response. However, a Europe that is wider and larger than the European Union exists, and it has responded to the threat of terrorism just as assiduously. The wider Europe has the potential to be more effective by co-ordinating 44 Governments, not just the 15 of the European Union. I refer, of course, to the Council of Europe, whose expertise in human rights is pre-eminent and whose continuing work on democratic structures and procedures continues to assist those who lack experience of them. All that is very relevant in countering terrorism.

I regret that the valuable work that the Parliamentary Assembly of the Council of Europe carried out in response to 11 September and that was led by its rapporteur, the right hon. Member for Birmingham, Hodge Hill (Mr. Davis), and its Committee of Ministers, has not been considered by the Committee. It is therefore ignored in the report and in the Government's response. Yet, the document entitled "Guidelines on Human Rights and the Fight Against Terrorism", which was adopted by the Council of Europe's Committee of Ministers in July, is a key reference for all those involved in the fight against terrorism.

The Council of Europe has a unique role to play in undermining the causes of terrorism by encouraging respect for human rights and by assisting secular and pluralist democracy. It plays that role by its member states seeking to provide solutions to internal conflicts that have been used to justify terrorism, and the most topical example is the Chechen issue. Whatever bravado the Kremlin displays following the Moscow tragedy, it knows that only a political solution can bring about a resolution for Chechnya.

The Council of Europe rapporteur, Lord Judd, has been working assiduously and courageously in that context. The entire European Community and the United States, which accept that Chechnya must remain a member of the Russian Federation—we are all committed to that under the Helsinki Final Act—must now give full recognition and support to the work of Lord Judd and his joint working group on Chechnya as it is the only initiative that is under way to resolve the issue peacefully.

Since the fall of the Taliban in Afghanistan, the supporters of al-Qaeda have been hitting back from the 60 countries in which they exist in forms ranging from small cells to allied terrorist organisations to guerrilla groups. As well as Pakistan, the situations in north Africa, the central Asian republics of the former Soviet Union, Indonesia and the Philippines are of particular concern. Both the European Union and the Council of Europe can exercise a particular influence in north Africa and central Asia, because countries in those regions have a European past and are keen for closer ties today. Co-operation agreements with them, and the status of observer member, offer positive and practical avenues of influence.

We should give further thought to how the successes and best practices of the three European regional institutions—the European Union, the Council of Europe and the Organisation for Security and Co-operation in Europe—can be applied to the regional institutions that already exist elsewhere, such as the Association of South-East Asian Nations, to which the Philippines and Indonesia belong, and the new African Union. That regional dimension will be the subject of a two-day debate in the United Nations General Assembly on 20 and 21 November. In that debate, I expect that proposals by the Inter-Parliamentary Union to become the parliamentary dimension of the United Nations will be promoted and developed.

Following 11 September, President Bush was right to commit his country to eliminating all sources of terrorism and threat and we are right to support him, especially in those ways in which the British have particular experience. It may therefore be appropriate for the Foreign Affairs Committee, in the report on which the Chairman says it is about to embark, to consider how the regional dimension and the international parliamentary dimension, in which the British have great expertise, can be better harnessed to fight the war against terrorism.

3.9 pm

Andrew Mackinlay (Thurrock): I will not detain the Chamber long. I co-authored the report with other right hon. and hon. Members and I am pleased that it is before us. It is regrettable that our long parliamentary recess—it will be the last long recess—and the methods and rubrics of this place mean that it has taken us some time to get round to debating the report and the Government response. When one reads them, one realises how much water has flowed under the bridge since we prepared the report. Indeed, the Chairman and the Committee are about to publish a follow-up volume on the war against terrorism. Given the new disposition, I hope that the House authorities will allow us to begin our deliberations on key Select Committee reports more quickly than in the past.

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Before I discuss the details, I want to ask my hon. Friend the Minister to elaborate on the United Kingdom position on the 1995 terrorist outrage in Paris, for which two Algerians were sentenced to life in prison in Paris yesterday. I understand that a third member of the gang—if that is the correct term—is in the UK, but that he has not been extradited. I believe absolutely in the rule of law, and there may be good reasons why our court process has not allowed us to accede to the request from the Republic of France to extradite him. If things were the other way round, however, and we could not extradite from Paris someone wanted for an outrage in this country, Members of Parliament left, right and centre would be going up the wall, along with the press. An explanation needs to be put on the public record so that our good friends in France understand the position. If the impediment is administrative, rather than judicial, I hope that the Government will get a move on. This is not simply a matter of justice, and I well understand why some people might consider the UK rather hypocritical for expecting every Government to pull out every stop to combat terrorism and bring people to justice.

The more one thinks about the report and about current debates, the more one realises how wrong it is to merge the Iraq problem with the issue of terrorism and al-Qaeda. Both are, of course, extremely grave issues, but the first concerns the relationship between a state and the international community and is, as I shall explain in a moment, a matter of law enforcement. Terrorism, however, does not involve state boundaries or capital cities in which people can be bunkered and which one can seize. It is the biggest single threat to us all, and politicians on both sides of the Atlantic who merge it with the issue of Iraq make a political, moral and legal mistake that prevents us from focusing on the matter properly.

I hope that my hon. Friend the Minister will be able to give us a position statement on the progress that has been made on a Security Council resolution on Iraq. I was somewhat disappointed that we did not get one from the Prime Minister yesterday, although he was not asked for one. Incidentally, one of the vacuous aspects of Prime Minister's Question Time is that no one asks the real questions, despite so much sterile, synthetic anger. Apparently, people are also pre-occupied with where hon. Members sit on such occasions; that appears to be extremely important. However, what hon. Members want are facts and answers, and I hope that my hon. Friend will give us some clarification on Iraq.

I also think that the United States—and ipso facto many other players—has made the mistake of becoming preoccupied with the debate over whether it would be lawful to invade Iraq in defence of the continent of north America. I frankly do not think that there is a legal basis. It is stretching matters and putting a construction on them that cannot be achieved in international law to justify making an armed intervention in Iraq on the basis that there is about to be an attack on the United States. I do not think that it can be justified in law, although I also think that it is bad politics.

We want to enhance the authority of the United Nations—that is what gives us the moral high ground. As politicians, we should emphasise that. We want Iraqi compliance with international law. If we had been saying that earlier, there would be greater understanding and appreciation in the United Kingdom and elsewhere. If we had focused on those things—who knows?—the message might have got through to Baghdad in a different way.

I am deeply concerned about messages getting through. When we visited the committee in the United States with responsibility for foreign affairs, and when our Committee questioned witnesses, I asked whether there was a danger that Saddam Hussein had not been getting the message. I will elaborate on that. First, the issue is serious: he is threatened with armed intervention. Secondly, all the nonsense about regime change is off the agenda now. If he complies, we will not be in the business of regime change.

Incidentally, I think that one of the biggest political mistakes was for President Bush and others to go on about regime change, because it has no legal basis and it makes Saddam Hussein and his colleagues bunker down even more. I think that it was a bad mistake. Some witnesses have confirmed my fear that Saddam perhaps does not understand that we are after compliance and that we are not in the business of regime change as such.

If anybody thinks that that is surprising, I ask them to pause and consider the past century. The great problem for the United Kingdom was that so many of our adversaries did not understand that we meant what we said. The Kaiser to the colonels in Argentina did not understand that there would eventually have to be compliance, yet we had greater communication with them than with Saddam Hussein.

We recently marked the anniversary of the Cuba missile crisis. President Kennedy—and for that matter Chairman Khrushchev—were much more sensible than the people with whom we now have to deal in Baghdad. However, despite the megaphone rhetoric, Kennedy understood that it was necessary to send interlocutors and spell out that he meant business and that the key to unlocking the crisis without anybody being humiliated or there being massive loss of face was down a certain track. The history of how key people secretly went to Vienna and Moscow, and how lines of communications were kept open that allowed Khrushchev to climb down is now coming out. I fear that that is not happening now in relation to Saddam Hussein. True access to him is probably not being achieved, but I wonder whether that is actually being tried in the manner that I outlined.

Glenda Jackson: Surely the issue is that not only Saddam Hussein may be somewhat confused about the messages emanating from the present US Administration. I am as confused as everybody else. It is my perception that Iraq was originally highlighted as a terrible danger because it was one of the three nations in the axis of evil. We were then told that it had to be attacked because it flouted UN resolutions. We were then told that there had to be a regime change, on the ground of affording human rights to the citizens of Iraq. We are now being told that, in effect, there has to be a new resolution. However, the United Nations is now becoming the enemy in the frame so far as the US Administration is concerned, because it will not propose the kind of resolution that they want. One gets the impression that the US Administration want a war with

Iraq, regardless of what the United Nations does. What is particularly disturbing for this Chamber is that that seems to be what the British Government want too.

Andrew Mackinlay: Heaven forbid that I should defend the position of the British Government, but if nobody else will, perhaps I will have a stab at it. My levity belies the serious point that the communication of this Labour Government—who are often criticised for their reputation for spin and presentation—has been parlous in the case of the big picture. They have not put over the critical issue, which is the enforcement of mandatory resolutions of the United Nations. That should have been the message over and again. I regret that some Ministers have not focused on that—but there is still time. That message, and not the nonsense about regime change that they were in the careless habit of uttering some months ago, would reassure my hon. Friend and others, not to mention my constituents and me. There has been a lack of clarity about the Government's intentions and objectives, and about what our case is.

My hon. Friend's intervention allows me to reiterate something that I said at the Labour party conference. Some people listen, but do not hear. Our greatest chance of avoiding conflict has been the result of the Prime Minister's work on the international scene. Even since the conference season, that has been demonstrated by the fact that the position of the United States has shifted weekly in favour of obtaining a further resolution in Security Council. The Foreign Affairs Committee has, from the outset, attached enormous importance to that. We have said so many times and have questioned the assertion that there will be an attack on the continent of America. Clearly, that is nonsense.

If we obtain a Security Council resolution, when the history of these times comes to be written, a lot of credit will be given to the Government of the UK, and particularly to the Prime Minister. I have been described as independent. I am actually a loyal Labour party person. Independence does not mean knocking the Prime Minister every time. When he is right, I say so. In the Foreign Affairs Committee's report, he receives all-party commendation for going round the world. One or two people have criticised him for that in order to score points, but there is no greater duty for a British Prime Minister than to be engaged on the international scene. That is his primary function and he has not aggravated the grave situation by doing so. He has been able to counsel prudence and buttress Colin Powell, who is, in relative terms, a dove in his Administration, against the Rumsfelds and the Cheneys and, to some extent, the Bush clan, which has a score to settle with Saddam Hussein.

I shall always remember having been in the US State Department when somebody said that there is more battle experience among the doves in that Department than there is in the whole Defence Department. The Prime Minister has been able to buttress the arguments of the doves while keeping up the pressure on Saddam Hussein. We need his compliance and we need him to give unimpeded, meaningful access to the inspectors and to allow any arsenal of weapons of mass destruction that he has to be destroyed. We do not seek to disarm his regular army.

That is my position on Iraq. I think that al-Qaeda and comparable terrorist organisations pose a great threat. Since 11 September 2001—notwithstanding some of the tragedies that have happened elsewhere—politicians, journalists and members of the public seem to have developed a false sense of security. I do not want to be alarmist, but I think that London and other major cities are under considerable threat. It will not necessarily involve an aeroplane flying into a tall building, but it might be something much more serious, which could dwarf the 11 September attacks on New York and Washington. We should renew our vigilance.

I raised the following matter in the House yesterday, and I raise it again today. In the documents that we have from the Government, they keep going on about security at our airports. That is right, of course, but nobody ever mentions our seaports, which are largely unpoliced. I know that because I represent more Thames river frontage than any other Member. The port of Tilbury is secure and has a little, dedicated and highly professional police force, but in many other wharfs along the river and the coastline of the United Kingdom there are no Home Office immigration or Customs and Excise people and no Home Office police force or police force of any kind. People can simply come in at those points.

We must consider the wretched crime of human trafficking, and the danger that materials might be brought in that could be used for weapons of mass destruction. There are technologies for dealing with such matters, but over the summer there was an incident, which has been hushed up, when radioactive material came through the port of Felixstowe and the technology responded but the human response failed. That material travelled many miles—funnily enough, to my constituency—before all the agencies engaged to find the lorry. Apparently, it was not a criminal act, but nevertheless some potentially dangerous nuclear material travelled all that way without being intercepted.

We need to get our act together. Our ports should have a dedicated ports police force, such those in other countries. Sometimes a coastguard fulfills the function. The Ports Canada police provide a very good model, and we used to have the British transport police in our seaports, but they were withdrawn. One or two ports, such as the one in my constituency, have a dedicated police force, but there should really be a proper police force in all our seaports to protect us against terrorism and against other criminal activities that take place in ports, especially human trafficking.

The final point that I wanted to make relates to the reference in the documents to the Organisation for the Prohibition of Chemical Weapons—the OPCW. The dismissal of Mr. Bustani, who was the head of that organisation, remains unexplained, but we know that it was done at the whim of the United States, because he had in some way aggravated the US. I note, too, that the United States pays that organisation's bills; there is obviously a correlation there. I am disappointed that our Government, along with others, seemed to acquiesce in the man's dismissal. No one has been able to give a true or legitimate criticism of his conduct. In fact, he was the subject of cruel slurs and innuendo, which were found to have had no substance. His dismissal was a political act, resulting from the fact that

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he had aggravated the United States, and not only was it unfair to him but it set a bad precedent for other comparable international organisations.

Will my hon. Friend the Minister explain why this country supported Mr. Bustani's dismissal? My hon. Friend may not give us an explanation, but he needs to be careful that such behaviour does not become habitual with international organisations funded largely by the United States. Of course, I understand its position—it was annoyed that Mr. Bustani had done something to irritate it when it was paying for the organisation.

I hope that the House found the report useful and that we will have a discussion soon on the report soon to be published.

3.28 pm

Mr. David Chidgey (Eastleigh): A number of issues arise from the report, and as always with Select Committee reports, it raises more questions than it provides answers. I shall address three points, on which I hope the Minister will be able to shed further light, over and above the response from the Government.

First, I refer to paragraphs 8 to 26 of the report, which refer to the period before 11 September and are entitled "Why were the attacks not foreseen and prevented?" That is a key issue. It was not as though it was a bolt from the blue, as the previous activities of Osama bin Laden and al-Qaeda were well documented throughout the 1980s and 1990s. Attacks on American embassies in the middle east and throughout Africa left many hundreds dead and many thousands more injured, so it was not exactly a new phenomenon. The plan behind the attack on the World Trade Centre in 1993 was to topple one of the towers into the other. It failed not because the intelligence and security forces discovered the plot, but only because the terrorists had not calculated correctly the very strong structure that supported those buildings.

Perhaps the most chilling attempt at international terrorism, which should have warned us that an attack such as that on the World Trade Centre in September last year was likely, was the 1995 plot to hijack no fewer than 12 American airliners and synchronise them to crash into the Pacific ocean, with the aim of killing 4,000 passengers. That plot was foiled only because it was uncovered by accident. There happened to be a fire in a building in Manila where the bombs were being prepared before being placed on the aircraft.

Clearly, there has been a catastrophic intelligence and security failure. Our American counterparts with whom we have spoken have readily admitted that, so I am surprised that the Government's response to our report fails to acknowledge a deficiency in our intelligence work. I understand the difficulties of penetrating such terrorist groups, and the problem of compromising the personal freedoms that we hold dear with the increased security necessary to protect us from terrorists. I also understand that the intelligence services have foiled many attempted attacks in the past decade that did not see the light of day.

When we are combating the new regime of terrorism in which the death of the terrorist is part of the plan, and in which maximum lethality—killing as many citizens as possible—is the target, however, we surely cannot spare any Government effort to protect our citizens abroad and the assets of our economy overseas. I would like the Minister to confirm that it is the prime objective of the Government, services and security forces to focus on protecting our citizens and assets overseas, as that is not especially clear in the response.

The second subject with which I want to deal is the conflict in the middle east. Shortly after the attack on the World Trade Centre, the Prime Minister said:

"now more than ever, we have reason not to let the middle east peace process slip still further, but if at all possible to reinvigorate it".—[*Official Report*, 14 September 2001; Vol. 372, c. 606.]

As members of our Committee will remember, the Foreign Secretary told us in evidence that

"the conflict in the Middle East has unquestionably helped create a climate in which terrorists can both hide and breed."

That is not surprising, given that Osama bin Laden made it clear that one of his objectives was to end the suffering of Palestinians.

It is important to remember the causality of the issue. Militant Palestinian groups have clearly said that their main aims are to end Israeli occupation and establish a Palestinian state. At the moment, in the events leading up to the crisis in Iraq, the response of the Arab states to our concern about Iraq's failure to comply with United Nations Security Council resolutions is to point to Israel's failure to comply with resolutions that affect it. At the same time, it is equally correct to point out Palestinian failures to comply with those resolutions.

The United States has made its policy clear. It is to support a Palestinian state, support Israel within secure boundaries, and support each at peace with the other. But, as a previous American President would say, "Where's the beef?" We must look to the United States to take a lead as part of our foreign policy. We want positive and firm action to end the bloodshed in Palestine and Israel. It is vital that the US takes the initiative because current perception in the middle east is that US foreign policy is one sided to the detriment of the region's Arab populations. That fuels Osama bin Laden's demand for the removal of US influence from the middle east or, as he would say, "Banishing the invading infidel from Islamic lands." That lends the matter a new urgency.

At the same time, we need to focus our efforts on improving and strengthening relations with Arab and Muslim countries that are affected by international terrorism. Saudi Arabia is a case in point, as are other countries, such as Egypt. All those countries share characteristics. They experience massive demographic growth and social change, and contain archaic institutions that impede economic growth. Those who are educated are often denied jobs and become a new class in those countries: the educated poor. The Foreign Affairs Committee heard evidence that the greatest problem in the region is unemployment, not the fear of jihad or Sharia. The high level of popular discontent among those people increases the growth of anti-western groups. If one adds in the facts that public assembly and demonstration are banned in the repressive regimes of most of the countries and that a huge spurt in population growth is creating a new generation of economically excluded, disaffected and repressed young men and women, it is not surprising that recent statistics show that there has been a major

increase over the past decade in the proportion of international terrorism attacks that are linked to quasi-religious concepts, as I call them.

The Government must make every effort to help the Islamic world address the social, economic and political conditions that cause the growth of extremism. The Government, in conjunction with our allies in the United States, must press for greater awareness that our interests and US interests are best served by playing a full part in international development in its widest sense. Irrespective of the Government's recent claims about stepping up our involvement, we will have to do far more if we are to tackle the causes of international terrorism as well as protect ourselves from its effects.

Hon. Members have spoken about the situation in Iraq. There is overwhelming concern throughout not only our individual constituencies, but the country as a whole, that we will be sucked into a war with Iraq as part of a coalition of two, with the United States as our partner. Any war, whatever the circumstances, must be the last resort and launched only when all other efforts have failed. The most important thing is that a war must have the backing of international law. I hope that the Minister can help us by stating clearly the Government's objectives. Will he confirm that we will abide by the decision of the Security Council of the United Nations on the resolutions on Iraq? Will the Government respect the need to protect the United Nations' integrity as the seat of international law? Is the pursuit of a new UN Security Council resolution a legal necessity or a political necessity?

Given Saddam Hussein's track record, do the Government really believe that the permanent destruction of Iraq's weapons of mass destruction stocks and its ability to manufacture them can be achieved without regime change? We only have to remember Saddam Hussein's record. When he was asked shortly after the Gulf war what mistakes he made in getting involved in the conflict, he said that his only mistake was to invade Kuwait before he had acquired nuclear weapons. That gives us a good insight into his mind. If we recognise, therefore, that Hussein's strategy is for regional dominance preserved by having weapons of mass destruction as a deterrent against international intervention, we can start to understand the seriousness of the problem. What faith can the Government have that a new inspection regime will find all Iraq's WMD stocks, dismantle and destroy its manufacturing capabilities and ensure that WMD programmes are not restarted as soon as the inspectors tick the right boxes and leave the country? I do not suggest that there is an easy answer to the question. Nevertheless, I believe that, in the interests of the citizens of this country, the Government are responsible for giving us some answers to those questions.

Finally, I should like to deal with the war against terrorism. That key issue will be a problem for us for decades to come. We in the west must understand that we can no longer live by our own interests and promote our commerce, industry and foreign policy solely in our own interests. Unless we recognise that, the responsibilities that we have for the world at large, and the frustration and, often, humiliation that other cultures feel when they are left behind in the globalisation process, I am afraid that we will never find a satisfactory rapport with the wider world.

3.40 pm

Ann Clwyd (Cynon Valley): About six years ago in this Room I launched a campaign called Indict, which was set up by several Iraqi opposition figures—now leading figures—and various other people who were interested in Iraq. That campaign was launched with the backing of all the great and the good: John Major, Margaret Thatcher, Tony Blair, Bill Clinton, everybody hon. Members can think of throughout the world.

We had no money. A year went by, however, and the US Congress voted us money under the Iraq Liberation Act 1998. I found it rather interesting that Jesse Helms was one of the people behind that Act. That vote allotted a sum of money to Indict and that has come to us from the US Congress every year since then, although the control of the organisation rested firmly here. I want to make that quite clear, because yesterday in the Washington Post, there was a headline: "US would seek to try Hussein for war crimes."

"The article continued:

> The Bush administration is building cases against Iraqi President Saddam Hussein and more than a dozen members of his inner circle who could be charged with crimes against humanity if the Iraqi government is toppled, according to U.S. officials."

That shows the difference between the attitude of we who run Indict and the US Administration who fund us. We want to see Iraqi officials indicted before there is any regime change, because afterwards, if that ever takes place, I suspect that most of the people who we would have indicted would already have disappeared, in one way or another, from the surface of the earth.

I notice that the Select Committee on Foreign Affairs has recommended that the Government work with the United States to ensure that any action taken against Iraq, or any other state, in the war against terrorism conforms to internationl law. The Government say that they are happy to confirm their commitment to ensure that any action they take is in accordance with international law.

The United States press has, during the past few weeks and months, continually mentioned the possibility of indicting leading members of the Iraqi regime." An article appeared a few weeks ago in the *New York Times*, which said:

> "The United States should launch an effort to prosecute Saddam for crimes against humanity. This would destabilize his regime at home, encourage more defections of Iraqi officials and military officers and increase the prospect of a coup that, in the best-case scenario, would render an invasion unnecessary."

That idea is referred to

"in books by Richard Butler"

and Kanan Makiya. Those who follow Iraqi history closely will know that Kanan Makiya is one of the leading Iraqi academics writing about Iraq. The article continues:

> "Mr Makiya writes that the best way to topple an Iraqi leader is to make him lose face. As an example, he cites the Ottoman-era practice of the people of Takrit (Saddam's hometown) of seizing the governor for the area, humiliating him . . . and then releasing him unharmed.
>
> The Bush administration is interested in the idea of prosecuting Saddam,"

as were the Clinton Administration before them.

The Clinton Administration made life very difficult for our organisation; there was a difference of opinion in the State Department, with one group of officials pulling

[Ann Clwyd]

one way and one group pulling another. Mainly, the idea was to contain Saddam and not cause any upsets. Causing an upset would, of course, include indicting leading members of the regime. The US thinking, now as then, is that the prosecution should begin when Saddam is in custody, rather than before that. Why? I suspect that that thinking also applies to our Government, although I hope that the Minister has other information for me.

A US Administration official acknowledged that there might be an advantage in a pre-emptive indictment, and expressed the concern that a legal effort might detract from the task of regime change. That is one of the fundamental differences between the attitude of our Government and that of the US Government. That is a fair concern, but I am sure that we do not need reminding that in Yugoslavia, Milosevic was indicted when he was still in power, in 1999. The indictment was a factor that helped to result in his being ousted from power in 2000. In 2001, he was sent to The Hague for trial.

Firing lawyers at the regime would bolster, not weaken, our military options. It is a third option, and I think that it is one that will appeal to many in this country who are opposed to war but would like something to be done about the regime. Let me say what has been happening behind the scenes. One of our difficulties at Indict was due to our contract with the US, which did not want us to—in fact prohibited us from—publicise what we were doing in the US. That has not stopped us from publicising our actions in the United Kingdom.

Indict has presented evidence—all of which was checked for quality by a leading British human rights lawyer—to the Attorney-General and prosecutors in five countries, including Norway. More than two years ago, I took the evidence to the Attorney-General of this country. Our Queen's counsel said that it would be possible, under the Taking of Hostages Act 1982, to prosecute leading members of the regime, including Tariq Aziz and others, for taking British nationals hostage during the build-up to the Gulf war in 1991.

We have located former hostages, acquired signed statements, and detailed the significant psychological damage done both to hostages and their families. We have documentation sent by Saddam Hussein to the UN. We have videotapes of Saddam Hussein meeting hostages and assuring them that they would be released when the attitude of their Government changed. We have testimony from politicians and senior Government officials from several countries who were present during negotiations, when it was made clear that the fate of those hostages depended on the actions of their Governments and that Tariq Aziz was a full participant in the policy of hostage taking.

Our QC says that our researchers at Indict have built up a formidable case. Under a judgment of the International Court of Justice in February this year, heads of state and Foreign Ministers are immune from prosecution while they remain in those positions. Tariq Aziz is no longer a Foreign Minister. Our QC believes that he should be

"made to answer on charges of hostage taking contrary to section 1 of the Taking of Hostages Act 1982."

She says that there is

"more than sufficient evidence to provide a realistic prospect of conviction."

Her opinion concludes:

"I consider there is more than enough evidence to justify the issue of a warrant of arrest should ... Tariq Aziz enter the United Kingdom or any country in which the United Kingdom warrant for arrest could form the basis for a request for extradition."

Saddam Hussein does not travel and, for the moment, we must take it that he may be immune from prosecution. Tariq Aziz does travel, and so do other leading members of the regime. Ali Hassan al-Majid, who was responsible for the chemical attack on the Kurds, and various others travel.

As I said, evidence was provided to the Attorney-General in September 2000. In March 2001, the Attorney-General refused an arrest warrant but referred the evidence to the Metropolitan Police because he thought that Tariq Aziz might have a case to answer. The police were also referred to Operation Sandcastle. People do not seem to want to talk about Operation Sandcastle too much. It was set up in 1991 to establish an investigation and inquiry team to collect and collate evidence of war crimes that had been committed by Iraqis against British citizens or that had been witnessed by British citizens in the Gulf from August 1990 until the cessation of hostilities. The operation found—although this was never published—considerable evidence of systematic and continuous grave breaches of the fourth Geneva convention by the Iraqi authorities and by members of the Iraqi armed forces and their collaborators, against the personal and property rights of British subjects.

In December last year, the new Attorney General said that the police investigation had not altered the evidential position and referred to the war against terror taking priority. We were not told whether any hostages had been interviewed by the police. Our legal advisers challenge that judgment. They believe that an indictment can be made. I hope that the Minister will not give me the same reply that the Secretary of State gave me in September, because one does not physically have to have hold of the people whom one wants to indict. They can be indicted in their absence. It is wrong to suggest that indictment is a silly idea because one can never get hold of people.

The case in support of the hostages involves a wide coalition of nations. There are former hostages in many countries, including Muslim countries. One successful case in the United Kingdom could lead to copycat cases around the world, helping to isolate and de-legitimise Iraq's leaders and make it more difficult for them to repair relations that could, in the longer term, help them to re-arm and develop weapons of mass destruction. The war on terror is a priority. The issuing of arrest warrants could be presented as part of a multidimensional campaign against terror. That idea could be attractive to those who are against war; it could be a non-violent alternative to military action against Iraq. It could be attractive to others as a device to unsettle the regime and further de-legitimise its leaders. Lack of action encourages others to perpetrate such acts of terrorism in future.

The hostages are British citizens and MPs' constituents who suffered and continue to suffer. I assure hon. Members that it is very difficult to interview

some of the victims of the regime. Even the victims in this country are still fearful of talking about their experiences.

The United Kingdom has already paid for an investigation into hostage taking—Operation Sandcastle, which answers much of the argument about police resources and public expenditure. Action would help to combat criticism that, at the time, the Ministry of Defence wasted taxpayers' money on an operation that appears not to have been followed through.

Hostage taking is also a grave breach of the Geneva convention 1949. In such cases, all state signatories, including the UK, have not only a right, but an obligation under international law to prosecute or extradite offenders. If Tariq Aziz visited a country that signed the Geneva convention, that country would have an obligation to arrest or extradite him if a UK arrest warrant had been sent there. If there is a war on terror, why would the UK not wish to arrest a war criminal, or at least send a message to the world that war criminals and those who perpetrate acts of terror should not be allowed free international movement?

We have taken cases to five European countries. The Americans cannot do what we are doing, which was why they gave us the money in the first place. Under the statute of limitations, they have run out of time. European countries, however, can do what we propose. We have taken cases to Norway, Switzerland and Belgium, and one of those other countries may well act before the UK, but we are running out of time. If we want to show what we think of the Iraqi regime, short of waging war against that country, the UK should pursue the option that I propose.

Miss Anne Begg (in the Chair): I should like the summing up to begin at 4.40 pm. If the five hon. Members who have indicated that they would like to speak confine their remarks to approximately 10 minutes each, they will all get a chance to contribute. As for my nomenclature, Miss Begg or Madam Chairman will do.

3.57 pm

Mr. A. J. Beith (Berwick-upon-Tweed): I want to concentrate on the intelligence aspects of the report from the standpoint of the Intelligence and Security Committee on which I serve. Last week, we were in Australia, where the impact of the Bali incident cannot be underestimated. The effect was devastating on people and communities. Entire football teams on their annual excursions were caught up in the horror of Bali.

In some areas of Australia, it is easier to get to Bali than to Sydney, so the impact cannot be underestimated; nor, indeed, can the commitment of the people and Government of Australia to play their full part in tackling terrorism. They look at Indonesia, a country with a population of 200 million that is significantly unstable; there are more unstable countries in the region. Australia's population is 20 million and its people are conscious of the dangers that they face. Our co-operation with them is, rightly, very close.

While we were in Australia, the Foreign Secretary asked us to begin the process of examining the intelligence evidence available prior to the Bali attack. He wants us to assess whether the Government gave the right travel advice or whether they should have altered it, or whether any other action should have flowed from that intelligence. We will shortly embark on that task.

Our work is different from, and complementary to, that of the Foreign Affairs Committee. It is our job to ensure that the intelligence and security services have the resources that they need and use them effectively, appropriately and lawfully to fulfil their role of defending our free and democratic society. For that purpose, we have access to intelligence material and assessments to which the Foreign Affairs Committee does not have access. Our job is different. Conversely, it is not our job to make judgments about or examine the wider foreign policy issues that the Foreign Affairs Committee has so helpfully explored in the extremely useful report that we are discussing. There are a number of points where our paths cross and it would be helpful to refer to them. The first concerns resources. The first recommendation of the Foreign Affairs Committee report states:

> "We recommend that in its response to this Report the Government state whether or not the British intelligence agencies on which the security of the United Kingdom depends have the human, financial and other resources they require to offer the best possible protection against terrorist attacks on the United Kingdom or on British posts and facilities overseas (paragraph 26)."

We drew attention to that in our report when we said:

> "The Committee believes that reductions in the Agencies' funding during the 1990s, together with staff shortages that were being addressed after the SR2000 settlement, meant that the Agencies were resource limited and operating under financial pressures prior to the 11 September attacks."

Mr. Chidgey: Does my right hon. Friend agree that there was a massive intelligence failure leading up to the events of 11 September? Does he not find it strange that the United States agencies accept that and yet our own Government do not appear to do so?

Mr. Beith: Much as I would like to agree with my hon. Friend, I do not agree with his proposition. First, this was much more a security failure than an intelligence failure. There is an important distinction between the two. That distinction is drawn by most of those with whom I have discussed the matter in the United States. Secondly, the report relates specifically to the UK's involvement, although there is a significant overlap in the relationship between the two. On other grounds too, I will argue that to describe what happened as a massive intelligence failure is significantly misleading and might lead one to draw the wrong conclusions about what to do next.

Donald Anderson: It might interest the right hon. Gentleman to know that Alexander Downer, the Australian Foreign Affairs Minister, said this morning that in his view the British Government's response to Bali was wholly appropriate.

Mr. Beith: That is a wise comment, as I would expect from a former student of mine whom I am glad to see doing such a good job. Indeed, we had useful discussions with him while we were in Australia. I will return to the point raised by my hon. Friend the Member for Eastleigh (Mr. Chidgey) shortly. I wanted to make the point that in their response the Government quite

[Mr. Beith]

rightly referred to the increase in resources made available to the intelligence and security services since 11 September. The increases are enumerated in the Government's response. They are necessary and they are welcome.

It remains the case that capacity has been diverted from other intelligence requirements and it will take time to restore that capacity. Even if the money is sufficient to do so, it takes time to develop the facilities or to train and recruit the personnel that may be necessary to fill gaps that are created by moving resources into an area of such urgent need. The longer-term funding of the agencies has to be maintained at levels that will meet the threat and avoid the situation that we think existed before 11 September. Our Committee did not go so far as to conclude that had the agencies had no financial problems at all prior to 11 September, the outcome in this instance would necessarily have been different, even with hindsight. It is impossible to draw that conclusion.

Was there an intelligence failure in the UK? I was interested in what the Foreign Affairs Committee said on that. The key point in paragraph 23 is:

"It would appear that before 11 September, both the US and the United Kingdom failed to gather or share good intelligence, or they failed to interpret it correctly, or they failed to act on it. We are not in a position to judge which was the case".

I have the utmost respect for the right hon. Member for Swansea, East (Donald Anderson), but that is a rather curious wording. It implies that at least one of them was the case. We had failed to gather or share good intelligence, failed to interpret it correctly or failed to act upon it. It is not entirely clear that any of those three things was the case. I refer instead to the judgment that we made, having looked at all the relevant material. That took some time. Not all the material arrived in the first instance, but it had by the time we reached our final judgment and so we made our judgment with hindsight.

We referred in paragraph 65 of our report to the Joint Intelligence Committee paper published in July 2001, which is essentially what Ministers were looking at when they considered, at that stage, prior to September 11, whether any significant further or different action was required by the mounting threat posed by bin Laden and his associates.

The July 2001 JIC paper concluded that

"plans for attacks were in their final stages but that the timings, targets and methods of attack were not known. This assessment was not a stark warning of immediate danger to the UK. The shortage of specific intelligence and UBL's record could have warned all concerned that more urgent action was needed to counter this threat. Whether this could have forestalled any of UBL's actions can only be a matter for conjecture. The Committee concludes, with hindsight, that the scale of the threat and the vulnerability of Western states to terrorists with this degree of sophistication and a total disregard for their own lives was not understood."

That judgment was toiled over very carefully and was a unanimous judgment by the Committee. It reflects a broader failure by the community at large, and the political community, to recognise what was going wrong in Afghanistan and the power that al-Qaeda was exercising there. The issue could not have been dealt with in terms of its intelligence consequences by the sudden rapid deployment of massive resources into intelligence in the area. Had Ministers read that report as suggesting that that were so—they cannot be criticised for not doing so—I do not believe that the sudden rapid deployment of intelligence resources would have been at all likely to gain the intelligence needed to forestall that attack. The danger was more generally seen to be to American assets and, potentially, to British interests scattered around the world, which is where a number of the more recent incidents had taken place.

There was undoubtedly a security failure, which is apparent from the most basic things, such as the lack of airport security at United States airports on domestic flights. But for it to be a massive intelligence failure there would have to have been a failure to use available intelligence—we did not conclude that that had happened—or a failure to use available means of gaining intelligence effectively. That was not so as far as the UK was concerned. The jury is still out; indeed, some of the bodies that are considering the matter are still out in the United States, particularly in respect of the sharing of information between the FBI and the CIA and the extent to which the American system compartmentalises information that, if shared, might conceivably have led to different conclusions.

One of the lessons we had to learn was the broader failure that was summed up by the Foreign Secretary when he told our Committee that the west had walked away from Afghanistan. We had failed to appreciate the significance of Afghanistan being a failed state and the Taliban's consequent control of it. I refer to paragraph 58 of our report, where we refer to the effort that had been going on in dealing with the drugs problem in Afghanistan, which had been the major United Kingdom priority of interest in Afghanistan; it was the source of a very significant drugs traffic. Paragraph 58 states:

"However, the now publicly known links, particularly in funding, between UBL and the Taliban. The Taliban taxed the flow of drugs from Afghanistan and this, together with direct funding from Osama bin Laden as payment for allowing him to operate on their territory, represented the majority of their income."

Basically, Osama bin Laden had bought the Taliban; that, combined with their drugs income, was how they ran the country, insofar as they did run it. We should perhaps have been more aware of the political consequences of that situation. It is arguable that the west could have done more in a variety of ways to tackle it, although it is not an easy task nor one that could be dealt with by military intervention, regime change policy or anything like that. However, there might have been ways in which it could have been addressed.

The developing anxieties were noted at the Weston Park conference in July 2001. Prior to that, there had been agreement at the JIC to raise the order of priority for Afghanistan, so it cannot be said that either British Ministers or British intelligence agencies were unaware of the significance of work in Afghanistan, but perhaps not in that wider sense.

Another issue in which the paths of the two Committees cross is in paragraph 191 of the Foreign

Affairs Committee report, which refers to weapons of mass destruction and the threat posed by them. It states:

"We recommend that the FCO, through GCHQ and the Secret Intelligence Service ensure that the highest priority is given to identification and prevention of attack on the United Kingdom or on British interests overseas by terrorists using weapons of mass destruction."

I entirely agree with that. It is reflected in present priorities and it also reflects what we said in the 1998–99 report, paragraph 57 of which stated:

"The threat to our armed forced deployed overseas from these weapons is very real, and we believe that the Agencies play a vital role in establishing the threat to our service personnel."

That is fully reflected in the agencies' work.

Finally, I happily endorse the view of the Foreign Affairs Committee that, if we are to protect our citizens from the terrible threats that have come to fruition in the twin towers, the Pentagon and in Bali,

"priority must be given to the gathering, assessment and use of high-grade intelligence information".

The United Kingdom is achieving that in a way that is generally respected and admired by the intelligence communities and political leaderships of some of our key allies. Indeed, one of the results of 11 September is a renewed interest in the manner in which the United Kingdom organises and assesses intelligence and communicates it to Ministers and political leaders. Definite advantages are acknowledged in the way in which our system operates, despite the small resources at our disposal in comparison with the United States. The fact that we achieve so much from limited resources is widely respected.

To inflict death and destruction, the terrorist needs to succeed only once. To prevent acts of death and destruction, the intelligence and security forces have to succeed every time; a well nigh impossible task. It is right that the Foreign Affairs Committee challenges the political and intelligence community from its standpoint of examining the foreign policy implications of having good intelligence. We seek to complement that work. Sometimes we can make a more accurate judgment about what happens, but much of what the Foreign Affairs Committee says and what the Intelligence and Security Committee says on the same subject is complementary.

4.12 pm

Mike Gapes (Ilford, South): I began preparing this speech for a debate in September. In that sense, it is the single transferable speech to which my right hon. Friend the Member for Swansea, East (Donald Anderson) referred. I promise that I will not go too far.

I am delighted to have the opportunity at last to speak on this international crisis. It is a tribute to the new system at Westminster Hall; those who are not Privy Councillors, ex-Ministers or current members of any Select Committee at last have a chance to make a speech.

I speak the day after the fall of the Israeli Government. I do not accept the facile argument that events in Israel and Palestine somehow justify crimes and terrorism in other parts of the world. However, all who care, as I do, for a secure state of Israel while wanting a viable Palestinian state living alongside it in peace will view the possibility of change in Israeli politics with some apprehension, but perhaps more optimism. In the short term, it probably sets back the prospects of a middle east conference. If an election is called within 90 days, we shall face difficulties until at least February or March, or whenever a new coalition finally comes together after the election. A potential Palestinian election may be in the offing, which also complicates the possibilities of a comprehensive middle east peace settlement.

I want to put on record—largely because of misrepresentations by some people in my constituency—that because I chose not to vote against a motion for the Adjournment of the House, or to take part in mere gesture politics, that does not mean that I am a warmonger, that I support war or that I should be the target of abuse by people in my constituency who are planning demonstrations today to protest against the war. It does not mean that those of us who have not gone along with glib slogans are somehow in favour of war. I place that on the record in the strongest possible way.

I support the United Nations; in fact, I am vice-chair of the UN parliamentary group after several years of chairing it. We need a UN Security Council resolution to ensure that the obligations placed on the Iraqi Government under mandatory chapter VII sections of the UN charter are fulfilled. The international community faces the problem that there has been systematic leakage on the sanctions front, and that for a long time the Iraqi regime has been receiving money for smuggled oil. It has not been sold though the oil programme sanctioned by the UN, but has gone out through Turkey, Iran or other means, including Syria.

Is containment working? We do not know. No-fly zones are one part of containment. When I visited the UN monitors on the border in 2000, the operation was a combination of Bangladeshi, Irish, Argentinian, Canadian, American, Chinese, Russian and British people working together. It has protected Kuwait from a further invasion, but has not succeeded in returning the 603 disappeared Kuwaitis to their families. Nor can it—that is, if they are still alive; no one knows whether they are. The operation has not succeeded—combined with the no-fly operation, it is not designed to do so—in assisting in the democratisation and the liberation of the people of Iraq from the tyranny that is Saddam.

My constituency is very mixed. Among my constituents are British Muslims who were held hostage when they went on a pilgrimage in 1991. I helped to make representations about them at that time. In fact, one was not released until after I was elected to Parliament in 1992. Iraqi Kurds who have been tortured and whose families have been gassed and Iraqi Shias live in my constituency, as well as people who believe that we should take no action against Iraq, because it is a Muslim state and launching an attack would constitute colonialist imperialism.

An Iraqi Kurd came to my advice surgery a few months ago. He said—I have no way of knowing whether this is true—that once the Iraqi people began to understand that, this time, the international community was serious, it would be only three or four days before we had a Ceausescu scenario in Iraq. The people would take matters into their own hands with regard to members of the regime. I suspect that, in that sense, it might be easier for regime members to be indicted than to be strung up, but I do not know whether that view is

[Mike Gapes]

right, and I do not believe that anyone else can. People in opposition often make exaggerated claims about internal situations in countries.

Let us be clear that we are talking about a despicable regime. The question is what the international community will do to enforce the resolutions that we have adopted over the years. In an interesting article in *The Guardian* on 18 September, a former UN weapons inspector, Tim Trevan, described the cat-and-mouse, cheat-and-retreat policy operated by Saddam's regime for a number of years. He said that the real question was not inspections, but disarmament.

The real test is in the resolution that I hope the UN Security Council will adopt this week, because I am against United States unilateral action. I hope that we can have a robust UN Security Council resolution. However, the real test is not the wording of the resolution, but what will happen in a few weeks or months when the cheat and retreat happens again. At that point in January, February or March, will the Security Council be prepared to grasp the nettle of enforcement of its decisions?

I do not believe that we are imminently about to go to war in Iraq, but we are facing a real test of the credibility of the international community. We face a problem, in living in a world with one superpower. Since the end of the cold war, one state has global military capabilities, intelligence and surveillance, along with a defence budget equivalent to that of the next-ranked 15 countries in the world added together; it has increased its defence expenditure for one year by an amount equivalent to the whole Russian military spend.

In the days of the cold war we used to go on about the rouble and the dollar exchange rate, and we believed that there was great equivalence. It was clearly not true; not then and certainly not today. That will get worse, not better, because the technological drive in the United States will go on and on. In Britain and in NATO we have a choice. Will we work to use what influence we can, as I believe the Prime Minister has done?

The point made by my hon. Friend the Member for Thurrock (Andrew Mackinlay) was correct. If the United States Administration had followed the line put forward by the hawks, we would not be at the United Nations now. The United States would not have paid its debts after 11 September, and would not have rejoined UNESCO. Let us just think about that. In 1985, Reagan and Bush took the Americans out of UNESCO. Clinton did not get them back in. Bush junior got them back in, reversing a policy that his father's Administration had adopted 17 years previously. That is quite significant, yet it has not had the publicity it deserves.

I was for several years on the committee of the campaign to get Britain back into UNESCO. I am proud that one of the first acts of my right hon. Friend the Member for Birmingham, Ladywood (Clare Short) as Secretary of State for International Development was to make that visit to Paris in 1997. Now the American Administration are back, too, and they are not unilateralist now. They are confused and divided and things are changing.

As a permanent member of the Security Council and a close ally of the United States, we must strengthen the process and the involvement. We must avoid a situation in which the United States cherry-picks allies on particular issues or acts independently to the detriment of the world. That approach will require sensitivity and careful management. The Government are following the right course, which will make us much stronger in fighting the global terrorist threats that have arisen in recent years.

In conclusion, I have something to say that is probably pessimistic; I do not believe that it is possible to win wars against terrorism. I do not believe that terrorism can ever be defeated. It can be managed, minimised and, in certain circumstances, obviated by political action. However, if we are dealing with people who are campaigning to destroy what Osama bin Laden in September 2001 termed the "Zionist crusader alliance" and all its allies, we are in for a very long haul. It does not matter whether we are dealing with people in Karachi, Bali, Moscow, Jordan, Tunisia, India, Kashmir, Yemen or London; I strongly agree with what has been said about the dangers to this city.

We will face atrocities. They will happen. People will die. The reason is asymmetric warfare and the fact that there are totally ruthless people who are prepared to commit suicide because of their belief that they will go on to some greater life. Those things will be with us for the foreseeable future. We will never eradicate them totally, so we must be vigilant and work together politically and intelligently. Foreign policy, diplomacy, the intelligence services and our civil society must all work hand in hand.

Miss Anne Begg (in the Chair): I repeat my plea to hon. Members to be considerate to those hon. Members who are still to speak.

4.25 pm

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): I was one of the hon. Members who voted against the Adjournment motion of the House, but I certainly did not regard others who did not as warmongers. That is a very strange construction to put on not voting. I therefore fully support the remarks made by the hon. Member for Ilford, South (Mike Gapes).

Today is, of course, "Don't attack Iraq" day, a day of protest organised by the Stop the War Coalition. Its resolution states that

"any war will simply add to the numbers of innocent dead, cause untold suffering, political and economic instability on a global scale, increase racism and result in attacks on civil liberties."

I agree with that statement.

Hon. Members have already raised concerns about the possible, and possibly unilateral, action against Iraq. It is important to stress that hostile action against Iraq would undoubtedly be a war against the people of Iraq, not against the despicable tyrant, Saddam Hussein.

Donald Anderson: Does the hon. Gentleman believe that in no conceivable circumstances could war be justified, whatever Saddam Hussein did, whatever an affront his actions were to the United Nations, whatever was known about weapons of mass destruction or whatever his defiance?

Mr. Llwyd: No.

We cannot and should not underestimate how the terrorist attacks of 11 September have changed defence, foreign affairs and home affairs policies of Governments throughout the world. No one could disagree that Saddam Hussein leads a brutal and callous regime with a total disregard for human beings. The cult of personality that he manifests is designed to protect only him, and is a facsimile of almost every other tyrant in the previous century. However, that does not give us the right to demand regime change. I support the Select Committee's recommendation in paragraphs 204 to 209 for a further definition of the Government's position on "regime change."

In the immediate aftermath of 11 September, when the eyes of the world were on military action in Afghanistan, the President of the United States made his intentions clear, at least inasmuch as they appertain to Iraq. He wanted to see Saddam Hussein removed from power and was ready to use unilateral military action to remove him from power if necessary. I share the belief that Saddam Hussein heads an evil regime and leads murderous attacks on his own people. However, that was not the view until very recently. Things seemed to change when the United States' economic interests were threatened, and perhaps Iraq must now become an enemy. I do not know. I am not an appeaser, and my single-word answer to the right hon. Member for Swansea, East (Donald Anderson) was not meant to be curt; I am merely limited by time.

There is a danger that the world could be heading towards adopting a totally different approach to security, with the notion of the pre-emptive strike replacing the old doctrines of deterrence and containment, and thereby flouting what appears now to be international law. That in turn undermines the authority of the United Nations, and calls into question the very credibility of that body. President Bush signalled that change of approach in a speech in June last year at the United States military academy. He said that the doctrines of deterrence and containment would no longer hold true in all circumstances in today's world. It is most worrying that he now feels entitled to promote a new doctrine; the pre-emptive strike.

I wholeheartedly endorse the recommendation in paragraph 224 of the report, which again calls on the Government to set out its view on the circumstances in which pre-emptive strikes could be justified. What is alarming about the notion of a pre-emptive strike is that it was introduced without any debate or discussion in the international community. I am afraid that President Bush believes that because the United States has substantial military might, it may simply change the rules as a matter of course. That is a dangerous concept, and there has been an international outcry against President Bush's plans to launch a pre-emptive strike against Iraq. Worries were compounded when the Prime Minister made it clear that he backed the President, and said that Britain was ready to pay a "blood price" to maintain its relationship with the USA. That phrase is most disturbing.

Over the past century, many dictators have posed a specific and direct threat to both the UK and the USA. However, from all the evidence provided so far, my party, Plaid Cymru, believes that Iraq poses no direct threat to either UK or US interests.

Based on the threadbare dossier published by the UK Government last month, to which hon. Members have referred, I fail to see that there is currently a justification for war against Iraq. We were treated to that long-awaited dossier on 24 September. It was probably the most unconvincing document in recent political history. It is full of suppositions and ifs and buts, but it did not inform the debate, and certainly did not provide any justification for urgent military action.

I do not know whether Mr. Bush wants to settle old scores for his father, or to make a mark in the history books, or whether, perhaps, he is motivated by the economic downturn and his re-election chances. However, we do need to know about the "special relationship" that binds the UK Government to Mr. Bush's stand, about which there is great concern. If the USA wants to go it alone, that is all well and good. However, I do not want to see young people from these islands losing their lives in what I perceive to be an unjustifiable war, thousands of miles away, which could be protracted and without boundaries.

We know that a dubious justification for a full-scale military assault has been given. It will be necessary to persuade the hearts and minds of the people of the UK and the USA, and that has signally not yet happened. Recent polls showed that 58 per cent. of the people of Britain opposed a war on Iraq, and there is a similar groundswell of disapproval in the United States. Last week, there were protests in Washington, Berlin, Copenhagen, Stockholm, Rome and Tokyo, as well as in London, Cardiff and elsewhere. Hundreds of thousands of people were opposing an unjustifiable war, many waving banners saying, "Drop Bush, not bombs."

Not only are individuals opposing the war, but entire Governments are also opposed to the attack. That is evident in the UN's current failure to agree on a new resolution. I hope that such a resolution will be forthcoming shortly, and that it will be robust.

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Mike O'Brien): I have listened with care to what the hon. Gentleman has said. He condemned Saddam Hussein, and seems to accept that there has been some development of weapons of mass destruction in Iraq, although he does not take the view that that is a direct threat. The hon. Gentleman accepts that Saddam has committed massive human rights abuses and has breached UN resolutions, so he cannot seriously argue that Saddam is complying with international law. I wait to hear what he wants to do about that. So far, we have heard that he wants to do absolutely nothing.

Mr. Llwyd: I was coming to that. I did not say half of what the Minister claimed. I did not mention the breaches of UN resolutions, nor several other points. The Minister seemed fairly excited in intervening.

My suggestion goes along with the French way of looking at the situation. They want a robust, belt-and-braces resolution, and I fully agree with that. We urgently need a robust and strongly worded resolution. There should be a return to the Security Council in, say, six months' time, to see what has happened and whether Iraq has been playing cat and mouse, or whether it has fully complied with the resolution. At that stage, we should re-examine the situation. That is my direct answer to the Minister.

It seems strange that Iraq is currently perceived as a threat to the United States, when Iraq has 10 per cent. of the military strength that it had prior to the Gulf war of 1990, and we are told that its range of attack is 650

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km. I am not an appeaser for Iraq, but we should not rush into something until all the other options have been carefully explored. It is obvious, however, that they have not, since the Security Council is now discussing what I hope will be another option. I fully support that action; there should be a strong, robust resolution, and I hope to heaven that it will be observed. If not, the matter will have to be revisited.

I do not want to be unfair to other hon. Members who wish to speak, but I shall make another brief point about war with Iraq. The Oxford research group says that at least 10,000 innocent Iraqi citizens would be killed in a conventional war. That could escalate, which would create further problems worldwide. These are matters that we need constantly to bear in mind.

The former US Attorney General, Ramsey Clark, said that an attack on Iraq to overthrow its Government would be

"a flagrant violation of the UN charter, the Nuremberg charter and international law."

I am no expert on international law, but we live in a world that is unsettled by many international disputes, and hundreds of thousands of innocent lives are being lost. The United States is the world's greatest superpower, and it should be fighting for peace and justice. The Israel-Palestine situation has been referred to, and the India-Pakistan conflict is another; there are plenty more. We all know about the problems caused by the arrogance of imperialism. Unfortunately, Mr. Bush has yet to learn the lessons of history.

4.36 pm

Joan Ruddock (Lewisham, Deptford): I want to congratulate my right hon. Friend the Member for Swansea, East (Donald Anderson) and the members of the Committee on the report, with which I wholeheartedly agree. My right hon. Friend introduced the debate by quoting from the report's final paragraph, which stated:

"To 'know thine enemy' is not enough. We also need to determine how the conditions that have contributed to the development of terrorism can be removed".

My right hon. Friend will also be familiar, as I am, with the Government's response, which I wholeheartedly endorse. All the Government's recommendations need to be put into the international arena to attempt to prevent terrorism recurring and to remove it where it exists. However, I believe that we need to pay a little more attention to the situation in Afghanistan.

Afghanistan was and is a failed state. Terrorism took hold there and has since flourished. We believe that we have defeated it, in that al-Qaeda has been dispersed, but there is plenty of evidence that this is in no sense a final solution for that country or the end of the al-Qaeda network. I believe that the reconstruction of Afghanistan is in every sense a test of the new world order of which the Prime Minister has spoken.

I was in Kabul last month, and my hon. Friend the Member for Cynon Valley (Ann Clwyd) was there even more recently. When I arrived, it was only a matter of days since the attempted assassination of President Karzai—an attempt that he escaped only narrowly—and a bomb in Kabul had killed 26 people. I was there on 9 September, the anniversary of Masood's death, and on 11 September, so it was a particularly tense and difficult time.

While there, I talked to many ordinary people to find out how they felt about what was going on. They were fulsome in their praise of the ISAF, and they accepted that the situation in the city was so much better. None the less, people in the city had a constant sense of insecurity; but said that was much more so in other parts of the country, where 80 per cent. of the population lives.

The insecurity among those who lived in the city resulted, for example, from the fact that when people were blown up by the bomb in Kabul, no significant medical aid was immediately available. People had to go to one ill-equipped hospital, because the emergency services do not exist as we know them. Everyone who might be involved in an incident feels incredibly insecure and worried about what could happen to them.

Outside Kabul, it is acknowledged that warlords are still active. There is the drugs trade, which our Government are attempting to assist in eradicating, but in many ways people admit that the security situation outside the capital is worse than on 11 September. We have a huge job to do there, and I believe that security is a prerequisite for rebuilding the state. Without it, we will have no hope of reconstructing—or constructing for the first time—a viable state with the Afghans.

To examine the difficulties with security further, we must consider what is happening to women. My right hon. Friend the Member for Swansea, East spoke optimistically about the gains that women had made, and they are indeed great. Women can work, girls can go to school and the burqa need not be worn on the streets. However, the situation is still difficult. Many women still wear the burqa because they suffer harassment on the street, and I have talked to such women. There is also considerable violence against women. Furthermore, if women are present in cars that are being searched, the occupants will be asked whether there are cassettes in the car. Women are seeing the old Taliban mentality again on the streets, probably because the people in uniform—they are called the police and may or may not be Taliban—are untrained and have power without responsibility.

I have enormous concerns about the position of women. In the past four days, four girls' schools in Wardak province, near Kabul, have been burned down. What is the significance of those attacks? Were they initiated by al-Qaeda or the Taliban? They send a serious signal, which we cannot ignore if we are to ensure that there is no resurgence of terrorism in Afghanistan.

Lakhdar Brahimi, the UN special representative for Afghanistan, spoke to the Security Council yesterday. He said that security remained a priority concern and that sporadic fighting continued to erupt from time to time, particularly in the north and the south-east and, to a lesser extent, in the west. The limited means of the Government and of United Nations interventions allowed them only to put out, rather than prevent local fires. He said that there would be no long-term solutions until a well-trained, well-equipped and regularly paid national army and police force were put in place, and that international support was needed in the meantime to provide security.

Mr. Brahimi has called repeatedly for the expansion of ISAF, and the issue is raised in paragraph 117 of the report. The Government response states:

"The key will be security sector reform and the development of Afghanistan's own security structures."

The Minister and I have debated the issue before, and he knows that that reform and the building of security structures by the Afghans are proceeding very slowly. Training is being offered only to a few elite police officers, and regular police personnel on the streets have had none. The formation of the Afghan army is proceeding in several ways, but I am concerned about the lack of cohesion. It will take five years before a fully fledged army is available. We must consider the issue of security outside the capital and the possibility of expanding ISAF.

I want the Minister to make clear what is meant by the reference in the Government response to the ISAF effect. Yesterday, my right hon. Friend the Secretary of State for International Development, in an interview at the BBC, spoke of new arrangements as regards the ISAF effect, saying that they would be based on coalition forces. However, those forces are engaged in war fighting, and there could be a conflict between that role, which I have supported, and a role that might drift into humanitarian activities. We need to know what is meant in the Government response and what the Secretary of State meant in yesterday's interview.

The Minister may know of the concerns of non-governmental organisations and UN delivery services about the difficulties that they may face if they approach a community at the same time as coalition forces. Those forces might be searching people or, in other cases, handing out assistance. That needs to be clarified. What are we up to? What is going on?

Finally, I want to refer to Mr. Brahimi's suggestion that long-term security will require a well-equipped and regularly paid national army and police force. My hon. Friend the Minister knows that, unless things have changed in the last few days, the police in Kabul have not been paid for the past three months. That is no way to guarantee a trustworthy police service. If one is burgled and stabbed in one's home—as a woman whom I know in Kabul was recently—one does not call the police because it is thought that they might be involved in such criminal activities. The police are not trusted; how can they be when they have had no training, they do not have a code of conduct and they are not being paid? How do they live and provide for their families?

That is also a consideration when it comes to the national army. People are still being recruited through the Afghans—rather than through the French and American operation—and I believe that these raw recruits are not paid and cannot support their families. I hope that the Minister will be able to respond to all my concerns. If we are to reduce, contain and tackle international terrorism, we must at the very least demonstrate to the world and to the Afghans that this time we will not walk away; we will assist in every way properly to reconstruct that country.

Miss Anne Begg (in the Chair): I inform Members that I wish to start the summing up speeches at 4.50 pm.

4.46 pm

Mr. Malcolm Savidge (Aberdeen, North): Once again, the Committee is to be congratulated on an excellent and well-balanced report, and this has been an excellent and well-balanced debate.

There has been a positive verdict on the basic response to 11 September, and—as my hon. Friend the Member for Thurrock (Andrew Mackinlay) has said—on the role of the Prime Minister in bringing about restraint and multilateralism in the campaign. There has also been a positive response to the military campaign in Afghanistan and I acknowledge the points made by my hon. Friend the Member for Lewisham, Deptford (Joan Ruddock). However, we have to recognise that al-Qaeda has been massively damaged; it has not been destroyed. We do not know the fate of Osama bin Laden and I hope that our concentration on the campaign against terrorism will not be diverted too much by the prior agenda of the hard right in the United States.

While the report rightly commends Britain for having accepted and advocated the International Criminal Court, there has been concern about Britain's role in the European Union with regard to bilateral deals relating to US exemptions. Can the Minister explain Britain's position? The report raised the issue of nuclear weapons first-use, which we have discussed before. It is reassuring that the Government recognise that negative security assurances under the nuclear non-proliferation treaty should be observed.

However, I am slightly concerned about what is meant by the remarks of Ambassador Broucher, to the effect that the negative security assurances would not be applicable if any beneficiary were in material breach of its non-proliferation obligations under the nuclear non-proliferation treaty. I hope that it does not mean that if we believed a state to be seeking nuclear weapons, although it had not obtained them, we would be justified in a nuclear weapons first-use. That would not be consistent with some of the Government's statements. I should be grateful for clarification from the Minister.

Weapons of mass destruction and terrorism are the major threats of this century, yet there is a danger—not in the report, but elsewhere—of vague language leading to imprecise thinking. There is talk of problems of weapons of mass destruction as if the situation can be resolved by dealing with one or two so-called rogue states and as if the situation were not as complex as it really is. The term "weapons of mass destruction" dangerously confuses the different threats posed by biological and chemical weapons and by nuclear weapons, the most dangerous of all.

We need to distinguish between unconditional terrorism and what might be called politically targeted terrorism. There is a difference between groups like al-Qaeda, which might be inclined to use weapons of mass destruction because such groups are unconditional and, say, paramilitaries in Northern Ireland, who would not be interested in such weapons. That is important when we consider the terms used by the United States in referring to states that have weapons of mass destruction and relations with terrorism.

The United States itself has weapons of mass destruction and undoubtedly has had relations with organisations such as the Contras and even al-Qaeda. However, not even the wildest anti-Americans would

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suggest that the United States would be likely to supply weapons of mass destruction to terrorist organisations. There is a danger that the United States has been arbitrary in the way in which it has assigned threats.

The threat must be dealt with by multilateral arms control and non-proliferation, and the Government have recently done some excellent work on the biological and toxic weapons convention. The threat should not be dealt with by unilateral counter-proliferation pre-emptive attacks. Pre-emption should only be considered in the most exceptional circumstances and not as policy, as suggested by the national security strategy. It can be justified against terrorists, against a state supplying weapons of mass destruction to terrorists or when there was a real intent to attack.

The implications of any precedents are so worrying, however, that action must be taken multilaterally not unilaterally. It must not result from paranoid delusions. President Bush said in Cincinnati that Iraq might send unmanned aerial vehicles to attack the United States with biological weapons; as if those aircraft had the range even to reach the Atlantic ocean, let alone cross it, as if they could not be shot down, and as if that were really Saddam's intention.

I do not know what United Nations resolution we shall have, but I hope that we shall go by what we said, which was that we regard war as a last resort. War should be multilateral and not unilateral, or "unilateral plus posse". Otherwise, it could increase terrorist threats and reduce the strength and unity of the international coalition, which we will need if we are to achieve what the Committee Chairman said must be our major objective; to be tough on terrorism and the causes of terrorism.

4.52 pm

Mr. Michael Moore (Tweeddale, Ettrick and Lauderdale): The introduction to the report states:

"The war against terrorism has changed the priorities of the United Kingdom's foreign policy."

As the report notes, that is true of many other states in the United Nations and the European Union and, above all, of the United States.

The events of 11 September 2001 are seared on the memories of us all. Recent events in Bali have widened our concerns, and recent estimates suggest that more than 50 people have been killed in terrorist acts in Saudi Arabia, Pakistan, Tunisia and other countries in recent months. In all parts of the globe, the new realities of terrorism are being confronted.

The Committee recognises the fluidity of the situation, and refers to a continuing inquiry. As we heard from the right hon. Member for Swansea, East (Donald Anderson), another report will be published, and we look forward to that publication. This report is comprehensive and offers a broad sweep, and today many of the issues have been thoroughly debated.

The Committee, rightly, began its work in Afghanistan. It is important for us to recall and reflect on the fact that the campaign carried out in that country was by and large successful. There is some unfinished business, notably the uncertainty about the fate of Osama bin Laden and the ongoing requirement to complete the work against al-Qaeda. It is also important that the new regime in Kabul is given full support. Will the Minister say something about the future of ISAF? Will it be continued, and could its remit be increased beyond the narrow areas around the capital, over which it has some authority? Afghanistan needs financial assistance and, for many years, there will be an ongoing international obligation and responsibility to that country. The United Kingdom must be commended for playing a central role in that regard, but we must not lose sight of that priority as events move on.

The report covers the issue of terrorism more widely. Undermining the causes of terrorism is a vital theme in the report, and those causes must be tackled as broadly as possible, perhaps in terms of conflict resolution.

Frequent mention has been made of the situation in the middle east, and I agree that we must continue to seek a solution that offers a secure Israel and a viable Palestine. The only way for us to do that is through dialogue. We must not lose sight of the prospects of a middle east peace conference, which perhaps have been lessened by the collapse of the Israeli Government in the past 24 hours.

If we are to undermine the causes of terrorism, we must focus not only on conflict resolution, but on continuing to examine how we offer development assistance to different countries. The European Union as a whole has a central role to play in that, and I hope that the Government will be part of such efforts.

Coping with terrorism in a technical sense is important. We have heard about the intelligence and security services. It is worth stressing the importance of the counter-terrorism committee of the United Nations. I especially commend the work of the United Kingdom ambassador, Sir Jeremy Greenstock, and his team, which is central to that committee. The committee is another drain on UN resources, and it is important that it be fully supported.

An important and recurring theme of the debate has been the role of international law, on respect for which much of our moral authority depends. Our political credibility would be impossible without it. The right hon. Member for Swansea, East was right to highlight the change in the nature of terrorism, the fact that there might be a need to review the legal mechanisms and ways of combating terrorism, and the shortcomings that doing so might reveal in international law. Our international law must be upheld and supported. We must be absolutely clear about that. The depressing failure of the United States to support the International Criminal Court does not help in that regard.

We have had frequent and proper mentions of Iraq. Since the "axis of evil" speech, it has been a major factor in the international political scene. The link between weapons of mass destruction in Iraq and terrorism can or cannot be made, depending on one's point of view. Regardless of how we got here, the situation in Iraq is now serious. We all must want weapons of mass destruction removed, and we certainly do not want to see them in the hands of terrorists. We must also not be squeamish about pointing out the evil nature of Saddam Hussein and his regime.

The UN and international law must be at the heart of the solution to the serious situation in which we find ourselves. The return of weapons inspectors must be the objective. The US and UK attitude on that has at times appeared at variance with a United Nations approach. The new US doctrine of pre-emptive strikes, which has been commented on this afternoon, sits ill at ease with the UN. There has been a "Will they, won't they?" saga in recent weeks, and threats that action will be taken regardless if the UN does not pull its finger out. That is a dangerous doctrine. Too often, Britain has appeared closer to the United States than to those who support the United Nations and its approach. I hope that the Minister will give us further assurance that we will not lose sight of the importance of international law as the dangerous situation progresses.

We cannot allow double standards to apply. The response to North Korea has been in stark contrast to the rhetoric on how the UK and US seek to deal with Iraq. North Korea is another country listed in the "axis of evil", and one that has now admitted to having nuclear weapons capability.

The world is still coming to terms with the impact of 11 September and the subsequent events. As many have pointed out, the war is not a normal war. The nature of the responses will continue to evolve. The Committee has properly focused on the political, legal and other aspects of the Government's actions. It is absolutely right in its conclusion that we must also determine how the conditions that have contributed to the development of terrorism can be removed, or at least reduced. In the world community, understanding each other and working with one another is crucial. The coalition after 11 September was absolutely right, and that approach is vital to the future of our actions against Iraq. We have frequently heard that the United Kingdom can be the bridge between Europe and the United States of America. We must not forget the span that goes from Britain across to Europe.

In building the largest possible coalition in the war against terrorism or efforts to eliminate weapons of mass destruction, we must ensure that international law is our starting point. The belief that the UN must be the centrepiece and not a sideline must underpin any coalition. To be effective and to retain our moral authority, we must keep those principles at the forefront at all times. Likewise, we must also ensure that Parliament is allowed a proper role in deciding what part the UK plays in the ongoing war against terrorism.

5.1 pm

Mr. Alan Duncan (Rutland and Melton): The report is excellent and a credit to the workings of the Select Committee system. It is thorough and has brought the sides of the House together in a broad measure of agreement. A unanimous report is always a more powerful one.

I will take a rapid canter through some of the observations that the Conservative party has on the report in order to give the Minister at least 20 minutes in which to give some answers.

Everyone agrees that rather than simply glorying with the benefit of hindsight, we must learn the lesson of the need for better intelligence for the future. Intelligence should not simply be electronic, but, increasingly, involve people with knowledge of local languages and contacts on the ground. Our intelligence services received a much-needed injection of funds after 11 September. As I said in the debate on the Intelligence and Security Committee's report, that is welcome.

The men and women of our intelligence services are much more on the front line than many people realise. I hope that they and the Minister appreciate that in addition to the world of defence and politics, the world of commerce is an important source for many of the facts that they need to learn. As such, I think that everyone here will want to pay tribute to the Joint Intelligence Committee for co-ordinating all our intelligence services under the able chairmanship of John Scarlett. We must make sure that those people will have the tools to do an ever more difficult job for many years to come.

I do not want to dwell on the events in Bali, but I want to make one point to the Minister that he can perhaps answer. It is not a criticism of the Government. I think that there are lessons be learned about the nature of advisories. Clearly, some advice given to British citizens was different from that given to Americans. Does the Minister think that there should be a greater measure of international consistency in the advice given, so that confusion can be minimised and the direction can be as clear as possible? Can the Minister likewise assure the House that in the aftermath of an atrocity like that in Bali, henceforth there might be better efforts to make sure that those who are bereaved can claim the bodies and get them home with the sort of direct assistance on the ground that may have been lacking in Bali? I am aware that there have been some private meetings on that matter. No one is to blame, but there are lessons to be learned.

During the period between 11 September and the fall of the Taliban on 14 November, it was important to set out clear objectives, as the report has noted. Informing the public is crucial in a democracy, and is something that we are fighting to preserve. Paragraph 46 of the report, and paragraph (c) of the Government's response, set out the steps taken to build the international coalition. The Conservative party has always been clear in its support for the Prime Minister in seeing that an international coalition was the only way forward that offered the required flexibility, speed and international legitimacy.

I take slight issue with the hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Moore) in that the European Union's cohesion in that respect has been lacking. It has shown that the common foreign and security policy has been extremely lacking, and has shown itself unable to respond in practical terms to such a challenge, except in the most dilute and watered-down form. Again, it has been largely Britain, hand in hand with America, that has proved sufficiently effective in coming to terms with such a threat.

Paragraph 55 of the report and paragraph (f) of the Government's response are about NATO. The invocation of article 5 was important in bringing together the international coalition, but we must take a long-term view of how we would like NATO to operate in future conflicts of this sort. In that context, the Prague summit next month will prove very important. I hope that the Minister will assure us that due thought has been given to the need to expand NATO's membership

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eastwards, and to the need to modernise its structures and role so as to meet the strategic requirements of the changing world. I hope that he will reassure us that he still thinks of NATO as an important weapon, and that he will not for any reason be diverted further towards the CFSP, which is a much less effective mechanism for facing our challenges.

We all pay tribute to the work of the Foreign and Commonwealth Office staff on the ground. A big effort was made to persuade the Taliban to surrender Osama bin Laden voluntarily. Sadly, it did not work, but in many circumstances that kind of effort can prove to be of enormous value, and time spent on diplomacy is never wasted.

The work done to support the Afghan Administration after the fall of the Taliban was important and is to be commended. However, I should like to hear the Minister's assessment of the stability of the Afghan regime in light of the assassination of the Vice-President and the attempted assassination of President Karzai earlier this summer. On an issue raised by two other hon. Members, what on-going efforts are the Government making to help the Afghan Administration ensure their long-term stability and order, not just in Kabul but in outlying areas? Could the Minister let me know—in writing if necessary—about the staffing levels of the dedicated Foreign and Commonwealth Office Afghanistan unit referred to in the report, with its knowledge of local languages and customs? The unit is something that many of us would want to advertise, and we would be interested to know about it.

I welcome paragraph 137 of the report, which is about Guantanamo bay, and the Government's response to it. I hope that the Minister will reassure me on a number of points relating to the prisoners held there, particularly those who are British. Will the Minister outline the position regarding the on-going detention of British prisoners held there without any charges being laid? What is the Government's policy on the continued detention of those prisoners, more than one year on, with no deadline for charges having been set? Will the Minister reaffirm the Government's commitment to due process for all detainees? May I ask the Prime Minister—*[Interruption.]*—Not yet, perhaps. May I ask the Minister what provisions are being made for the trial of those who may in due course be charged? That is an important point, and I sense that many hon. Members would like to hear a definitive and more specific answer than any we have heard so far on the Floor of the House.

I was particularly interested to read paragraph 161 of the report, which comments on the perceived link in many middle east countries between the Israeli-Palestinian dispute and terrorism, or attacks against western countries, as the hon. Member for Ilford, South (Mike Gapes) mentioned. I do not think that there is any disagreement among hon. Members present about the continuing link between the two. We are all agreed—it seems to be cross-party policy—that there must be a secure Israel living alongside a viable Palestinian state.

It has always been clear that we are engaged in a war against terrorism, not Islam, and it is important to develop our understanding of, and relationships with, Arab states throughout the Gulf. I spend a lot of time travelling, as do many other hon. Members present. It is only by visiting countries and speaking to people that one gets a feel for what is going on and truly understand it. I hope that the Minister will allow me one gripe; it is a minor disgrace that during six years of the Labour Government, there has not been a serious ministerial visit to Yemen, where we have had consular problems that are a potential flashpoint. People there are increasingly resentful of what they perceive as Britain's neglect of a long-standing and genuine friendship between our countries. I hope that the Minister will visit Yemen as soon as possible and that he will alert the House to tell us that he is going.

I shall canter on quickly. We are in favour of continuing dialogue with Iran and we welcome the reforms that President Khatami is trying to implement against much opposition. I think that all of us would wish to encourage that, without making his life more difficult.

The main issue that looms is Iraq. Our policy is simply to rid the world of Saddam's weapons of mass destruction and the development programmes for them. We support the Government's assessment of the threat posed by the weapons and the need to tackle that. It is vital that any action is in accordance with the principles of international law, and I welcome the Government's commitment to that in their response to the report. We should pursue a mandate through clear UN Security Council resolutions.

The Prime Minister has done an enormous amount of good since 11 September. I have congratulated him on much that he has done, which I imagine has upset Labour Members more than me. *[Interruption.]*—Only because of the source of the praise.

Paragraph 242 of the report and paragraph (qq) of the Government's response sum up the scale of the challenge that we face. If we are to eradicate the scourge of terrorism, action that works politically, economically and diplomatically must be taken. We need to understand with sensitivity the root causes of terrorism, whether they are poverty, international conflicts and disputes, internal instability, a disregard for human rights or the rule or law, or a combination of all those things. We can avoid more terrorist outrages only by addressing and understanding those underlying issues.

While pursuing the war against terrorism with vigour, we must pursue a dialogue of civilisations with vigour, avoiding, as the right hon. Member for Swansea, East (Donald Anderson) said, the clash of civilisations, which is an ill-conceived concept to which I hope none of us adhere. We can begin to build a safer world and tackle the root causes of terrorism only by increasing our understanding of other cultures and countries and building the tolerance that comes from greater knowledge.

5.13 pm

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Mike O'Brien): The report before us is excellent, as the hon. Member for Rutland and Melton (Mr. Duncan) said. It is well balanced, well argued and shows good judgment throughout. I congratulate members of the Select Committee on Foreign Affairs on the report and I offer

special congratulations to the Chairman, my right hon. Friend the Member for Swansea, East (Donald Anderson), who has led the Committee to a standing in the House that is higher than ever. He deserves enormous credit for the Committee's work.

Many questions were raised during the debate. I cannot hope to answer them all, but if I cannot respond to Back Bencher's points in the time available, I shall try to write to them.

My right hon. Friend the Member for Swansea, East and the hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Moore) praised Sir Jeremy Greenstock's chairmanship of the United Nations counter-terrorism committee. I agree with that and I intend to pass on the congratulations to him. Certainly, that work is enormously important and we must ensure that it continues. Some countries have not had the opportunity to develop the systems of intelligence and counter-terrorism that they need for protection. The work of auditing and looking at what is available and determining what information is required by those countries is important.

Recent terrorist acts are a tragic confirmation that the war against terrorism must continue. In Bali we saw how the indiscriminate targeting of tourists and the ruthless tactics of the terrorists led to the deaths of large numbers of people. We do not yet know whether al-Qaeda was involved in that atrocity, but there are strong historical links between its members and extremist groups in south-east Asia. In Moscow, we had a reminder of the life-and-death dilemma posed by brutal terrorists who threaten to massacre hundreds of people for their cause.

The shooting of an American diplomat in Amman and an American marine in Kuwait are reminders of the vulnerability of individuals, who, in both cases, were working to safeguard and enhance Arab and Muslim interests. That is important, because I agree with the hon. Member for Rutland and Melton that we should reject the notion put forward by Samuel Huntington that there is a clash of cultures. However, we must stress the need to find a vocabulary in which we can distinguish the vast majority of Muslims in the world who have no truck with terrorism and hate it. Muslims are often victims of terrorism—as many were on 11 September—and despise those who commit terrorist acts.

There is a threat that al-Qaeda seeks to pose as a group with a Muslim identity. We must find a vocabulary to distinguish those militant extremists who should be no part of any religious set of values—the terrorists—from the vast majority who do not agree with them. We must develop that vocabulary in the months to come.

We must expect terrorists to continue their attacks and recognise the evolving nature of the threat if we are to meet it over the long as well as short term. The terrorists that we now face are targeting our values—political and social—as well as our economic systems. They will attack any of us, anywhere and at any time. They will kill thousands or pick off individuals. They have no interest in negotiation or accommodation. Their objective is total destruction. Their own deaths often seem to be part of their achievements.

The means of destruction available to terrorists are varied. As my hon. Friend the Member for Thurrock (Andrew Mackinlay) said, they can turn modern implements to their advantage. They can turn planes, boats, trucks or cars into missiles and themselves into bombs. They sometimes use against us technology that we have developed. They are prepared to use chemical and biological products as weapons. They use our own modern electronic communications and financial systems to plan and support their terrorist acts.

If we do not respond, we face al-Qaeda-inspired networks across the Islamic and non-Islamic world; al-Qaeda operatives working within our societies and intent on destroying them. Disaffected youth provides foot soldiers and public support for the terrorists. Our objectives remain as we have consistently set out over the past year. First and foremost, our priority is to protect the United Kingdom, its overseas territories and its citizens overseas.

The campaign was and is about eliminating terrorism as a force in international affairs. We have not acted alone. Tackling these challenges has required the closest co-operation with our international partners. We have made progress. However, the challenges are huge and, to meet them, we must be prepared to take steps that are as daring as those of the terrorists. Our security services must be alive to the threat that faces us.

The hon. Member for Rutland and Melton praised our intelligence services and the Joint Intelligence Committee under John Scarlett; I endorse his praise. The hon. Member for Eastleigh (Mr. Chidgey) asked why we had not foreseen the events of 11 September. He could also have asked, although he did not, why we had not foreseen the events in Bali. Hindsight is a wonderful thing. No one predicted the scale and nature of the events of 11 September. No one had specific warning, and no one had specific warning of the atrocity in Bali. It is entirely fair to ask such questions after events such as those of 11 September or Bali. It is right that we should ask whether there was an intelligence failure. In my view, there was not an intelligence failure in either case.

I will try to be brief, but I want to say something about these points because they are important. In the world, in any month, 300 to 400 pieces of information may raise the possibility of a threat. It is very difficult for professionals to assess the quality of those pieces of information. Most of them lead to no terrorist event. In other words, in any month, one could receive 300 to 400 pieces of information that could lead one to think that something was about to happen, but nothing then happens. However, sometimes something does happen. Assessing the information is a very difficult task indeed.

In both the cases that I have mentioned, I do not believe that there was an intelligence failure. Assessing the available information is difficult and I cannot say that somebody will not make a misjudgment in future. The advice that Ministers receive therefore may not be as clear as we would all hope. However, we must bear in mind the difficulty of intelligence operations and not create a culture of blame in which people in the intelligence community are constantly worried that, if they make a misjudgment, they will be blamed for the deaths of large numbers of people. If a misjudgment is culpable then, yes, there may be a need to deal with it,

[Mr. Mike O'Brien]

but people are not infallible. They may not always get it right, and we must be careful about seeking recriminations.

The hon. Member for Rutland and Melton referred to advisories. Advisories are important. The United States tends to issue a different kind of advisory to that which we issue. The US issues general worldwide advisories, or advisories for wide regions, to their tourists; our advisories tend to be much more country-specific. As I say, no specific warning was given for the incident in Bali. However, I agree with the hon. Gentleman that there are lessons to be learned, especially to do with consulates. We are considering those lessons and I will be happy to discuss them with the hon. Gentleman in more detail later.

In what I thought was an excellent contribution, the right hon. Member for Berwick-upon-Tweed (Mr. Beith) asked whether the intelligence services were adequately financed. A well-resourced intelligence service is important. From 2002–03 to 2005–06, there will be an average real-terms increase of 7.1 per cent. each year, which will bring total spending up by £291 million from 2002–03 to 2005–06. That increase is considerable. One can always do more with more, but we believe that the intelligence services are funded to meet the objectives that we have set them.

I agree with the right hon. Member for Berwick-upon-Tweed that an issue has arisen over security failures in some areas. Those failures are being addressed. Like the right hon. Gentleman, I do not accept that there was culpability on the part of our intelligence services. The Americans will have to speak for themselves.

The hon. Member for Rutland and Melton asked about Afghanistan. Let me say briefly, I have just come back from Afghanistan and my assessment is that the situation there is still precarious. The international community is working very well with the new Afghan Government. Several Afghan Ministers are quite impressive and we are lucky that they have found their way into senior positions. I would not endorse all of them, but many are very capable people. The Afghan Government are serious and they are seeking to address the relevant issues.

My right hon. Friend the Member for Swansea, East asked whether the international community was paying to Afghanistan all the money that was promised at Tokyo. Our view is that the money is coming, but slowly. We think that countries will pay, but we wish that some of them would pay a little more quickly. We have sought to achieve that.

My hon. Friend the Member for Lewisham, Deptford (Joan Ruddock) raised the matter of extending ISAF from Kabul. It will not take five years to have an army capability to deal with some of the threat. Several battalions of the Afghan army are already trained and we hope that some of them will be deployed outside Kabul this year. We will have to wait to see how that training goes and how the authority of the Afghan Government can be extended. My hon. Friend knows that my view is that it is better if the Afghan army is seen to be establishing the authority of the Afghan Government in the country at large, rather than troops from outside. That is better in the long term for the authority of the Afghan Government.

I want to turn to Iraq, because fighting terrorism does not excuse us from our responsibilities and challenges elsewhere. As my hon. Friend the Member for Thurrock said, it is important that we deal with the threat of terrorism as well as the issue of Iraq and weapons of mass destruction. The Security Council is working intensively on a new draft resolution on Iraq. Our objective is the complete disarmament of Iraq's weapons of mass destruction by peaceful means; ensuring that that takes place lies in the hands of Iraq and Saddam Hussein.

In 1991, following the Gulf War, the Security Council set out the conditions governing the ceasefire. More than 11 years later, Iraq remains in breach of its obligations. Iraq's unrelenting efforts to frustrate inspections and intimidate inspectors are well known. Those efforts are underlined by the testimony in August 1998 of the then head of the United Nations Special Commission, in which he said that he found it impossible to do his job, by Iraq's succession of increasingly implausible and supposedly final declarations after inspectors discovered some new incriminating fact, or evidence, by the unaccounted-for weapons of mass destruction and by the multiple warnings that have been sent to Iraq by the Security Council in successive resolutions and statements.

Iraq could, at any time, have invited the inspectors back without conditions attached. Sanctions could have been lifted and Iraq would have been restored to normal. It is only Baghdad's insistence on retaining its weapons of mass destruction that has blocked that. It was only under intense diplomatic pressure and, particularly, the threat of military action that Iraq offered, on 16 September, to readmit the inspectors. That offer, while necessary, is not enough.

Even now, Iraq believes that it can hide its weapons of mass destruction, rather than declare them, and that it can fool the inspectors again. Our dossier on Iraq spells out that it still possesses chemical and biological materials, continues to produce them, has sought to weaponise them and has active plans for their deployment. Iraq has, in recent years, tried to buy multiple components that are relevant to the production of a nuclear bomb, retained extended-range missiles and employed hundreds of people to develop missiles with a range of more than 1000 km.

It would be an abdication of responsibility to ignore Iraq's defiance of the international community and international law. We cannot bury our heads in the sand and pretend that the problem does not exist. We cannot accept Saddam's word at face value, knowing what we know. We are, therefore, working to ensure that the Security Council expresses very clearly, as my hon. Friend the Member for Thurrock said, a strong message that Saddam cannot continue to develop weapons of mass destruction. Saddam must comply with international law and we must ensure that we have a resolution that sends the clear message to him that the development of weapons of mass destruction must stop.

Question put and agreed to.

Adjourned accordingly at half-past Five o'clock.

Written Answers to Questions

Monday 21 October 2002

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Central Science Laboratory

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs 1) what was her Department's *(a)* planned and *(b)* actual expenditure on services from the Central Science Laboratory in 2001–02; [74700]

(2) if she will list the net income derived by the Central Science Laboratory in *(a)* 2000–01 and *(b)* 2001–02 from (i) her Department, (ii) each other relevant Government department or agency and (iii) the private sector; [74702]

(3) what her Department's planned expenditure is on the Central Science Laboratory in *(a)* the current financial year and *(b)* each of the next three financial years. [74701]

Margaret Beckett: The Central Science Laboratory provides a wide variety of primarily scientific services connected with agriculture, food and the countryside to my Department and other customers. Those services are provided on the basis of contracts for specific projects and expenditure by the Department on the Central Science Laboratory will be dependent on the totality of those contracts from individual departmental customers.

2001–02 was not a typical year since the Foot and Mouth outbreak required the Department to make exceptional calls on Central Science Laboratory staff and facilities.

The net planned income from Defra for 2001–02 was £25,621m, the actual income was £30,560m. The difference is largely accounted for by income on FMD activity of £3.8m.

The net income derived by Central Science Laboratory in *(a)* 2000–01 and *(b)* 2001–02 is shown in the table below:

	2000–01 £,000	*2001–02* £,000
Defra	26,269	30,560
FSA	1,923	2,273
Other Government Departments	930	390
Levy Bodies	677	563
*Private Sector**	4,753	6,207

Note:
* includes income from the EU.

Fuller information is available in the Central Science Laboratory's Annual Report and Accounts available on their website at: www.csl.gov.uk/news/publication/

Central Science Laboratory's planned income from its departmental customers for the current financial year is expected to total £27,919m.

CSL current forecast income for the next three financial years is as follows:

2003/04 £,000	*2004/05* £,000	*2005/06* £,000
28,187	*28,328*	*28,404*

Polluters

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to spend the money raised by fining polluters on environmental improvements. [75144]

Alun Michael: Pollution is tightly regulated under a range of legislation. For example, industrial activities with a significant polluting potential must prevent or minimise emissions by applying the "Best Available Techniques", in accordance with the new Pollution Prevention and Control regime (The Pollution Prevention and Control (England and Wales) Regulations 2000). Where polluters are prosecuted in the Courts, any fines that might be imposed are paid to the Exchequer. These payments are not ring-fenced for environmental improvement purposes but imposed by the Courts as a penalty. The Courts can also order payment of regulators' costs.

As regards the Pollution Prevention and Control regime, in line with the "polluter pays" principle, polluting companies are required to meet the cost of any necessary improvements and fees in relation to the cost of regulation. There is also a provision under the Pollution Prevention and Control legislation enabling regulators, in certain circumstances, to require operators to prevent or remedy the effects of pollution at their own expense and to recover the costs where the regulator itself arranges for the work to be done.

Flooding

Mr. David Atkinson: To ask the Secretary of State for Environment, Food and Rural Affairs what criteria are used by her Department to determine entitlement to new investment to protect residential areas at risk from flooding. [75896]

Mr. Morley: This Department provides funding to local operating authorities for new and improved flood and coastal defences that are technically sound, economically worthwhile and environmentally acceptable, and also achieve an appropriate priority score. The priority score system has been revised and, for schemes starting after April 2003, will be based on three elements—economic, people issues and environmental protection and enhancement.

Rural Areas

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs how much of the *(a)* Parish Plan scheme, *(b)* Community Services Grant

and *(c)* Parish Transport Grant was (i) bid for and (ii) spent in *(A)* 2001–02 and *(B)* 2002–03 to date broken down by organisation. [75182]

Alun Michael: I refer the hon. Member to the figures below. Annual figures for the amount of money bid for are not currently available. Cumulative figures for the whole programme period, split by organisation, have been given.

Funds Spent

Scheme	*Organisation*	*Bid 01/03 (to Oct 1)*	*Spent 01/02*	*Spent 02/03 (to Oct 1)*
Parish Plans	Parish & Town Councils	£0.92m	£0.39m	£0.53m
Community Service Grant	Commercial/Retail	£2.09m	£1.02m	£0.87m
	Charities	£1.22m	£0.56m	£0.56m
	Other[1]	£1.18m	£0.11m	£0.97m
Parish Transport Grant	Parish and Town Councils	£0.97m	£0.35m	£0.6m

Note:
[1] "Other" includes private individuals, the voluntary sector and not-for-profit groups.

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs how much has been spent on supporting rural sub-post offices broken down by county since September 2001. [75187]

Alun Michael: The Department for Trade and Industry established a £2 million fund in November 2001 of which £822,337 has been approved up to 30 September 2002. Of this £528,991 has been paid out. The breakdown of funds by English county and devolved administration is:

County	*Money Approved*	*Money Paid Out*
Avon	£370	£370
Bedfordshire	£44,411	£24,411
Buckinghamshire	£1,206	£0
Cambridgeshire	£34,974	£19,267
Cheshire	£12,355	£0
Cleveland	£1,500	£828
Cornwall	£22,141	£7,550
County Durham	£2115	£1,998
Cumbria	£23,231	£21,480
Derbyshire	£72,944	£24,977
Devon	£42,467	£30,574
Dorset	£24,576	£4,200
East Sussex	£3,663	£3,663
Essex	£29,265	£20,030
Gloucestershire	£7,000	£5,471
Hampshire	£35,313	£28,329
Herefordshire	£6,161	£208
Humberside	£19,429	£19,429
Kent	£31.391	£24,621
Leicestershire	£43,678	£23,444
Lincolnshire	£45,075	£39,167
Norfolk	£9,277	£5,025
North Yorkshire	£394	£394
Nottinghamshire	£9,803	£9,803
Shropshire	£15,950	£15,950
Somerset	£10,475	£10,475
Staffordshire	£27,689	£13,590
Tyne and Wear	£9,864	£0
West Midlands	£1613	£1,613
Wiltshire	£9,441	£9,221
Worcestershire	£9,187	£8,107
Yorkshire	£38,952	£33,035
Northern Ireland	£43,822	£33,575
Scotland	£55,528	£30,100
Wales	£77,077	£47,726

Since April 2001 the Vital Villages programme has supported 35 schemes, which included support for rural post offices. Figures broken down by county are not available but £373,211 has been spent on these schemes in total.

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to her answer of 6 February 2002, *Official Report*, column 987W, on the Rural White Paper, what information on expenditure and assistance has since been carried out by her Department on market towns; and if she will publish it. [75837]

Alun Michael: Expenditure on market towns in 2001–02 is estimated at some £2.5m by the Regional Development Agencies and some £2.5m by the Countryside Agency. Information for the current financial year is not yet available but as most towns have now completed their action plans this should result in a substantial increase in project expenditure by RDAs and other partners.

Tenant Farmers (Right to Buy)

Paul Flynn: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to introduce a right-to-buy scheme for tenant farmers. [75021]

Alun Michael: The Government has re-established the Tenancy Reform Industry Group to help it take forward the recommendations on agricultural tenancy issues made by the Policy Commission on Food and Farming and in the report produced by Plymouth University on the Agricultural Tenancies Act 1995. The group is expected to hold its first meeting shortly. I can confirm that the Government has no plans at present to introduce a right-to-buy scheme for tenant farmers in England and Wales.

Departmental Employees

Mr. Keetch: To ask the Secretary of State for Environment, Food and Rural Affairs how many people are employed by her Department. [76137]

Alun Michael: Details of the number of people employed by Defra are available in table 5.6 of the 2002 Departmental Report.

Agricultural Wages Board

Hugh Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs who the

independent members appointed by her Department to the Agricultural Wages Board are; and how many of the meetings of the AWB each has attended in *(a)* 2001 and *(b)* 2002. [75916]

Alun Michael: There are five independent members of the Agricultural Wages Board (AWB) for England and Wales. All are nominated jointly by the Secretary of State for Environment, Food and Rural Affairs and the National Assembly for Wales. The current independent members are:

Professor John Andrews (Chairman)
Mrs. Jacquie Findlay
Mrs. Myra Hodgson
Dr. Hugh Pillot
Professor Ian Smith

The AWB Secretary has confirmed that the meetings attended by the independent members are as follows:

	2001	*2002*
Number of Board meetings held*	3	4
Number of meetings attended:		
John Andrews	3	4
Jacquie Findlay	1	1
Myra Hodgson	2	3
Hugh Billot	3	4
Ian Smith	2	1

Note:
* This excludes working party or other informal meetings

Correspondence

David Winnick: To ask the Secretary of State for Environment, Food and Rural Affairs when the hon. Member for Walsall, North will receive a reply to his letter of 19 August regarding a constituent, reference 174365. [74913]

Mr. Morley: My hon. Friend's letter was transferred to Defra from another Department on 24 September. My Noble Friend Lord Whitty responded to the letter on 17 October.

WALES

Consultancies

David Davis: To ask the Secretary of State for Wales if he will list external *(a)* public relations/communications companies, *(b)* advertising and marketing companies, *(c)* management consultancies *(d)* accountancy companies, *(e)* banking firms, *(f)* individual consultants and *(g)* other specialist consultancies used by his Department since June 2001; what actions those consultancies/companies have performed within his Department; and what costs have been incurred through use of these consultancies/companies. [74679]

Mr. Paul Murphy: Since June 2001 the Wales Office has employed no consultants under *(a)*, *(b)*, *(c)*, *(d)*, or *(e)*.

Since June 2001 the Wales Office has employed a firm of consultants called Inbucon who undertook a staffing review, one legal consultant called Helen Bennett Associates, who gave specific legal guidance to the Wales Office and Open Connections a records management consultancy firm, who advised on improving the document and records management systems.

The cost of using these consultants is commercially confidential.

HOUSE OF COMMONS

Catering Services

Mr. Stunell: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, (1) what plans the Commission has to cap the subsidy for catering over the period of the Three Year Strategic Plan; [73759]

(2) what steps the Commission is planning to reduce the annual subsidy for catering set out on page 16 of the 24th Annual report of the Commission. [73760]

Mr. Kirkwood: The Commission is satisfied that the Refreshment Department achieves value for money in the delivery of its services, given the nature of the services required by the House's sitting patterns.

Both the Commission and the Finance and Services Committee see these issues as important elements in the House's three-year financial plans. The Commission has asked the Finance and Services Committee to examine the recommendations of the Catering Committee's recent Report on Refreshment Facilities in the House of Commons,[1] especially in the light of the Modernisation Committee's proposals for changes to the House's working patterns. It would be premature for the Commission to make any long-term decisions about the appropriate cost of catering services until the extent of these changes has become apparent and the Finance and Services Committee has considered these matters. No doubt my hon. Friend, as a member of the Committee, will contribute fully to that consideration.

Note:
[1] Refreshment Facilities in the House of Commons, Catering Committee, First Report 2001–02

New Palace Yard

Sir Nicholas Winterton: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, if he will make a statement on the total cost of the works to install new security infrastructure in New Palace Yard, carried out during the summer adjournment. [74953]

Mr. Kirkwood: As I am sure the hon. Gentleman will understand, it is longstanding practice not to comment on the details of security expenditure or arrangements on the Parliamentary Estate.

TRANSPORT

Rail Operating Companies

Mrs. Dunwoody: To ask the Secretary of State for Transport how many rail operating companies have achieved their targets for passenger services in the last 12 months; how many have been fined for non-compliance; how many franchises have now been

continued; and how many operating companies are complying with the terms of their original franchises in relation to payments to the S.R.A. [74787]

Mr. Spellar: All franchise agreements contain thresholds for cancellations which, if breached, can result in enforcement action. Arriva Trains Northern is the only company to have paid a penalty in the last 12 months as part of enforcement action.

Most train operators are also subject to a contractual performance regime. Details of monies paid under this regime are contained in the Strategic Rail Authority's *On Track* publication, copies of which have been placed in the Library of the House. Train operators also have performance targets in their Passengers' Charters against which compensation to passengers is based.

No further extensions to franchises have been agreed since my answer to the hon. Member for Bath on 24 May 2002, *Official Report*, column 616.

Only a small number of train operating companies are contractually required under their original or revised agreements to have paid premiums to the Strategic Rail Authority. To date, all of those companies have complied with their franchise terms in that respect. Information on payments to and from train operators can be found in the Authority's Annual Report, copies of which have been placed in the Library of the House.

Alconbury Airfield

Mr. Djanogly: To ask the Secretary of State for Transport what the forecast regularity of flights is in *(a)* 2015 and *(b)* 2030 in connection with the proposals relating to Alconbury airfield contained in the Department's Consultation, *The Future Development of Air Transport in the United Kingdom (South East)*. [74830]

Mr. Jamieson: *The Future Development of Air Transport in the United Kingdom (South East)* main consultation document is seeking views on a range of options, one of which is a small-scale airport development at Alconbury. Chapters 12 and 15 of the *Stage Two appraisal findings report* presents the findings relevant to Alconbury for both passenger and freight movements.

This indicates that, in a scenario where no additional runway capacity is provided at major airports in the region, Alconbury is forecast to handle nearly 70,000 passenger air transport movements (PATMs) and 11,000 freight ATMs in 2015. This rises to just over 70,000 PATMs and 30,000 freight ATMs in 2030.

If additional runway capacity is provided at major airports in the south east, both passenger and freight forecasts indicate that only around one-fifth of this traffic will be attracted to Alconbury.

Mr. Djanogly: To ask the Secretary of State for Transport when the consultation findings are to be made public so far as they relate to Alconbury airfield; what further procedures and consultation will take place; and when. [74829]

Mr. Jamieson: *The Future Development of Air Transport in the United Kingdom (South East)* main consultation document sets out the process relating to the disclosure of responses (Annex G, page 172). Responses to this consultation will inform Minister's decisions on the policies to be included in the air transport White Paper, which we plan to publish next year.

If the White Paper favours the Alconbury option, it would then be for a promoter to work up the detailed development plans, discuss these with affected parties and apply for planning permission through the normal land use planning system.

Mr. Djanogly: To ask the Secretary of State for Transport what areas and how many people will be exposed to different amounts of aircraft noise *(a)* at night in (i) 2015 and (ii) 2030 and *(b)* in 2030 based on an average six hour day in connection with the proposals relating to Alconbury airfield contained in the Department's Consultation, *The Future Development of Air Transport in the United Kingdom (South East)*. [74822]

Mr. Jamieson: The South East and East of England Regional Air Services study (SERAS) analysis included illustrative examples of night-time noise footprints for all airport options. The approach adopted is set out in paragraph 6.9.4 of the *SERAS stage two appraisal findings report* and the results of this work, relevant to the Alconbury option, are presented in paragraphs 12.8.3 and 12.8.4.

These indicate that, using the 90dBA SEL (sound exposure level) footprint for the noisiest aircraft envisaged operating at night, between 300 and 10,600 people might be contained within the footprint—subject to airport operation.

The numbers of people affected with this option by different amounts of aircraft noise (daytime) was not assessed at 2030.

Copies of the above report are available in the House libraries.

Mr. Djanogly: To ask the Secretary of State for Transport to what extent local residents will be entitled to compensation; what the qualifications or compensation will be; how the level of compensation will be assessed; and who will pay such compensation in connection with the proposals relating to Alconbury airfield contained in the Department's Consultation, *The Future Development of Air Transport in the United Kingdom (South East)*. [74836]

Mr. Jamieson: I refer the hon. Member to the answer given to my hon. Friend the Member for Hayes and Harlington (Mr. McDonnell) on 15 October 2002, *Official Report*, columns 721W–22W.

Mr. Djanogly: To ask the Secretary of State for Transport what types of aeroplanes will be capable of using the proposed airport at Alconbury. [74826]

Mr. Jamieson: With a runway length of over 2,700 metres aircraft up to Boeing 747 size could use Alconbury (but not at maximum loads).

The option of a small-scale development at Alconbury, presented in *The Future Development of Air Transport in the United Kingdom (South East)* consultation document, allows for the use of a typical aircraft of the Boeing 737–700 type.

Mr. Djanogly: To ask the Secretary of State for Transport whether the passenger terminal at Alconbury airfield will be built to accommodate the maximum capacity of five million passengers from the outset of operation. [74825]

Mr. Jamieson: *The Future Development of Air Transport in the United Kingdom (South East)* main consultation document is seeking views on a range of options, one of which is a small-scale airport development at Alconbury. Responses to this consultation will inform Minister's decisions on the policies to be published in the air transport White Paper.

If the White Paper favours the Alconbury option, the level of development and how it would be phased would depend on the commercial judgement of the proposer/developer of the airport.

Mr. Djanogly: To ask the Secretary of State for Transport what impact the ADL Planning Inspectorate report will have on the proposals relating to Alconbury airfield contained in the Department's Consultation, *The Future Development of Air Transport in the United Kingdom (South East)*. [74833]

Mr. Jamieson: I refer the hon. Member to my answer of 15 October 2002, *Official Report*, column 721W.

Mr. Djanogly: To ask the Secretary of State for Transport what plans he has to review the *CHUMMS* proposals with regard to airport traffic *(a)* in connection with Huntingdon to Cambridge public transport and *(b)* in connection with proposed changes to the A14; and what estimate he has made of the increase in use of the A1 in connection with the proposals relating to Alconbury airfield contained in the Department's Consultation, *The Future Development of Air Transport in the United Kingdom (South East)*. [74832]

Mr. Jamieson: There are no plans at present to review the findings of the Cambridge to Huntingdon Multi-Modal study (CHUMMS) in the light of the public consultations that are currently taking place with respect to the South East and East of England Regional Air Services study (SERAS). The consultation is seeking views on a range of airport development options in the South East and East of England, one of which is a small-scale airport development at Alconbury. It would be inappropriate at this stage to review the findings of CHUMMS with respect to all these options. If Alconbury is supported in the Air Transport White Paper, the implications will then have to be considered by the Regional Planning Body.

Mr. Djanogly: To ask the Secretary of State for Transport how many jobs are forecast *(a)* by 2011 and *(b)* by 2012 in connection with the proposals relating to Alconbury airfield contained in the Department's Consultation, *The Future Development of Air Transport in the United Kingdom (South East)*. [74823]

Mr. Jamieson: The South East and East of England Regional Air Services study (SERAS) identified, in broad terms and for all options, the employment that might be generated. A summary of the employment methodology used is outlined in the *SERAS stage two appraisal findings report (section 6.11)*.

The results of this appraisal, relevant to the Alconbury option, are shown in section 12.10 of the *SERAS stage two appraisal findings report*. This indicates that around 12,000 direct jobs might be associated with Alconbury, based on 5 million passengers per annum (mppa) and around 1 million tonnes of freight in 2015.

Mr. Djanogly: To ask the Secretary of State for Transport what assessment he has made of the probability of water flooding in connection with the proposals relating to Alconbury airfield contained in the Department's Consultation, The Future Development of Air Transport in the United Kingdom: South East; and what contingency plans he will put in place to deal with this. [74831]

Mr. Jamieson: A summary of the appraisal methodology regarding the water environment is outlined in the *SERAS stage two appraisal findings report* (section 6.8). The results of this appraisal, relevant to the Alconbury option, are summarised in paragraphs 12.7.1 and 12.7.2 of the same document. Copies of this report are available in the House libraries. The report notes that the airfield footprint does not coincide with the 1 in 100 year flood plain.

Mr. Djanogly: To ask the Secretary of State for Transport what the Government's policy is on permitting an airport to proceed on the basis of *(a)* only passenger flights but no freight flights and *(b)* only freight flights and no passenger flights in connection with the proposals relating to Alconbury airfield contained in the Department's Consultation, The Future Development of Air Transport in the United Kingdom: South East. [74824]

Mr. Jamieson: The consultation on the *Future Development of Air Transport in the United Kingdom (South East)* includes the option for a small-scale development of Alconbury as a possible new airport to provide a mixture of dedicated air freight, express parcel handling, third party maintenance, and low cost passenger operations. We are not consulting on any other options for Alconbury airfield, but we will, of course, consider all responses we receive.

Mr. Djanogly: To ask the Secretary of State for Transport to what extent the completion of the proposals relating to Alconbury airfield contained in the Department's Consultation, The Future Development of Air Transport in the United Kingdom: South East, is reliant on the expansion of existing airports. [74828]

Mr. Jamieson: *The Future Development of Air Transport in the United Kingdom (South East)* main consultation document is seeking views on a range of options, one of which is a small-scale airport development at Alconbury.

As the document makes clear (chapter 12), the precise future role of the other south-east airports depends on two main factors; firstly the amount and timing of any future capacity provided at the main airports and elsewhere and secondly, the commercial choices made by passengers and airlines. Paragraph 12.23 indicates the forecast use of the Alconbury option under scenarios where runways are provided at major airports in the region and where they are not.

Responses to this consultation will inform Minister's decisions on the policies to be published in the air transport White Paper.

Mr. Djanogly: To ask the Secretary of State for Transport what indication of interest the Government have received from *(a)* (i) air passenger companies and (ii) freight carriers to use and *(b)* airport operating companies to operate Alconbury airport. [74835]

Mr. Jamieson: *The Future Development of Air Transport in the United Kingdom (South East)* is seeking views from all interested parties, including passenger and freight airlines and airport operators, on a range of options, one of which is a small-scale development at Alconbury.

If this option is supported in the air transport White Paper, it would then be for a promoter to submit detailed proposals through the land use planning system.

Focus Group Research

Mr. Allen: To ask the Secretary of State for Transport what use he and his Department has made of focus group research since June 2001; if he will identify for each research project the topics covered, the person or organisation carrying out the research, and the total cost; and if he will publish the research on his Department's website. [74992]

Mr. Jamieson: Focus group work forms an element in a number of projects that fall within the Department's research programme. This is not always costed separately. The general conclusions of the focus group work are incorporated, where relevant, in the reports of the research projects carried out.

However, the Department's Communication Directorate regularly carries out specific focus group research in order to gauge the effectiveness of particular advertising approaches and to assess audience reaction to different creative concepts for developing its advertising programme. This research relates wholly to road safety advertising. Details of the research findings are not published as they relate to work in development, are of an ephemeral nature, contain views given in confidence which are highly subjective, and will often contain approaches that advertising companies would not wish to share with competitors.

The sums paid to each company in respect of any particular piece of work are regarded as commercial in confidence. However, since June 2001, the total amount spent on focus group research in respect of road safety campaigns is £112k. The companies which have carried out this research for the Department are Abbot Mead Vickers BBDO, Andrew Irving Associates, Carne Martin, Cragg Ross Dawson, Ruth Foulds Qualitative Research, and Campbell Keegan.

Manchester-London Flights

Mr. Brady: To ask the Secretary of State for Transport, pursuant to his oral answer to the hon. Member for Altrincham and Sale, West of 15 October 2002, *Official Report*, columns 162–23, if additional slots will be provided for domestic flights between London and Manchester during periods when the West Coast Main line is closed. [75204]

Mr. Spellar: Alternative rail links between Manchester and London will be in operation during the closure of the West Coast Main Line. London-Manchester is one of the busiest air routes in the UK. If demand for flights on this route rises, airlines could increase the size of the planes they operate on that route, or increase the frequency of services. This will be a commercial decision for them.

New Road Schemes

Tom Brake: To ask the Secretary of State for Transport if he will list the *(a)* bypass, *(b)* road widening and *(c)* other new road schemes which have been completed since 1997. [75011]

Mr. Jamieson: The following trunk and local road schemes costing over £5m* have been opened since 1997:

Bypasses—Trunk
M65 Blackburn Southern Bypass Contracts 1 & 2
M66 Denton—Middleton Contracts 1 to 3
A12 Hackney Wick—M11 Link Contracts 1 to 4
A13 Wennington—Mar Dyke
A13 West of Heathway—Thames Avenue Improvement
A13 Thames Avenue—Wennington
A16 Market Deeping Bypass
A27 Polegate Bypass
A30 Honiton-Exeter Bypass
A34 Newbury Bypass
A35 Puddletown Bypass
A43 Silverstone Bypass
A419 Latton Bypass
A419 Stratton Bypass
A564 Derby Southern Bypass & Derby Spur Contract A
A564 Doveridge Bypass
Bypasses—Local
A131 Great Leighs Bypass (Essex)
A143 Broome/Ellingham Bypass (Norfolk)
A174 Skelton and Brotton Bypass (Redcar & Cleveland)
A511 Ashby Bypass Stage 2 (Leicestershire)
A617 Rainworth Bypass (Nottinghamshire)
Wainscott Northern Bypass (Kent)
Chippenham Western Bypass (Wiltshire)
Burntwood Bypass (Staffordshire)
Biddulph Inner Bypass (Staffordshire)
A421 Tingewick Bypass (Buckinghamshire)
Widenings—Trunk
M1-A1 Link Road
M5 J18–19 Widening
M25 J8–10 Widening
M40 Denham-Warwick
A1(M) Alconbury-Peterborough
A1(M) Walshford-Dishforth
A19/A168 Dishforth-Tyne Tunnel
A43 Whitfield Turn-Brackley Hatch Improvement
A43 M40-B4031 Dualling
A406 Silver Street—Fore Street Improvement
A406 East of Falloden Way—Finchley High Road,
A417 Nettleton Improvement
Widenings—Local

A22 Dualling Nightingale Farm
A6002/A6007 Coventry Lane Improvement
Other—Trunk
M1/M621 Link Road
A1 Tempsford Junction Improvement
A50 Blythe Bridge—Queensway Phase 1(B) & 2
A50 Derby Southern Bypass (Contract B)
Other—Local
A6042 Manchester/ Salford Inner Relief Road Phase 1 (Manchester/Salford)
Avon Ring Road II: B4465 Shortwood—A420 Warmley (South Gloucestershire)
Dearne Towns Link Road (Barnsley)
West Central Route (Newcastle upon Tyne)
Dawdon to Seaham Town Centre Link Road (Durham)
A46/47 Link Road (Leicester City)
A179 Improvement (Hartlepool)
Werrington to Glinton Phase 2 (Peterborough)
A16 Peakes Parkway Stage 3 (North East Lincolnshire)
A289 Gillingham Northern Bypass (Medway)
A22 New Route Dittons to Seaside Eastbourne (West Sussex)
Park Lane Improvement Scheme (Sefton)
South Ribble M65 Interface Improvements (Lancashire)
* This excludes schemes funded by private developers.

10 Year Plan

Tom Brake: To ask the Secretary of State for Transport when he intends to publish an updated version of the 10 Year Plan; and when he intends to publish an updated version of Table A3 published in the plan. [75010]

Mr. Jamieson: We will be publishing a progress report on implementation of the 10 Year Plan for Transport in due course. This will include updated details on expenditure under the Plan along the lines set out in the table referred to.

Aircraft Noise (Compensation)

Mr. Djanogly: To ask the Secretary of State for Transport what precedents there are for his Department's paying compensation to people in the UK in connection with disturbance from flying activities in the last five years. [75395]

Mr. Jamieson: Compensation for depreciation in the value of properties may be payable under Part I of the Land Compensation Act 1973 for certain physical factors caused by the use of new or altered public works, including aerodromes. Compensation would be paid by the aerodrome manager. The physical factors are noise, vibration, smell, fumes, smoke, artificial lighting and the discharge of any solid or liquid substance.

Normally, the physical factors are those arising from the works themselves, but for aerodromes, this is extended to those from aircraft arriving or departing.

Railways (European Policy)

Mr. Don Foster: To ask the Secretary of State for Transport what representations have been received from and discussions have taken place with the railway industry on the forthcoming Third Railway Package of the European Commission; and if he will place copies in the Library. [75594]

Mr Jamieson: The European Commission indicated its intention to bring forward further measures over the next three years to improve the quality of passenger and freight rail services in the covering Communication (COM(2002)18) to its 2nd railway package.

A number of industry parties and individuals commented on these future plans in response to the Government's consultation exercise on the 2nd railway package, which ran from May to 23 August 2002. Copies of the replies (excluding those from respondents who have requested confidentiality) will be placed in the library. My Department holds regular discussions with rail industry parties on the Commission's current and future proposals for the rail sector.

Mr. Don Foster: To ask the Secretary of State for Transport (1) what submissions have been made by his Department to the *(a)* European Commission and *(b)* European Parliament with regard to the Directive on the Interoperability of Trans-European Rail Transport being discussed within the European Parliament; and if he will place copies in the Library; [75597]

(2) what submissions have been made by his Department to *(a)* the European Commission and *(b)* the European Parliament on the Directive on Safety, Licensing and Levying of Charges Certification of Community Railways being discussed within the European Parliament; and if he will places copies in the Library; [75619]

(3) what submissions have been made by his Department to *(a)* the European Commission and *(b)* the European Parliament on the Directive on European Rail Agency Interoperability and Safety being discussed within the European Parliament; and if he will place copies in the Library. [75611]

Mr. Jamieson: No written submissions have been made to the European Commission. However, Ministers and officials from my Department participate on a regular basis in Council meetings convened by the Presidency to discuss these elements of the Commission's proposed Second Rail Package. The European Commission is represented at those meetings.

My officials provided written briefing to UK Members of the European Parliament on these proposals in April, July and September 2002. I will arrange for these sets of briefing to be placed in the libraries of the House.

Mr. Don Foster: To ask the Secretary of State for Transport what submissions have been made by his Department to the European Commission with regard to progress on the implementation of the First Railway Package; and if he will place copies in the Library. [75605]

Mr. Jamieson: None.

Journey Planners (Cycling)

Mr. Don Foster: To ask the Secretary of State for Transport when he expects to publish findings of research into putting cycling into journey planners; and what steps are being taken to act upon these findings. [75598]

Mr. Jamieson: As part of the development work for Transport Direct Sustrans undertook a piece of research to look at how cycling could be incorporated into a journey planner. The research highlighted difficulties in doing this on a national scale. The biggest issue is the lack of cycling information being held electronically, cycle routes need to be geo-coded, and these codes need to be held in frequently updated databases to be used successfully in journey planners. Transport Direct does aim to include cycling, but due to the problems outlined above this may have to wait until later versions.

The Executive Summary and a link to the full paper (which is on the Sustrans website) has been placed on the Department's website www.dft.gov.uk/itwp/transdirect/cyclene/index.htm.

The recommendations outlined in the report highlighted work needed to progress this issue. The Department will be working with other bodies, including local authorities, Sustrans and other cycling bodies to progress the issues discussed above.

Bus Lanes

Mr. Don Foster: To ask the Secretary of State for Transport what changes have been made to legislation with regard to revenue raised from bus lane enforcement since 1997; and if he will make a statement. [75607]

Mr. Jamieson: Local authorities with decriminalised parking enforcement (DPE) powers may issue penalty charge notices in the case of vehicles parked in contravention of bus lanes. Use of surplus income from parking penalty charge notices is governed by the provisions of section 55 of the Road Traffic Regulation Act 1984. This section was amended by the Greater London Authority Act 1999 to enable London authorities to use surplus income in connection with implementation in their area of the Mayor of London's transport strategy.

The London Local Authorities Act 1996 enables London authorities, including Transport for London, to issue penalty charge notices on the basis of evidence provided by a prescribed device in respect of vehicles being driven illegally in bus lanes. Use of surplus income from the enforcement of moving bus lane contraventions in London is governed by Schedule 2 to the 1996 Act.

Otherwise, responsibility for enforcement of bus lanes is the responsibility of the police and fine income accrues to the Exchequer.

We are currently preparing regulations to be made under section 144 of the Transport Act 2000 which will enable local authorities outside London with DPE powers to issue penalty charge notices in respect of vehicles being driven illegally in bus lanes.

Heathrow Airport (Rail Links)

Martin Linton: To ask the Secretary of State for Transport what assessment he has made of rail links between Waterloo and Heathrow Airport; and what support the Government plans to make available to private companies to use *(a)* existing tracks and *(b)* new tracks in order to connect Waterloo and Clapham Junction to Heathrow Airport. [75202]

Mr. Jamieson: *The Future Development of Air Transport in the United Kingdom (South East)* consultation is seeking views on a range of options, one of which is for an additional short runway at Heathrow. The main consultation document indicates in paragraphs 7.10 to 7.15 the type and scale of rail infrastructure that would be needed to connect the Heathrow airport option to the wider rail network. The analysis has not attempted to identify the precise location and design of these connections. However, our intention is for the aviation White Paper to contain proposals for improved surface access to Heathrow whether or not a further runway is provided. The level of financial support the Government might make available depends on: the likely net benefit to non-airport rail users; negotiations to maximise funding from aviation; and, the extent to which any public sector contribution would divert funding from other SRA priorities.

Martin Linton: To ask the Secretary of State for Transport what recent discussions he has had on Heathrow Airport rail links with *(a)* the Strategic Rail Authority and *(b)* interest groups. [75203]

Mr. Jamieson: I, and other departmental Ministers, meet the Strategic Rail Authority on a regular basis; as part of wider industry meetings and specifically to discuss the Authority's work—which includes rail access to airports. We are currently undertaking a wide-ranging consultation on aviation issues that will include discussion about airport rail links with a variety of groups including local authorities.

Shoreham Port Authority

Tim Loughton: To ask the Secretary of State for Transport (1) what discussions he has had with the management of Shoreham Port Authority regarding the appointment of a new Chief Executive; [75551]

(2) who sits on the interview panel for the selction of the new Chief Executive of Shoreham Harbour; who appointed them; and when; [75550]

(3) how many applications were received for the post of Chief Executive of Shoreham Harbour; [75548]

(4) what stages have been completed in the appointment of the new Chief Executive of Shoreham Harbour; and what the appointment timetable is. [75549]

Mr. Jamieson: I refer the hon. Member to my answer of 18 March 2002, *Official Report*, column 37W, where I stated that the recruitment of employees of the Shoreham Port Authority is not a matter for my Department.

Port Safety

Tom Brake: To ask the Secretary of State for Transport if he will list those ports, sub-divided by type, which do not meet the standards of the Port Marine Safety Code; what assessment his Department has made of those which do not meet this standard and what steps have been taken as a result; what further steps are planned; and if he will place the assessments in the Library. [75009]

Mr. Jamieson: The following competent harbour authorities have not yet demonstrated compliance with the Port Marine Safety Code:

a) Company ports (4)
Eastbourne (Sovereign Harbour)
Irvine Harbour Company
Porthleven Harbour & Docks Company
Port of Mostyn Ltd
b) Local authority ports (8)
Argyle and Bute Council (Rothesay)
Canterbury District Council (Whitstable)
Carmarthenshire County Council (Llanelli)
Exeter City Council
Isle of Wight Council (Newport)
Waveney District Council (Southwold)
West Dorset District Council (Bridport)
Worthing Borough Council
c) Trust ports (7)
Coleraine Harbour Commission
Crouch Harbour Authority
Looe Harbour Commission
Maldon Harbour Improvement Commission
Maryport Harbour Commission
Mousehole Harbour Commission
Sandwich Port & Haven Commission
d) Other (3)
Duchy of Cornwall (Isles of Scilly)
Environment Agency Wales (River Dee)
Broads Authority

We have corresponded or met with the authorities that have not yet fully implemented the Code and we are undertaking an overall review of its implementation, which we hope to complete in the New Year; indications so far are that implementing authorities have achieved a high overall standard. The Code makes it a matter for the port to publish compliance statements.

Road User Charges

Tom Brake: To ask the Secretary of State for Transport whether guidance to local authorities on introducing the work place parking levy and road user charging schemes will supersede guidelines already adopted by individual authorities; and what assessment has been made of the impact on local authorities of changes to guidelines where guidelines on work place parking levy and road user charging schemes have already been adopted. [75016]

Mr. Jamieson: Local authorities will be given adequate time to bring any existing road user charging or workplace parking levy schemes into line with any national guidance, should that be necessary.

Tom Brake: To ask the Secretary of State for Transport if he will make a statement on the process for consultation on the draft guidance to local authorities on introducing the work place parking levy and road user charging schemes. [75017]

Mr. Jamieson: I am still considering the nature and scope of guidance on the workplace parking levy and on road user charging.

Tom Brake: To ask the Secretary of State for Transport what representations he has received about the guidance to local authorities on introducing the work place parking levy and road user charging. [75018]

Mr. Jamieson: A number of local authorities and representative organisations have enquired about guidance on the workplace parking levy and on road user charging, I am still considering the nature and scope of the guidance.

Train Movements

Mr. Don Foster: To ask the Secretary of State for Transport when the Strategic Rail Authority will publish the findings of a feasibility study on real time train movements; and what steps it and his Department are taking to act upon these findings. [75606]

Mr. Jamieson: I understand that the Strategic Rail Authority has undertaken a feasibility study of Real Time Train Movements (RTTM) in order to create an outline design specification and resolve technical issues. The SRA is not proposing to publish the study, but is proceeding with the implementation of RTTM, which will provide the essential database for public information systems and other uses.

Road Signs

Mr. Don Foster: To ask the Secretary of State for Transport how many road signs have been *(a)* vandalised, *(b)* stolen, *(c)* replaced, *(d)* lost and *(e)* erected belonging to the Highways Agency in each year since 1997. [75818]

Mr. Jamieson: I have asked the Chief Executive of the Highways Agency, Tim Matthews, to write to the hon. Member.

Letter from Ms Hilary Chipping to Mr. Don Foster, dated 21 October 2002:

I have been asked by David Jamieson to reply to your recent parliamentary question about how many road signs have been vandalised, stolen, replaced, lost and erected that belong to the Highways Agency in each year since 1997. I am replying because Tim Matthews is currently away on HA business.

Unfortunately, I cannot provide this information. The Highways Agency does not currently collect this data and it could be obtained only at disproportionate cost. However, it might be possible to obtain some of the requested information for a specific location. Please let us know if you like us to do this.

Traffic Levels

Mr. Don Foster: To ask the Secretary of State for Transport when he intends to publish a report on progress in reducing road traffic levels as specified in the Road Traffic Reduction (National Targets) Act 1998. [75613]

Mr. Jamieson: The Secretary of State fulfilled his statutory obligations under the Road Traffic Reduction (National Targets) Act 1998 with the publication of "Tackling Congestion and Pollution" in January 2000. Section 2(5) of the Act makes provision for the Secretary of State to publish progress reports "at such times as he deems appropriate". Paragraph 84 of "Tackling Congestion and Pollution" promised that a second

report under the Act would detail our progress in developing new benchmarks. It remains our intention to publish such a report in due course.

Tom Brake: To ask the Secretary of State for Transport what data he has collated on *(a)* forecast traffic levels and *(b)* actual traffic levels since their opening of the (i) A5190 at Burntwood, (ii) Newbury, (iii) A130, Rettendon turnpike to Howe Green, (iv) Silverstone and (v) Ashby bypasses *(A)* on the bypass concerned and *(B)* on other roads in the area, including the impact on town centres. [75014]

Mr. Jamieson: The A5190 Burntwood, the A130, Rettendon turnpike to Howe Green and the Ashby-de-la-Zouche bypass are not trunk roads and are thus the responsibility of the respective local highway authorities. The Department for Transport has therefore not collated data on these schemes.

Continuous traffic count data is being collected by the Highways Agency on several sites on the A34 Newbury Bypass and on the A339. Data is also being collected on other roads in the area by the local highway authority. The recorded traffic flows will be compared with the original traffic predictions in an evaluation report now being prepared for the situation one year after opening. Further surveys, including journey time surveys, are planned for next year in order to create a five-year post-opening report.

Count data at Silverstone was collected over the British Grand Prix weekend, and also just before and just after the opening of the bypass on 18 September this year. A traffic impact study is being drafted, in partnership with Northamptonshire County Council, and will be available to the public when complete. Further evaluation studies will be carried out in one and five years time.

Mr. Don Foster: To ask the Secretary of State for Transport what his Department projects the level of traffic in the United Kingdom to be by 2004–05; and how this was calculated. [75610]

Mr Jamieson: Traffic in Great Britain in 2001 was estimated to be 473.7 billion vehicle-kilometres. The Department's publication "National Road Traffic Forecasts (Great Britain) 1997" projects that traffic will grow at a rate between 1.35 per cent. per annum and 1.99 per cent. per annum. Applying these growth rates over a period of 3¼ years, traffic in 2004–05 is expected to be between 494.8 and 505.0 billion vehicle-kilometres.

Measures in the Government's Ten Year Plan for Transport were projected to reduce traffic levels below trend by around 5 per cent. by 2010, but that forecasting exercise did not consider how such reductions would be spread over different years within the ten-year period. The impact of Ten Year Plan measures is generally expected to be greater in the second half of the period, because of the time needed for major capital projects to come on-stream.

Traffic forecasting for Northern Ireland is the responsibility of the Roads Service, part of the Department of the Environment (Northern Ireland).

Concrete Barriers

Mr. Don Foster: To ask the Secretary of State for Transport what research has been conducted and is planned by or for his Department on the benefits of slipformed concrete barriers on motorways and other Highways Agency roads. [75601]

Mr. Jamieson: The Highways Agency led the development of concrete vehicle containment barriers in the UK. The bulk of this work was completed by the early 1990s. This supported the use of concrete barriers in road widening schemes, where space was at a premium. The Agency has subsequently undertaken further research and development to refine the systems. Concrete barriers have been promoted as one of the options acceptable to the Highways Agency in tender documents for new work.

The Agency has also recently contributed with industry towards the costs of investigating the procurement practices in mainland Europe where concrete barriers appear to be used more extensively. Further research is also examining whole life benefits and costs of all vehicle safety barriers to gain a better understanding of the whole life performance of the different types of barrier. There is some evidence that concrete barriers have higher performance characteristics that could be of benefit in particular locations.

Trunk Road Advisory Committee

Mr. Don Foster: To ask the Secretary of State for Transport what assessment has been made by his Department of the performance of the Standing Advisory Committee on Trunk Road Assessment Sustainable Development Education Panel, including performance targets; what reports are produced on its performance; an if he will place copies of such reports not readily available in the Library. [75615]

Mr. Jamieson: The Standing Advisory Committee on Trunk Road Assessment published its last report in 1999 entitled "Transport and the Economy". The government published a response to the SACTRA report in May 2000 to assess the report and to respond to the committee's recommendations.

Both these reports are available in the Libraries of the House.

The Sustainable Development Education Panel is the responsibility of the Department for Education and Skills.

Road Hauliers' Licences

Mr. Don Foster: To ask the Secretary of State for Transport (1) when the computerisation of the compliance and local bus registration systems under the auspices of the Transport Area Network was introduced; what changes there have been to the timetable for introduction and nature of this scheme; and what assessment has been made and is planned of its progress; [75618]

(2) what changes have been made to the timetable for the development and introduction of the TAN21 self service online service for road hauliers to update

operators' licences; what the reasons for the changes were; and what costs were incurred as a result of these changes; [75593]

(3) if he will make a statement on the research contracts relating to the TAN21 self service online service for road hauliers to update operators licences; and if he will place copies in the Library. [75617]

Mr. Jamieson: The TAN 21 project computerises all the key business functions of the Traffic Area Network. The compliance function was introduced in Jan 2002, 10 weeks behind schedule. Bus registration was introduced in April 2002, 20 weeks behind schedule. The self-service component is 18 months behind schedule and no changes have been made to the original plan. The self-service development was part of a fixed price contract, so the delay resulted in no extra costs. There were no research contracts for the self-service module. TAN21 has been widely welcomed by operators and will be increasingly used by them as the project develops.

South West Trains

Martin Linton: To ask the Secretary of State for Transport if he will make a statement on the fares incentive adjustment payment mechanism which applied to journeys operated by South West Trains Ltd. [75167]

Mr. Jamieson: The Strategic Rail Authority's fares regime for London commuter operators—the Fares Incentive Adjustment Payment regime (FIAP)—links permitted fares increases to operators' performance over the previous 12 months. FIAP allows for a variation on the national cap (RPI–1 per cent.) of up to 2 per cent. to reflect improved performance and minus 2 per cent. to reflect deterioration in performance.

In the year to 31 July 2002 the number of trains arriving on time for most London operators, including South West Trains, improved significantly when compared with the preceding 12 months. This improvement means that the cap on these operators' regulated fares from January 2003 has been set at RPI − 1 per cent. The SRA is currently reviewing the fares regime for London operators as part of its policy review of fares regulation. It will make recommendations to Ministers in due course. Any changes in policy will be introduced in 2004.

Air Transport (Consultation Document)

Mr. Robathan: To ask the Secretary of State for Transport what assessment was made of the cost of using *(a)* Omega, *(b)* other private distribution companies and *(c)* the Royal Mail to deliver The Future Development of Air Transport in the United Kingdom: A National Consultation Document; and what assesment has been made of the reliability of the service provided. [74904]

Mr. Jamieson: All consultation documents are being sent out by the Department's distribution contractor, using either the Royal Mail or their sub-contracted courier service, Securicor Omega. The decision on which carrier is used depends on which is most cost-effective for the weight of each individual consignment, and to a lesser extent on its size. Omega is used to deliver heavier items as they offer the best rates to our contractor.

Securicor make available national service level reports which the contractor monitors, as well as any individual complaints. There are no reliability figures available from Royal Mail. The Department monitors the performance of its distribution contractor, and resolves any complaints as they are reported.

Mr. Robathan: To ask the Secretary of State for Transport (1) how many copies of, The Future Development of Air Transport in the United Kingdom: A National Consultation Document—Midlands, have been distributed; [74907]

(2) how many requests there have been for, The Future Development of Air Transport in the United Kingdom: A National Consultation—Midlands. [74908]

Mr. Jamieson: As of today around 108,063 copies of The Future Development of Air Transport in the United Kingdom: A National Consultation Document—Midlands have been requested and distributed or accessed as set out in the table below.

Midlands	*Main Document*	*Summary Document*	*Total*
Hard Copies Issued	20,997	30,563	*51,560*
Downloads from website	31,115	25,388	*56,503*
Total	*52,112*	*55,951*	*108,063*

John Barrett: To ask the Secretary of State for Transport how many responses have been received in response to the Future Development of Air Transport consultation document, broken down by region. [75047]

Mr. Jamieson: We have received to date around 6,065 responses to the NOP questionnaire and 15,728 letters. This is set out by region in the table below.

Region:	*NOP Paper Q're Returns*	*NOP Web Responses*	*Total to Date*	*Letters Received*
Scotland	292	128	420	29
South East	1956	1311	3267	5121
Midlands	527	657	1184	10500
North England	430	219	649	39
South West	415	61	476	24
Wales	14	11	25	7
N. Ireland	19	15	44	8
Total	*3663*	*2402*	*6065*	*15728*

John Barrett: To ask the Secretary of State for Transport what consideration was given to the evaluation of RAF Turnhouse by the Home Office for an asylum seeker accommodation centre in the formulation of options for the expansion of Edinburgh Airport as outlined in the Future Development of Air Transport consulation document. [75063]

Mr. Jamieson: The consultation document for Scotland sets out, factually and neutrally, a wide range of options for more runway capacity at both Edinburgh and Glasgow airports. We have not come to any view on the way forward and want to have the views of consultees before we address this. In preparing this document we liaised with many departments including the Home Office and were aware of each other's plans and their potential implications.

John Barrett: To ask the Secretary of State for Transport how many copies of the consultation documents, Future Development of Air transport in the United Kingdom–Scotland, were requested by *(a)* telephone, *(b)* e-mail and *(c)* letter; and how many such documents were issued in total. [75061]

Mr. Jamieson: As of today around 37,122 copies of The Future Development of Air Transport in the United Kingdom: A National Consultation Document—Scotland have been distributed or accessed as set out in the table below. We do not have a breakdown on how the requests for hard copies were received.

Scotland	*Main Document*	*Summary Document*	*Total*
Hard Copies Issued	4,890	10,014	*14,904*
Downloads from website	9,425	12,793	*22,218*
Total	*14,315*	*22,807*	*37,122*

East London Line

Martin Linton: To ask the Secretary of State for Transport if he has received the business case for the southern extensions of the East London Line from the Strategic Rail Authority; and if he will make a statement. [75172]

Mr. Spellar: I have received the business case for the project, which my officials are discussing with the SRA.

Speed Limits

Mr. Swayne: To ask the Secretary of State for Transport when he will issue advice to local authorities on the implementation of lower speed limits; and if he will make a statement. [75211]

Mr. Jamieson: The Department plans to revise the current guidance to local authorities on the setting of local speed limits later next year.

Departmental Schemes

Mr. Andrew Turner: To ask the Secretary of State for Transport if he will list the schemes and initiatives sponsored by his Department and its agencies which are not the subject of national roll out, showing *(a)* the authorities or areas covered by the scheme and *(b)* the budget of the scheme in the last year for which information is available. [75676]

Mr. Jamieson: Many thousands of local transport schemes and projects are currently being funded by my Department under the 10 Year Plan for transport through local authorities, the Highways Agencies, the Strategic Rail Authority and other agencies. Details on every individual scheme are not collected centrally, but major schemes and aggregated data on smaller schemes will be listed in the forthcoming progress report on the 10 Year Plan.

South Coast Multi-modal Study

Mr. Waterson: To ask the Secretary of State for Transport if he will make a statement on the South Coast Multi-modal Study. [75155]

Mr. Jamieson: The final report from the South Coast Multi-Modal Study was passed to the South East England Regional Assembly on 9 September and we now await their advice. We will then consider the study's recommendations in the light of their comments.

Low-cost Airlines

Mr. Wiggin: To ask the Secretary of State for Transport how often the Civil Aviation Authority carry out safety checks on low-cost airlines. [75146]

Mr. Jamieson: The Civil Aviation Authority's Safety Regulation Group carries out regular audits and flight inspections on all UK airlines. In terms of safety oversight and the frequency of inspections, no distinction is made between low cost and other operators.

Air Ticket Refunds

Mr. Wiggin: To ask the Secretary of State for Transport if he will take steps to require airlines to accept and refund customers who return air tickets within a specified period of time. [75193]

Mr. Jamieson: The terms and conditions applying to the refund of tickets are set out in each airline's conditions of carriage. The International Air Transport Association publishes recommendations on conditions of carriage, applying to international flights provided by member airlines (Recommended Practice 1724). Following the intervention of the UK Office of Fair Trading, changes were made to RP 1724 in September 2000, principally extending the rights of passengers who, for reasons beyond their control, are unable to use a purchased ticket. This recommendation is not, however, binding on carriers and does not apply to domestic flights.

Any legislative proposals affecting the air transport market within the European Community are a matter for the European Commission. In June 2002 the Commission published a consultation paper on airline conditions of carriage. This includes a proposal to require all EU airlines to apply conditions of carriage similar to those in the amended RP 1724.

Many European airlines, including all significant full service UK airlines, have signed up to a set of voluntary commitments on passenger service. These include a commitment to allow telephone reservations to be held or cancelled without commitment or penalty within 24 hours, and a commitment to provide prompt refunds where a passenger claims and is entitled to a refund.

Air Slots

Mr. Peter Ainsworth: To ask the Secretary of State for Transport if he will estimate the annual Exchequer income which would derive from auctioning take-off and landing slots at *(a)* Heathrow, *(b)* Gatwick and *(c)* Manchester airports, in line with the announcement by the Deputy Prime Minister on 9 November 2000, using as a basis the estimates of slot values provided by the Civil Aviation Authority in its recommendations to the Competition Commission on airport price caps in February. [75033]

Mr. Spellar: No such estimations have been made and could only be done at disproportionate cost. There are large uncertainties on the values of individual slots, and the amount of income would depend on the design of an auction scheme.

Rural Buses

Mr. Breed: To ask the Secretary of State for Transport how much of the *(a)* Rural Bus Subsidy Grant and *(b)* Rural Bus Challenge was spent in (i) 2001–02 and (ii) 2002–03 to date, broken down by county. [75186]

Mr. Jamieson: The table below shows all payments made to County Councils, Unitary Authorities and Passenger Transport Authorities under the Rural Bus Subsidy Grant (RBSG) and Rural Bus Challenge (RBC) schemes during 2001–02 and 2002–03 to date. Total allocations to authorities for RBSG in 2001–02 were £41.5 million and for 2002–03 are £47.5 million. The payments shown for RBC schemes relate to projects that were approved in different years since the RBC competitions started in 1998. Further payments will be made under both RBSG and RBC schemes during the remainder of 2002–03.

Shire Counties	*RBC payments in 2001–02*	*2001–02 payments Total RBSG Grant Paid in 2001–02*	*RBC payments in 2002–03*	*2002–03 payments RBSG Payments in 2002–03*
Bedfordshire	116,791	565,644	151,573	258,969
Buckinghamshire	172,565	672,000	12,330	328,035
Cambridgeshire	0	1,009,112	0	462,003
Cheshire	0	782,514	140,807	358,259
Cornwall	462,000	1,559,210	343,000	713,855
Cumbria	343,500	1,222,506	0	559,701
Derbyshire	200,000	911,879	103,875	417,487
Devon	271,000	1,799,210	272,000	823,735
Dorset	201,092	739,801	130,508	338,704
Durham	0	771,913	0	353,406
East Sussex	466,888	714,092	150,000	326,934
Essex	571,805	1,341,087	347,500	613,992
Gloucestershire	73,956	1,013,984	197,500	464,234
Hampshire	521,260	1,142,167	127,340	522,920
Hertfordshire	87,692	566,589	620,935	259,402
Kent	368,000	1,647,217	278,000	754,147
Lancashire	396,914	959,529	277,856	439,302
Leicestershire	279,540	710,177	703,421	325,141
Lincolnshire	39,708	1,525,138	1,351,445	698,256
Norfolk	75,055	2,035,846	165,000	932,074
North Yorkshire	509,000	1,750,000	701,522	806,913
Northamptonshire	101,075	889,715	716,699	407,340
Northumberland	372,600	608,253	286,000	278,477
Nottinghamshire	185,764	667,430	0	305,570
Oxfordshire	373,579	1,183,588	0	541,884
Shropshire	238,176	804,914	0	368,515
Somerset	94,817	1,299,640	333,439	595,016
Staffordshire	97,548	875,000	92,435	473,041
Suffolk	186,471	1,534,342	0	702,470
Surrey	404,025	779,797	0	357,015
Warwickshire	135,405	761,540	0	348,657
West Sussex	223,773	739,752	0	338,682
Wiltshire	481,080	1,003,848	23,000	459,593
Worcestershire	757,645	862,568	592,480	394,911
Passenger Transport Authorities				
Greater Manchester	0	130,160	0	77,357
Merseyside	0	106,590	0	48,800
South Yorkshire	318,500	432,581	1005617	198,049
Tyne and Wear	630,050	104,768	0	47,966
West Midlands	0	110,837	0	50,745
West Yorkshire	208,928	709,628	0	324,890
Unitaries				
Bath & NE Somerset	40,000	178,731	0,000	81,829
Blackburn with Darwen	0	33,000	0	22,815
Bracknell Forest	0	51,125	0	23,407
Bristol	0	8,328	0	3,813
Darlington	0	61,742	0	28,267
East Riding	166,863	682,342	592,271	312,397
Halton	0	11,810	0	7,416
Hartlepool	0	21,544	45,000	9,864
Herefordshire	41,518	667,144	179,077	305,439
Isle of Wight	0	203,377	0	93,112
Medway	0	91,533	0	51,139
Middlesbrough	0	12,542	0	6,748

Shire Counties	RBC payments in 2001–02	2001–02 payments Total RBSG Grant Paid in 2001–02	RBC payments in 2002–03	2002–03 payments RBSG Payments in 2002–03
Milton Keynes	101,965	91,265	124,741	41,798
NE Lincolnshire	0	54,463	0	24,935
North Lincolnshire	114,313	328,744	57,157	150,509
North Somerset	0	150,000	0	77,669
Peterborough	0	107,313	0	49,131
Plymouth	141,400	12,139	73,400	5,704
Poole	0	0	0	4,338
Redcar & Cleveland	20,000	72,142	0	33,029
Rutland	0	136,644	0	62,560
South Gloucestershire	80,000	244,422	0	111,904
Stockton-on-Tees	12,000	43,201	0	19,779
Stoke-on-Trent	0	6,925	0	3,170
Swindon	0	58,300	0	32,606
Telford and The Wrekin	184,000	97,107	742,895	44,459
Thurrock	97,000	48,748	0	22,318
Torbay	111,340	8,488	0	4,901
Warrington	26,000	76,161	0	34,869
West Berkshire	0	297,015	67,806	135,983
Windsor & Maidenhead	0	64,592	0	29,572
Wokingham	0	98,880	0	45,270
York	95,200	93,491	0	42,803
Totals	*11,197,801*	*41,157,824*	*11,156,628*	*19,000,000*

Mayor of London

Mr. Chope: To ask the Secretary of State for Transport if he will set out the matters discussed and the conclusions reached at his meeting with the Mayor of London on 26 September. [76125]

Mr. Jamieson: A range of transport issues was discussed.

Congestion Charges

Mr. Chope: To ask the Secretary of State for Transport what assessment he has made of the future impact of congestion charges in London on his Department's PSA targets relating to congestion in London; and if he will make a statement. [76123]

Mr. Jamieson: I refer the hon. Member to my Answers of 24 July 2002, *Official Report*, column 1257W.

Cars (Taxes and Licences)

Tim Loughton: To ask the Secretary of State for Transport what action he is taking to reduce the number of *(a)* unlicenced and *(b)* untaxed cars on UK roads. [75552]

Mr. Jamieson: The Government takes the problem of the use of unlicensed and untaxed vehicles on the United Kingdom's road seriously and is pursuing a wide range of initiatives to deal with the problem. We are currently developing proposals for the reform and modernisation of vehicle registration and licensing, to reduce evasion and to bear down on vehicle crime. In response to the recommendations of a report commissioned by my Department from the Jill Dando Institute of Crime Science—a copy of which was placed in the Library in June 2002—we have established a Modernising Vehicle Registration Implementation Board (MVRIB), including representatives of motorists' organisations, the motor trade, the police and the insurance industry to advise on and develop those proposals.

The 2002 Finance Act contained provisions under which the responsibility for licensing and taxing vehicles will be placed on the registered keeper, who will remain liable for doing so until such time that the Driver and Vehicle Licensing Agency (DVLA) has properly been notified of a change of keeper. These proposals will mean that it is not necessary for a vehicle to be detected on the road for effective enforcement action to take place. The implementation of these new powers is at the heart of MVRIB's agenda.

Detection of unlicensed vehicles on the public road is currently carried out by police and traffic wardens, who pass offence reports to the Driver and Vehicle Licensing Agency (DVLA) for enforcement action. Last year 800,000 offenders were brought to book, bringing in £110m in fines, penalties and relicensing revenue. Since 1997 a nationwide scheme has been operating to wheelclamp and impound untaxed vehicles seen on the public road. Over 100,000 vehicles have been clamped since the scheme started. The scheme has been a success and we are looking to increase the level of wheelclamping across the country. A pilot scheme has proved the feasibility of local authorities using DVLA's powers to wheelclamp and impound untaxed vehicles. Following a succesful pilot in the London Borough of Newham, this is being rolled out to local authorities that wish to join the scheme. In addition, mobile digital camera technology has been introduced to detect untaxed moving vehicles.

DVLA is also working closely with other enforcement agencies in schemes to target both unlicensed and abandoned vehicles, in particular through Operation Cubit, a joint operation between DVLA, the police, fire service and local authorities which removes offending vehicles from the road immediately, and has been run in a number of locations including Kent, Hastings, Brighton, Liverpool, Belfast and Cleveland.

INTERNATIONAL DEVELOPMENT

Afghanistan

Norman Lamb: To ask the Secretary of State for International Development if she will make a statement on the funding of water treatment projects in and around Kabul. [75219]

Clare Short: There are three main organisations working in various areas of Kabul's water system, KFW (German Development Bank), CARE International and the International Committee of the Red Cross. Projects currently being worked on or considered include linking the Loghar Valley Water Supply Scheme to South East Kabul to serve an additional 40 per cent. of its population; a new reservoir for North Kabul; a geological survey to identify deeper aquifers; and a proposal to feed Kabul from the Pansher valley, a project that would include substantial water treatment facilities. Some 5,000 water supply household connections have been repaired and piped water supply has almost doubled in the city since June 2002.

Norman Lamb: To ask the Secretary of State for International Development how many *(a)* deaths and *(b)* injuries it is estimated have been caused by unexploded bomblets following the use of cluster bombs in Afghanistan. [75224]

Clare Short: UNMAS is currently collating information from the International Committee of the Red Cross on mine and unexploded ordnance casualties throughout Afghanistan as well as additional reports from mine action organisations.

Unfortunately the information gathered is not comprehensive due to the lack of a complete surveillance system. Consequently accurate national level estimates of casualties from specific types of ordnance are not available. However, an upcoming landmine impact survey will provide additional data, and the introduction of the Information Management System for Mine Action, which includes this information as an element of incident reporting, will enhance the capacity for such analysis.

Norman Lamb: To ask the Secretary of State for International Development if she will make a statement on progress being made in the safe disposal of the unexploded bomblets remaining following the use of cluster bombs in Afghanistan. [75225]

Clare Short: A total number of 234 BLU Strike areas have been reported to UNMAS by the US forces to date. So far 108 of these areas have been cleared by organisations working as part of the Mine Action Programme for Afghanistan, and the capacity for clearance of CBU has been greatly increased over the last 12 months to increase the rate of completion. At current rates of clearance UNMAS estimate that all known areas will have been cleared in 2003.

Malawi

Dr. Tonge: To ask the Secretary of State for International Development what discussions she has had with the Government of Malawi regarding the cholera control programme; and what plans are in place to implement a sanitisation programme. [74881]

Clare Short: The lead agency supporting Malawi on cholera control is WHO. The National Cholera Task Force Ministry of Health (MoH) and relevant donors have pre-positioned cholera treatment supplies, completed field investigations of recurrent outbreaks, set up a Rapid Reaction Force, and prepared simplified surveillance tools. WHO has concluded agreements direct with districts and collaborating NGOs to conduct training on preparedness and case management.

WHO is supporting community-based sanitisation campaigns on cholera prevention, including key household practises (water storage, handwashing, home sanitation). Government, UNICEF, NGO partners and district authorities are cooperating to ensure that "hardware" (treatment supplies, borehole placement) and the "software" (health worker training, community awareness) are reaching the worst affected areas.

Debt Repayments

Norman Lamb: To ask the Secretary of State for International Development if she will make a statement on her policy on whether *(a)* Malawi, *(b)* Mozambique and *(c)* Zambia should be granted an immediate suspension of their HIPC debt repayments. [76103]

Clare Short: Malawi, Mozambique and Zambia have all qualified for debt relief under the Heavily Indebted Poor Countries (HIPC) Initiative. Malawi and Zambia have reached their Decision Point, and are already receiving debt relief. Mozambique has passed its Completion Point and is now receiving full debt relief. All three countries have completed a full poverty reduction strategy paper setting out how resources, including savings from debt relief, will be spent, thereby ensuring the maximum possible impact on poverty reduction. To address the current food security problem in the region, the UK has provided £26.5 million in humanitarian relief to these three countries since September 2001.

HIPC Initiative

John Barrett: To ask the Secretary of State for International Development which countries she estimates, on current projections, will exit the Heavily Indebted Poor Countries initiative with unsustainable debt. [75060]

Clare Short: Largely as a result of the global economic slowdown and falls in commodity prices, the prospect of most HIPC countries exiting the process with sustainable debt are poor, unless they are provided with further relief. The UK has successfully pressed for the provision of additional relief at Completion Point, but the present arrangement still does not provide a generous enough level of debt relief to those countries with unsustainable debts. We are continuing to press for a more systematic approach to topping up to bring all countries back to a sustainable debt level at Completion Point, so that no country will exit the HIPC process with unsustainable debts.

Additional financing will be required to meet the costs of topping up. At their Summit in Kananaskis, last July, G8 leaders agreed to provide their share of up to an additional US$1 billion for the HIPC Trust Fund. This will not only help meet the current shortfall in the

financing of the Initiative, but will also ensure that there are sufficient funds available to finance the additional debt relief required at Completion Point. At the Annual Meetings of the World Bank and the IMF last month, the international community reconfirmed their commitment to the implementation of the HIPC Initiative, and its full financing. Some donors, including the UK took the opportunity to pledge their firm support for the HIPC Trust Fund. The UK announced a bilateral contribution of US$95 million plus its share of any EDF contribution to the Trust Fund. This is in addition to the US$306 million that we have already committed. We hope that other donors will be able to announce their contributions this week.

CULTURE, MEDIA AND SPORT

Lottery Funding

Chris Grayling: To ask the Secretary of State for Culture, Media and Sport what her policy is on the provision of Lottery funding to groups with a political agenda. [75621]

Mr. Caborn: It is for individual Lottery distributors to decide upon the eligibility of individual applicants according to the powers given them under the National Lottery etc. Act 1993 and in consideration of the directions issued to them under that Act.

Chris Grayling: To ask the Secretary of State for Culture, Media and Sport under what provision of the arrangements for managing the National Lottery grant finance was provided to the Community Empowerment Network. [75620]

Mr. Caborn: Under the powers given to it by the National Lottery etc. Act 1993, the Community Fund awarded a grant of £198,823 to the Communities Empowerment Network in June 2000 for work in the Greater London area. This grant completed in July 2002 and the Community Fund do not fund the organisation currently.

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what plans she has to improve access to Lottery funds for village hall projects. [75242]

Mr. Caborn: We have asked Lottery distributors to work together to make it easier for groups to access funding for multi-purpose community buildings, including village halls. Earlier this year they launched a £2 million trial programme in the West Midlands with a shared application process for groups seeking up to £100,000 to improve their community building and the sports, arts or community activities that happen there.

Tim Loughton: To ask the Secretary of State for Culture, Media and Sport how much National Lottery funding was granted to ex-servicemen's welfare organisations in West Sussex last year. [75531]

Mr. Caborn: I am not aware of any Lottery funding granted to such organisations in West Sussex last year.

Sport England

Mr. Greenway: To ask the Secretary of State for Culture, Media and Sport when she expects the Council of Sport England to have a full complement of members. [75195]

Mr. Caborn: We expect to appoint a chairman and other members to the Sport England Council shortly.

Sport (Performance and Innovation Unit)

Mr. Greenway: To ask the Secretary of State for Culture, Media and Sport what representations she has received on the draft Performance and Innovation Unit report on the future of sport. [75197]

Mr. Caborn: My Department has received representations from a number of sporting organisations. In addition, meetings have been held with those Ministers with responsibility for sport in the Devolved Administrations. All comments received have been passed to the Strategy Unit, (formerly the PIU).

Football (Racist Abuse)

Mr. Hepburn: To ask the Secretary of State for Culture, Media and Sport what discussions the Department will have with the football authorities and other Government Departments about the racist abuse of members of the England football squad by Slovakian football fans in the recent international match between the two nations. [75207]

Mr. Caborn: I discussed events during England's match in Slovakia with representatives of the English football authorities on 16 October. My officials have also discussed the issue in detail with the Home Office, which is responsible for co-ordinating work with overseas police forces in respect of England's away matches.

The Government and the football authorities now await the results of UEFA's enquiry into these events, following the official complaint made the Football Association.

Swimming

Lynne Jones: To ask the Secretary of State for Culture, Media and Sport how the development of Specialist Sports Colleges and School Sport Co-ordinator partnerships is contributing to increasing facilities available for swimming. [75819]

Mr. Caborn: The Government recently announced the investment of more than £450 million over the next three years to transform the quality of sports teaching in schools. The funds will, amongst other things, contribute to the further development of the Specialist Sport College (240 new Colleges by 2005) and School Sport Co-ordinator (from 700 to 2,400 Co-ordinators by 2005) schemes, and will bring a step change in the quality of sports teaching by promoting expertise and developing opportunity. The investment builds on the £750 million being invested in sports facilities across the UK as part of the New Opportunities Fund PE and Sport programme.

The Government recognises the importance of swimming to young people and the role it—along with sport more generally—can play in raising standards, improving behaviour and tackling disaffection, as well as improving health levels. On 17 October, as part of the Government's response to the Swimming Advisory Group's recent Report, the Government launched a swimming initiative which will include: a new swimming and water safety website; proposals for a swimming charter (to be published next year); two pilot schemes for children in the final year of primary school and who cannot swim 25 metres; and increased training for teachers.

Lynne Jones: To ask the Secretary of State for Culture, Media and Sport what her estimate is of the cost of refurbishing local authority swiming pools; and what resources are expected to be available over the next five years for this purpose. [75820]

Mr. Caborn: Sport England estimate that the costs for modernising public sector swimming pools alone (not including educational sites) is approximately £2 billion. The Lottery Sports Fund has invested £244 million in the development of new swimming facilities and the refurbishment of existing swimming pools, making swimming the largest beneficiary sport of Lottery Sports Funding to date.

Grants from the Lottery Sports Fund are allocated by Sport England according to the policies and priorities set out in their Lottery strategy. We believe that any investment in swimming pool infrastructure should both meet the need of local communities and those of elite swimmers and above all, should be sustainable in the long term.

Gambling

Lynne Jones: To ask the Secretary of State for Culture, Media and Sport what research she has commissioned *(a)* on the effect of allowing children to gamble and *(b)* on the effect of lifting the ban on gambling by credit card. [75463]

Mr. Caborn: My Department has commissioned no such research; but the gambling industry's charitable trust will be considering priorities for research in the light of the strategy which it is now developing.

Public Buildings

Mr. Wiggin: To ask the Secretary of State for Culture, Media and Sport if she will include sustainability as a criteria to be considered during the application process for funding from the Community Fund for public buildings. [75150]

Mr. Caborn: Directions issued to the Community Fund under the National Lottery etc. Act 1993 include sustainability as a criterion to be considered during the application process for public buildings.

FOREIGN AND COMMONWEALTH AFFAIRS

Russia

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs what commitments and obligations made by Russia on acceding to the Council of Europe in 1996 remain outstanding. [75198]

Mr. MacShane: The Council of Europe Parliamentary Assembly (PACE) takes responsibility for monitoring accession obligations and commitments, and appoints Rapporteurs for that purpose. The Rapporteurs on Russia made an extremely comprehensive report to the April session of PACE which is available on the PACE website; http://assembly.coe.int. HMG agreed with the report's conclusions.

Opium

Mr. Malins: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the conflict with the Taliban in Afghanistan has reduced the production there of opium; and if he will make a statement. [75421]

Mr. MacShane: After the fall of the Taliban the Afghan Interim Administration adopted a tough line on drugs: in January they introduced a ban on drugs production, trafficking and processing, and in April implemented a compensated eradication programme. The Afghan authorities estimate that approximately 16,500 hectares of poppy fields were destroyed. This equates to 76 tonnes of heroin, which is approximately three times the UK's annual consumption and worth around £5 billion at UK street level prices. But poppies continue to be cultivated.

Eradication alone will not solve Afghanistan's drug problem. The sustained elimination of opium poppy cultivation will require long-term international support for the building up of Afghan drug law enforcement and the provision of licit livelihoods for poppy farmers.

Gibraltar

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs if the Government will refer the question of Gibraltar's constitutional standing to the International Court of Justice. [75102]

Peter Hain: I refer the hon. Member to the answer I gave the hon. Member for Eddisbury (Mr. O'Brien) on 10 December 2001, *Official Report*, column 632W.

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs on what grounds he holds the integration of Gibraltar into the UK to be in contravention of the Treaty of Utrecht. [75104]

Peter Hain: I refer the hon. Member to the answer I gave him on 12 April 2002, *Official Report*, column 646W.

Tim Loughton: To ask the Secretary of State for Foreign and Commonwealth Affairs when he plans to consult the people of Gibraltar about the future of British sovereignty over the colony. [75697]

Peter Hain: I refer the hon. Member to the statement my right hon. Friend the Foreign Secretary gave to the House on 12 July, *Official Report*, column 1166.

Plutonium

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the en route

countries for the rejected plutonium MOX nuclear fuel returned to Sellafield from Japan in July to September; and which *(a)* made representations to United Kingdom embassies and *(b)* direct to her Majesty's Government opposing the shipment and objecting to the shipment, entering their territorial waters. [75687]

Mr. MacShane: The shipment of MOX returned from Japan, which arrived at Sellafield in September 2002, did not pass through the territorial waters of any States, save those of Japan and the UK. Vanuatu, South Africa, Mauritius and Chile made representations to United Kingdom Embassies. New Zealand made a representation to Her Majesty's Government through its High Commission in London. The Pacific Islands Forum troika made representations to a UK delegation. Ireland expressed some concerns through Ministerial statements, press releases and in discussions with the British Embassy in Dublin.

United Nations Monitoring Verification and Inspection Commission

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs how many United Kingdom nationals are working for the United Nations Monitoring Verification and Inspection Commission; and if he will list their qualifications. [75827]

Mr. Mike O'Brien: As far as we are aware, there are seven UK nationals working full-time for UNMOVIC. Additionally, one UK national is currently working on a short-term contract to deliver a training package for potential UNMOVIC inspectors.

All UNMOVIC staff are UN employees and are recruited directly by the UN. UNMOVIC are under no obligation to inform us of their intention to employ UK nationals, or to divulge the qualifications of any staff that they employ.

International Terrorism

Norman Lamb: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what assessment he has made of the involvement of Pakistan's ISI in terrorism in Kashmir; if he has raised with President Masharraf concerns with regard to ISI's alleged involvement in terrorism; and what reports he has received implicating Pakistan's ISI in terrorism elsewhere than in Kashmir; [75485]

(2) what information he has received in the last three months indicating whether progress is being made in dismantling terrorist camps in Azad Kashmir administered by Pakistan; and if he will make a statement on Indian army allegations that the Pakistan army co-operates with terrorists infiltrating across the border into Kashmir. [75486]

Mr. Mike O'Brien: In his speech of 10 June to Parliament, my right hon. Friend the Foreign Secretary referred to the link between ISID and certain terrorist organisations. We are encouraged by the banning of five such terrorist organisations in Pakistan. Our concerns about cross-border infiltration have been raised regularly with the Pakistanis, including during the Foreign Secretary's 19–20 July visit to Islamabad and when he met Pakistani Foreign Minister Inam ul-Haq on 16 September in the margins of the UN General Assembly. The Pakistanis have reassured us that President Musharraf's pledge that there will be no movement across the Line of Control still stands and the Pakistani Army are doing all they can to stop infiltration. A permanent end to cross-border infiltration and terrorism in Kashmir are critical to a sustained and substantive dialogue leading towards a lasting settlement of the Kashmir issue.

We welcome the recent announcements by both India and Pakistan of the phased withdrawal of a significant number of troops from the International Border. We hope that his will be followed by further de-escalatory steps and a resumption of dialogue.

We are aware of regular allegations of ISI involvement in Afghanistan.

Afghanistan

Norman Lamb: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress in establishing a national security force in Afghanistan. [75222]

Mr. Mike O'Brien: The UK is working closely with Afghan and international partners, in particular the Americans, to help establish an effective and democratically accountable national army, and with the Germans to create a national police force.

To date, five battalions of Afghan troops have been trained, one by the International Security Assistance Force (ISAF) when under UK leadership, three by the US and one by the French. Further battalions are under training. The UK is also contributing to the German-led national police force reform programme which is training over 1,500 recruits in the newly rebuilt Police Academy.

Work is progressing with the Afghan Transitional Administration to agree the structure of the Afghan police, army and border forces under democratically controlled security institutions. The UK is contributing to this process with a £5.7m project to assist with the creation of the office of the National Security Adviser.

Norman Lamb: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the security situation in Afghanistan outside Kabul. [75221]

Mr. Mike O'Brien: The security situation in Afghanistan outside Kabul remains unstable. There are occasional outbreaks of fighting between different Afghan groups, while the absence of effective law and order forces means that little is being done to combat crime.

A secure environment in Afghanistan is key to extending the rule of the Transitional Administration, to enabling humanitarian aid to be delivered and to allowing reconstruction work to continue. The UK continues to work closely with the United Nations and other interested states to help develop effective and democratically accountable Afghan security and law and order forces under Transitional Administration control.

Paul Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what the most recent assessment is of the total area of land in Afghanistan under cultivation for poppies in each of the past 12 years; and what changes have occurred in the past year for which figures are available. [75020]

Mr. MacShane: The United Nations Office for Drug Control and Crime Prevention has reported Afghanistan's opium poppy cultivation as follows: 1990–41,300; 1991–50,800; 1992–49,300; 1993–58,300; 1994–71,470; 1995–53,759; 1996–56,824; 1997–58,416; 1998–63,674; 1999–90,583; 2000–82,171; 2001–7,606 (areas in hectares). The results of the 2002 survey have not yet been published.

Poppy cultivation remains concentrated in the provinces of Helmand, Nangarhar, Badakhshan, Oruzgan and Kandahar.

Lombok

Mr. MacDougall: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the political and economic situation on the island of Lombok, Indonesia. [76034]

Mr. Mike O'Brien: The political situation in Lombok has stabilised since the widespread violence between Christians and Muslims in 2000, though reports of isolated incidents of violence continue. Lombok is one of Indonesia's poorer provinces and its tourism industry will undoubtedly suffer following the terrorist attack in Bali and advice to overseas visitors to stay away.

UN Security Council Resolutions

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list each of the United Nations Security Council resolutions which have not been implemented by UN member states since August 1990; and if he will set out what the United Kingdom has done in each case to press for implementations. [75872]

Mr. MacShane: Between August 1990 and 17 October 2002 the United Nations Security Council adopted 779 resolutions.

The UK expects all Member States to implement Security Council resolutions, and has called on the States concerned to do so, as has the Security Council itself. When the Security Council has taken a decision all Member States have an obligation to accept it and carry it out under Article 25 of the Charter of the United Nations.

The United Kingdom has also fully supported the establishment of a number of committees of the UN Security Council, monitoring mechanisms and expert panels whose mandates include monitoring member states' implementation of Security Council resolutions (eg, those imposing sanctions regimes, or demanding that states take action against terrorism).

International Criminal Court

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with his counterparts within the European Union regarding a common EU position on bilateral agreements with the United States regarding the exemption of US citizens from the ICC. [76014]

Mr. MacShane: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs has had a number of discussions with his EU counterparts about the US government's request for bilateral agreements under Article 98.2 of the Rome Statute of the International Criminal Court in the period leading up to the GAER Council on 30 September. At that meeting, my right hon. Friend the Minister of State for Europe (Peter Hain), agreed Conclusions and General Principles on the handling of the US request, consistent with the ICC Statute.

EDUCATION AND SKILLS

Student Loans

Mr. Brady: To ask the Secretary of State for Education and Skills what procedures are in place to allow those repaying student loans to obtain up to date balances of the total sum owed. [74309]

Margaret Hodge: Borrowers under the pre-1998–99 scheme of mortgage style loans receive annual statements from the Student Loans Company (SLC) showing what has been repaid and the outstanding balance owed.

For most borrowers under the income-contingent loans scheme, repayments are collected by their employers through deductions from their earnings, with tax and national insurance contributions. These borrowers receive a statement from the SLC after the end of the tax year, once the SLC has received details of what has been collected by the Inland Revenue. As well as the yearly statement, borrowers' payslips contain details of their repayments. If a borrower contacts the SLC, the company can provide an estimate of the amounts that have been repaid and what is outstanding using the information on the borrower's payslips. Borrowers can contact the SLC over the phone for this information.

Self-employed borrowers receive their statements after making their self-assessment return to the Inland Revenue.

The SLC is introducing a service by the end of November 2002 for borrowers under the income-contingent loan scheme who have nearly completed repayment of their loan. Based on a projection of earnings from the borrower, the SLC will tell the Inland Revenue when repayments should stop being collected. This is designed to prevent employers collecting too much and the borrower having to obtain a refund.

Higher Education Access

Mr. Boswell: To ask the Secretary of State for Education and Skills what the average extra cost is of a marginal student under the programme of widening access to higher education. [74669]

Margaret Hodge *[holding answer 15 October 2002]:* The information requested is not available.

We are determined to encourage more people from under-represented groups to enter higher education. Through the Excellence Challenge we are spending £190 million over 3 years to raise the attainment and aspirations of young people in some of the most deprived areas of the country. Our AimHigher campaign, which includes a roadshow for schools and colleges in Excellence Challenge areas is promoting the benefits of higher education. We have also introduced significant extra financial help for students who need it, including increasing Access and Hardship Funds fourfold, a child care grant and a travel books and equipment grant for student parents, and, as part of the Excellence Challenge, we have introduced Opportunity Bursaries for young people from low income backgrounds. We have also significantly increased support for part-time students through fee waivers and loans. Additionally the Higher Education Funding Council for England also provides significant funding for widening participation including the postcode premium for institutions which they increased to £41 million this year. Their funding for widening participation totals about £180 million in 2002–03, including student support.

Student Numbers

Mr. Boswell: To ask the Secretary of State for Education and Skills what the average unit cost of capital to support increased student numbers is. [74670]

Margaret Hodge *[holding answer 15 October 2002]:* Capital funding for FE colleges is not paid on a cost per student basis, so unit cost figures are not available. Where capital investment is needed for expansion of places, colleges can apply to the Learning and Skills Council for separate capital grants for specific projects. They may also fund capital from revenue funding for students, through borrowing, and through Private Finance Initiative projects. Funding for the Further Education sector included no ear-marked capital in 1997–98; we plan to provide over £250 million in 2003–04.

The Higher Education Funding Council for England provides capital funding for a variety of purposes, for example for improving poor estates, and providing access for students with disabilities. Higher education institutions are invited to bid for this funding. If capital investment is needed for the expansion of student places, higher education institutions are expected to fund this from recurrent grant, reserves, from charities, endowments or other gifts, through PPP/PFI projects or through borrowing. Our planned funding for the Higher Education sector included ear-marked capital of £256 million in 2001–02, rising to £364 million in 2003–04.

Sponsorships

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills if she will list the schemes and initiatives sponsored by her Department and its agencies which are not the subject of national roll out, showing *(a)* the authorities or areas covered by the scheme and *(b)* the budget of the scheme in the last year for which information is available. [75669]

Estelle Morris: Details of area based initiatives operated by my Department are set out below.

The number of authorities or areas covered by these initiatives is too numerous to list here.

Therefore, where available, website details are included.

Budget details listed for each initiative are for financial year 2001–2002.

Area Based Initiative	*Website Address*	*In year Budget for 2001–2002 (£m's)*
Neighbourhood Nurseries	Not all areas decided yet but will cover 20% of wards selected as those with highest deprivation as per the Office of the Deputy Prime Minister Index of multiple deprivation. Or pockets of equivalent deprivation.	46
Sure Start	www.surestart.gov.uk	206
Education Action Zones	www.standards.dfes.gov.uk/exellence	90
Children's Fund	www.cypu.gov.uk	85
Community Champions	www.dfes.gov.uk/communitychampions	3
Neighbourhood Support Fund	www.dfes.gov.uk/nsf	19

Research (Primates)

Chris Grayling: To ask the Secretary of State for Education and Skills if she will make a statement on the use of primates in research in British universities. [75630]

Margaret Hodge: Use of animals for research is regulated by the Animals (Scientific Procedures) Act 1986. This specifies that non-human primates can only be used where there are no alternatives. In addition to regulatory testing to help ensure the safety of medicines, non-human primates are also used for other important areas of fundamental research. For example they contribute to programmes of work relating to Parkinson's disease, visual impairment, stroke, diabetes, disorders of reproduction and vaccine development. Non-human primates were used in only 0.15 per cent. of regulated scientific procedures in 2001. Detailed information is available in the "Statistics of Scientific Procedures on Living Animals Great Britain 2001" which is published by the Stationery Office and is available on the Home Office website http://www.homeoffice.gov.uk/animalsinsp/index.htm.

Funding

Mr. Watts: To ask the Secretary of State for Education and Skills what impact her Department's new funding options will have on redistributing funding to areas with high rates of poverty and low levels of educational achievement. [74959]

Mr. Miliband: In introducing the new funding system we want it to reflect better authorities' differing circumstances and needs. All the options are based on evidence that suggests that authorities with significant deprivation, and in particular poverty, need to spend significantly more to achieve the same results for their children. There are two options in which the main indicator for deprivation—the number of children of parents on income support—is supplemented by the numbers of children of parents in receipt of Working Families' Tax Credit. This picks up those children whose parents are in low paid work, and its aim is to reflect a wider definition of poverty. The distributional impact of the options is set out in the consultation document issued on 8 July by the Office of the Deputy Prime Minister.

Top-up Fees

Mr. Simon Thomas: To ask the Secretary of State for Education and Skills (1) what plans she has to introduce top-up fees; [75154]

(2) what plans she has to increase the level of interest charged on student loans; [75159]

(3) what plans she has to consult students on the review of student support; [75160]

(4) if she will consider reintroducing targeted maintenance support for those students from the poorest backgrounds; [75161]

(5) what plans there are to increase the threshold at which students are required to begin repaying their student loans. [75162]

Margaret Hodge: We have announced our intention to publish a strategy document setting out our 10-year vision for the development and reform of higher education, including the outcome of the review of student support. The document will be out shortly; it would not be right to pre-empt it here by saying what is or is not planned. Once the document is published there will be opportunity for all interested parties to comment.

Schools Distribution

Mr. Breed: To ask the Secretary of State for Education and Skills how many English settlements with a population of 3,000 have *(a)* one, *(b)* two, *(c)* three and *(d)* four or more (i) primary and (ii) secondary schools by broken down by region. [75180]

Mr. Miliband: The information requested is not readily available and can be provided only at disproportionate cost.

Child Care Places

Mr. Breed: To ask the Secretary of State for Education and Skills how many child care places were created in *(a)* 2000–01, *(b)* 2001–02 and *(c)* 2002–03 to date broken down by county. [75181]

Mr. Miliband: Annex 1 shows the number of childcare places created in each local education authority area in 2000–01, 2001–02 and 2002–03 to date. The available data has been collated from quarterly reports submitted by local authorities' Early Years Development and Childcare Partnerships.

Number of childcare places created by Local Authority

Local Authority	*2000–01*	*2001–02*	*2002–03*[1]
Barking & Dagenham	523	373	15
Barnet	727	1182	172
Barnsley	451	368	55
Bath & North East Somerset	430	516	53
Bedfordshire[2]	1391	1006	N/K
Bexley	986	487	369
Birmingham	3105	2235	192
Blackburn	578	645	162
Blackpool	730	429	233
Bolton	1203	462	53
Bournemouth	394	396	20
Bracknell Forest	236	503	54
Bradford	7569	1223	91
Brent	754	436	145
Brighton & Hove	779	462	94
Bromley	874	731	15
Buckinghamshire	2767	1613	140
Bury	468	628	32
Calderdale	494	563	61
Cambridgeshire	2208	1807	972
Camden	801	534	0
Cheshire	2987	1606	245
City of Bristol	1023	689	950
City of London	278	49	15
Cornwall	2610	2657	578
Coventry	1212	1142	101
Croydon	1064	913	163
Cumbria	1287	1049	295
Darlington	435	526	223
Derby	661	520	47
Derbyshire	2496	1897	429
Devon	2845	2249	184
Doncaster	1006	597	76

Number of childcare places created by Local Authority

Local Authority	*2000–01*	*2001–02*	*2002–03*[1]
Dorset	712	784	212
Dudley	638	823	252
Durham	1861	1344	144
Ealing	935	1152	108
East Riding of Yorkshire	1398	745	203
East Sussex	1697	1699	214
Enfield	593	901	195
Essex	3461	2983	616
Gateshead	791	507	55
Gloucestershire	3350	3390	154
Greenwich	1047	939	163
Hackney	592	821	307
Halton	548	309	88
Hammersmith & Fulham	459	904	29
Hampshire	7599	6322	500
Haringey	1399	188	56
Harrow	466	229	3
Hartlepool	307	231	88
Havering	361	115	17
Herefordshire, County of	509	894	115
Hertfordshire	2781	2650	332
Hillingdon	635	870	44
Hounslow	342	299	71
Isle of Wight	440	472	79
Isles of Scilly	59	60	12
Islington	519	361	23
Kensington & Chelsea	272	167	116
Kent	2668	3822	96
Kingston upon Hull	647	727	997
Kingston upon Thames	714	206	22
Kirklees	1275	1328	83
Knowsley	682	531	84
Lambeth	1474	464	36
Lancashire	3587	4067	375
Leeds	2224	1291	337
Leicester	485	625	48
Leicestershire	1705	1057	2509
Lewisham	350	375	6
Lincolnshire	1412	1814	831
Liverpool	955	1213	119
Luton	1092	923	350
Manchester	1109	1142	87
Medway	619	528	344
Merton	353	298	300
Middlesbrough	540	269	111
Milton Keynes[3]	1137	N/K	N/K
NE Lincolnshire	760	344	69
Newbury/West Berkshire	922	589	201
Newcastle upon Tyne	664	717	85
Newham	585	598	120
Norfolk	1529	1628	406
North Lincolnshire	187	387	64
North Somerset	747	877	178
North Tyneside	651	408	35
North Yorkshire	2679	1622	177
Northamptonshire	2228	1383	216
Northumberland	797	756	57
Nottingham	653	1026	317
Nottinghamshire	2427	2006	538
Oldham	598	1078	73
Oxfordshire	1486	1350	811
Peterborough	1241	843	435
Plymouth	1520	357	512
Poole	301	210	117
Portsmouth	673	960	67
Reading	999	424	74
Redbridge	485	354	19
Redcar & Cleveland	347	454	101

Number of childcare places created by Local Authority

Local Authority	*2000–01*	*2001–02*	*2002–03*[1]
Richmond upon Thames	828	736	53
Rochdale	752	564	185
Rotherham	805	511	70
Rutland	316	83	15
Salford	721	1116	180
Sandwell	551	536	89
Sefton	495	401	174
Sheffield	1212	1288	90
Shropshire	914	923	122
Slough	304	356	133
Solihull	738	654	142
Somerset	1638	2749	212
South Gloucestershire	595	582	136
South Tyneside	385	185	73
Southampton	672	727	83
Southend	421	288	25
Southwark	940	719	53
ST Helens	479	375	154
Staffordshire	2313	918	359
Stockport	781	424	77
Stockton-on-Tees	380	538	98
Stoke-on-Trent	491	620	63
Suffolk	1009	1427	388
Sunderland	671	377	90
Surrey	3543	2322	1874
Sutton	875	640	14
Swindon (Thamesdown)	924	437	214
Tameside	513	433	283
Telford & Wrekin	644	348	183
Thurrock	510	239	64
Torbay	391	251	121
Tower Hamlets	356	247	72
Trafford	605	1023	36
Wakefield	533	862	174
Walsall	910	671	286
Waltham Forest	834	975	40
Wandsworth	464	303	182
Warrington	556	298	135
Warwickshire	754	1160	379
West Sussex	2989	1817	235
Westminster	1044	327	5
Wigan	700	989	360
Wiltshire	1734	2149	305
Windsor & Maidenhead	812	1248	108
Wirral	747	684	91
Wokingham	590	690	204
Wolverhampton	625	784	140
Worcestershire	2376	1927	270
York	1123	1073	139

Notes:
[1] Figures for 2002–03 are for the period April to June 2002
[2] Bedfordshire—figures for 2002–03 have not been finalised
[3] Milton Keynes—figures for 2001–02 and 2002–03 have not been finalised

Post-16 Education

Dr. Cable: To ask the Secretary of State for Education and Skills if the study commissioned by the National Rates Advisory Group of the Learning and Skills Committee into the costs of disadvantage in post-16 education has been considered by the group. [75139]

Margaret Hodge: The work of the Learning and Skill Council's National Rates Advisory Group relates to the operational responsibilities of the Council. John Harwood, the Council's Chief Executive, will write to the hon. Member providing the information requested and a copy of his reply will be placed in the Library.

Small Schools Fund

Mr. Breed: To ask the Secretary of State for Education and Skills how much of the Small Schools Fund was spent in *(a)* 2000–01, *(b)* 2001–02 and *(c)* 2002–03 to date, broken down by local education authority. [75188]

Mr. Miliband: The following table shows the original amounts allocated from the Small Schools Fund and the amounts finally accepted by each local education

authority (LEA) for 2000–2001, 2001–2002 and 2002–2003. The table also show how much of their final allocation each LEA spent in 2000–2001. Expenditure figures for 2001–2002 and 2002–2003 are not available. The figures include both Government grant and LEA contributions.

Expenditure and allocations on Small Schools Fund 2000–2003

	2000–2001			2001–2002		2002–2003	
	Original Allocations	*Final Allocations*	*Expenditure*	*Original Allocations*	*Final Allocations*	*Original Allocations*	*Final Allocations*
	£	£	£	£	£	£	£
201 City of London	–	–	–	0	0	0	0
202 Camden	152,892	152,892	152,892	136,245	136,245	136,000	136,000
203 Greenwich	205,876	202,845	183,596	216,390	216,390	248,000	248,000
204 Hackney	110,504	121,368	119,687	136,245	136,245	128,000	128,000
205 Hammersmith	116,952	116,952	114,248	136,245	136,245	144,000	144,000
206 Islington	106,484	106,484	106,484	120,216	120,216	112,000	112,000
207 Kensington & Chelsea	82,862	82,862	80,486	88,159	88,159	104,000	104,000
208 Lambeth	233,647	233,647	233,344	216,390	216,390	208,000	208,000
209 Lewisham	159,211	159,211	158,298	192,346	192,346	192,000	192,000
210 Southwark	167,894	167,894	164,687	208,375	208,375	208,000	208,000
211 Tower Hamlets	199,750	199,750	182,371	200,361	200,361	200,000	200,000
212 Wandsworth	191,259	191,259	191,259	192,346	192,346	192,000	192,000
213 Westminster	159,147	159,147	141,312	160,289	160,289	160,000	160,000
301 Barking	33,961	33,961	33,202	32,058	32,058	40,000	40,000
302 Barnet	218,451	25,000	17,191	168,303	168,303	184,000	184,000
303 Bexley	116,759	93,918	74,722	104,188	104,188	112,000	112,000
304 Brent	91,546	–	–	128,231	0	104,000	0
305 Bromley	125,313	125,313	90,580	144,260	144,260	168,000	168,000
306 Croydon	195,279	192,348	187,822	216,390	216,390	224,000	224,000
307 Ealing	89,631	89,631	75,000	136,245	136,245	144,000	144,000
308 Enfield	68,180	68,180	47,863	88,159	88,159	88,000	88,000
309 Haringey	129,463	129,463	89,562	136,245	136,245	128,000	128,000
310 Harrow	44,558	44,558	44,372	56,101	56,101	48,000	48,000
311 Havering	91,288	91,288	88,652	104,188	104,188	112,000	112,000
312 Hillingdon	175,870	175,870	165,424	160,289	160,289	136,000	136,000
313 Hounslow	144,272	144,272	139,083	160,289	160,289	160,000	160,000
314 Kingston upon Thames	95,436	73,728	73,728	72,130	72,130	64,000	64,000
315 Merton	190,552	157,989	156,498	168,303	168,303	160,000	160,000
316 Newham	55,606	55,606	53,254	112,202	112,202	120,000	120,000
317 Redbridge	42,581	41,061	40,555	72,130	72,130	72,000	72,000
318 Richmond upon Thames	101,692	101,692	92,972	96,173	96,173	96,000	96,000
319 Sutton	80,691	80,691	79,334	88,159	88,159	80,000	80,000
320 Waltham Forest	125,185	106,227	101,815	168,303	168,303	176,000	176,000
330 Birmingham	777,418	758,038	750,857	913,645	913,645	992,000	992,000
331 Coventry	220,751	220,751	204,557	232,418	232,418	272,000	272,000
332 Dudley	106,355	–	–	144,260	144,260	136,000	136,000
333 Sandwell	273,606	–	–	256,462	256,462	216,000	216,000
334 Solihull	152,763	152,763	115,859	136,245	136,245	128,000	128,000
335 Walsall	280,183	280,183	274,330	232,418	232,418	280,000	280,000
336 Wolverhampton	273,864	273,864	265,098	288,519	288,519	280,000	280,000
340 Knowsley	171,915	171,915	171,913	152,274	152,274	136,000	136,000
341 Liverpool	538,979	538,979	517,843	536,967	536,967	576,000	576,000
342St. Helens	178,427	128,498	128,498	200,361	200,361	184,000	184,000
343 Sefton	329,019	329,019	297,083	328,591	328,591	344,000	344,000
344 Wirral	218,901	203,811	188,407	280,505	280,505	328,000	328,000
350 Bolton	292,887	272,546	245,600	304,548	304,548	344,000	344,000
351 Bury	182,512	136,924	132,286	200,361	0	192,000	192,000
352 Manchester	456,504	456,504	424,275	424,765	424,765	424,000	424,000
353 Oldham	297,164	297,164	297,164	280,505	280,505	320,000	320,000
354 Rochdale	200,007	200,007	197,487	256,462	256,462	272,000	272,000
355 Salford	255,227	255,227	241,105	384,692	384,692	272,000	272,000
356 Stockport	329,147	329,147	318,899	376,678	330,000	384,000	384,000
357 Tameside	248,328	240,460	214,582	264,476	264,476	256,000	256,000
358 Trafford	224,899	224,899	170,628	224,404	224,404	224,000	224,000
359 Wigan	363,110	363,110	353,318	368,664	368,664	376,000	376,000
370 Barnsley	354,169	344,182	304,414	288,519	288,519	280,000	280,000
371 Doncaster	295,057	295,057	274,403	304,548	304,548	344,000	344,000
372 Rotherham	479,611	479,611	466,702	440,793	440,793	464,000	464,000
373 Sheffield	479,546	479,546	476,849	416,750	416,750	376,000	376,000
380 Bradford	1,137,183	1,137,183	1,016,003	1,049,890	1,049,890	432,000	432,000
381 Calderdale	430,583	423,738	398,452	384,692	384,692	400,000	400,000
382 Kirklees	695,956	689,235	688,004	673,212	673,212	704,000	704,000
383 Leeds	689,249	689,249	670,427	657,183	657,183	768,000	768,000
384 Wakefield	562,409	533,623	533,623	536,967	536,967	544,000	544,000

Expenditure and allocations on Small Schools Fund 2000–2003	*2000–2001*			*2001–2002*		*2002–2003*	
	Original Allocations	*Final Allocations*	*Expenditure*	*Original Allocations*	*Final Allocations*	*Original Allocations*	*Final Allocations*
390 Gateshead	348,170	348,170	339,090	328,591	328,591	336,000	336,000
391 Newcastle upon Tyne	331,126	–	–	328,591	328,591	376,000	376,000
392 North Tyneside	205,876	205,876	205,876	232,418	232,418	216,000	216,000
393 South Tyneside	184,875	184,875	184,712	224,404	224,404	208,000	208,000
394 Sunderland	272,208	272,208	269,093	320,577	320,577	328,000	328,000
420 Isles of Scilly	42,452	42,452	41,963	40,072	40,072	40,000	40,000
800 Bath & NE Somerset	390,559	370,023	369,674	376,678	376,678	392,000	392,000
801 City of Bristol	446,164	–	–	544,981	0	520,000	50,000
802 North Somerset	312,038	303,658	303,658	264,476	264,476	280,000	280,000
803 South Gloucestershire	356,725	337,418	297,204	320,577	320,577	328,000	328,000
805 Hartlepool	89,181	89,181	76,960	96,173	96,173	104,000	104,000
806 Middlesbrough	78,392	-	-	80,144	0	88,000	0
807 Redcar and Cleveland	165,209	163,124	160,730	168,303	168,303	168,000	168,000
808 Stockton-on-Tees	231,154	224,800	202,912	192,346	192,346	232,000	232,000
810 Kingston-upon-Hull	150,977	148,702	141,515	200,361	200,361	200,000	200,000
811 East Riding of Yorkshire	724,048	724,048	714,257	713,284	713,284	712,000	712,000
812 North East Lincolnshire	184,682	184,682	180,073	160,289	160,289	208,000	208,000
813 North Lincolnshire	347,978	347,978	306,192	336,606	336,606	328,000	328,000
815 North Yorkshire	2,194,221	2,194,221	1,944,971	2,131,837	1,975,837	2,168,000	2,168,000
816 York	305,397	302,513	269,305	264,476	264,476	248,000	248,000
820 Bedfordshire	1,115,169	914,687	914,686	1,170,106	1,170,106	1,184,000	1,184,000
821 Luton	186,660	177,977	166,399	168,303	168,303	144,000	144,000
825 Buckinghamshire	921,690	921,690	921,690	1,001,803	1,001,803	960,000	960,000
826 Milton Keynes	326,913	326,913	322,154	384,692	384,692	368,000	368,000
830 Derbyshire	2,151,448	2,151,448	2,014,807	1,907,433	1,907,433	1,944,000	1,944,000
831 Derby	259,054	259,054	253,911	304,548	304,548	288,000	288,000
835 Dorset	916,384	916,384	867,846	937,688	937,688	920,000	920,000
836 Poole	44,558	44,557	43,979	48,087	48,087	56,000	56,000
837 Bournemouth	33,961	33,961	1,363	40,072	40,072	32,000	32,000
840 Durham	1,537,469	1,537,469	1,537,469	1,578,842	1,578,842	1,536,000	1,536,000
841 Darlington	100,035	100,035	92,185	128,231	128,231	120,000	120,000
845 East Sussex	732,474	732,474	727,479	721,298	721,298	720,000	720,000
846 Brighton & Hove	188,895	141,137	140,750	192,346	192,346	200,000	200,000
850 Hampshire	1,656,143	1,048,681	963,312	1,739,130	1,739,130	1,744,000	1,744,000
851 Portsmouth	136,039	136,039	136,039	160,289	160,289	160,000	160,000
852 Southampton	216,794	209,768	209,768	248,447	248,447	232,000	232,000
855 Leicestershire	1,070,996	1,070,996	1,025,047	1,065,919	1,065,919	1,024,000	1,024,000
856 Leicester	186,596	-	-	184,332	0	168,000	0
857 Rutland	133,676	34,250	34,250	120,216	120,216	120,000	120,000
860 Staffordshire	1,560,513	1,560,513	1,558,341	1,610,900	1,610,900	1,640,000	1,640,000
861 Stoke-on-Trent	259,569	238,948	233,847	336,606	336,606	296,000	296,000
865 Wiltshire	1,313,519	1,190,064	1,183,881	1,282,308	1,282,308	1,288,000	1,288,000
866 Swindon	256,818	256,818	256,818	240,433	240,433	200,000	200,000
867 Bracknell Forest	80,691	80,691	68,688	104,188	104,188	112,000	112,000
868 Windsor & Maidenhead	333,039	313,827	299,133	352,635	352,635	352,000	352,000
869 West Berkshire	369,429	369,429	335,934	384,692	384,692	384,000	384,000
870 Reading	144,401	144,401	127,933	176,317	176,317	192,000	192,000
871 Slough	95,630	89,867	83,607	128,231	128,231	128,000	128,000
872 Wokingham	256,690	256,690	239,677	208,375	208,375	232,000	232,000
873 Cambridgeshire	915,114	915,114	883,953	937,688	937,688	944,000	944,000
874 Peterborough	146,572	101,806	99,590	160,289	160,289	168,000	168,000
875 Cheshire	1,464,112	277,000	262,222	1,346,424	1,346,424	1,392,000	1,392,000
876 Halton	240,095	240,095	236,840	280,505	280,505	288,000	288,000
877 Warrington	271,499	271,499	271,293	232,418	232,418	256,000	256,000
878 Devon	1,944,301	1,548,070	1,509,227	1,931,477	1,681,477	1,896,000	1,896,000
879 Plymouth	238,118	164,309	159,489	296,534	165,278	336,000	170,000
880 Torbay	106,162	104,070	94,837	104,188	104,188	104,000	104,000
881 Essex	1,988,731	1,988,731	1,968,861	1,867,361	1,867,361	1,896,000	1,896,000
882 Southend-on-Sea	80,755	80,755	80,755	88,159	88,159	80,000	80,000
883 Thurrock	129,269	129,269	129,269	104,188	104,188	128,000	128,000
884 Herefordshire	621,713	621,713	613,176	601,082	601,082	608,000	608,000
885 Worcestershire	1,223,823	1,223,823	1,223,823	1,274,294	1,274,294	1,288,000	1,288,000
886 Kent	2,031,119	2,012,823	1,983,517	2,067,722	2,067,722	2,080,000	2,080,000
887 Medway Towns	188,895	180,235	165,708	240,433	240,433	264,000	264,000
888 Lancashire	2,607,775	2,522,852	2,421,449	2,708,876	2,708,876	2,704,000	2,704,000
889 Blackburn with Darwen	216,794	216,794	198,784	240,433	240,433	224,000	224,000
890 Blackpool	65,752	64,233	64,230	80,144	80,144	80,000	80,000
891 Nottinghamshire	1,685,810	1,430,555	1,375,308	1,498,698	1,498,698	1,544,000	1,544,000
892 Nottingham City	479,033	479,033	450,034	448,808	448,808	464,000	464,000
893 Shropshire	920,726	661,800	661,800	857,544	857,544	880,000	880,000
894 Telford & Wrekin	286,439	286,439	286,429	280,505	280,505	280,000	280,000

Expenditure and allocations on Small Schools Fund 2000–2003	*2000–2001*			*2001–2002*		*2002–2003*	
	Original Allocations	*Final Allocations*	*Expenditure*	*Original Allocations*	*Final Allocations*	*Original Allocations*	*Final Allocations*
908 Cornwall	1,506,564	1,506,564	1,506,564	1,410,539	1,410,539	1,400,000	1,400,000
909 Cumbria	1,986,368	1,459,416	1,454,049	1,907,433	1,907,433	1,928,000	1,928,000
916 Gloucestershire	1,381,764	1,220,767	1,209,687	1,378,481	1,378,481	1,440,000	1,440,000
919 Hertfordshire	2,081,032	2,081,032	2,079,207	1,851,332	1,851,332	1,792,000	1,792,000
921 Isle of Wight	398,405	398,405	238,852	408,736	408,736	408,000	408,000
925 Lincolnshire	1,875,156	1,798,418	1,773,608	1,867,361	1,867,361	1,832,000	1,832,000
926 Norfolk	2,313,023	2,233,023	2,233,023	2,179,924	2,179,924	2,168,000	2,168,000
928 Northamptonshire	1,527,435	1,164,905	1,152,800	1,538,770	1,538,770	1,520,000	1,520,000
929 Northumberland	1,331,063	1,055,366	1,050,379	1,306,351	1,306,351	1,328,000	1,328,000
931 Oxfordshire	1,528,272	1,528,272	1,524,516	1,546,784	1,546,784	1,608,000	1,608,000
933 Somerset	1,383,549	1,383,549	1,383,549	1,370,467	1,370,467	1,360,000	1,360,000
935 Suffolk	1,757,432	1,381,877	1,381,680	1,739,130	1,739,130	1,728,000	1,728,000
936 Surrey	1,468,839	1,073,063	1,073,063	1,474,654	1,474,654	1,520,000	1,520,000
937 Warwickshire	1,014,700	1,014,700	1,012,425	1,081,948	1,081,948	1,008,000	1,008,000
938 West Sussex	1,048,532	1,048,532	1,034,813	1,081,948	1,081,948	1,136,000	1,136,000
	79,999,945	*72,201,944*	*69,836,946*	*80,000,000*	*78,278,018*	*80,000,000*	*79,004,000*

DEFENCE

Software

Brian White: To ask the Secretary of State for Defence what his policy is towards using open source software; and what percentage is used in his Department. [69327]

Dr. Moonie: Software applications used in the Ministry of Defence are selected on their ability to meet business needs, taking full account of value for money, long-term viability, security and interoperability. The MOD currently has no explicit policy on the use of open source software, but does follow the Government Open Source Software policy published and announced in Parliament on 22 July 2002. This policy is available on the e-Envoy website (www.e-envoy.gov.uk) or the Office of Government Commerce website (www.ogc.gov.uk). A record of open source software in use across the Department is not held centrally and could only be provided at disproportionate cost.

Public Consultations

Mr. Andrew Turner: To ask the Secretary of State for Defence what public consultations have been commenced by his Department since 1 April; and what the *(a)* closing date and *(b)* website address of each were. [72071]

Dr. Moonie: None.

Strategic Sealift

Matthew Taylor: To ask the Secretary of State for Defence, (1) pursuant to his answer of 9 March 2001, *Official Report*, column 359W, on strategic sealift, if he will list the reasons for his issuing a ministerial direction; and if he will make a statement; [74652]

(2) pursuant to his answer of 9 March 2001, *Official Report*, column 359W, on strategic sealift, if he will place the advice of his accounting officer of 8 March 2001 in the Library; and if he will make a statement. [74653]

Dr. Moonie: The reasons for the Ministerial Direction on the Roll-On Roll-Off ferry (RORO) Strategic Sealift are as follows. In October 2000, AWSR Shipping Ltd were selected as the preferred bidder in the PFI competition to provide the Ministry of Defence with a strategic sealift service of six ships. Their bid involved subcontracts with the German company Flensburger for four ships and Harland & Wolff for two. The bid had the particular advantage of early delivery. However, as my right hon. Friend the Secretary of State for Defence, (Mr. Hoon) announced on 9 March 2001, *Official Report*, column 359W, to my hon. Friend the Member for Hendon (Mr. Dismore) difficulties arose in the detailed commercial arrangements which could have threatened the timely completion of the PFI negotiations and early delivery of the service to the MOD. My right hon. Friend, Mr. Hoon, therefore decided that the MOD would take over the commercial shipbuilding contract with H&W, as part of the overall PFI arrangements. The contract would be managed by AWSR and on delivery of the ships to them, AWSR would provide the full six ship service on PFI terms.

This approach was not foreseen as part of the original PFI deal and officials were concerned about the potential risks to the MOD arising from the decision. Ministers judged that, on balance, these risks were outweighed by the risk of losing the benefits of the original AWSR bid involving H&W, including timely delivery.

The procedures surrounding Ministerial Directions and the responsibilities of Accounting Officers in this area are set out in the Accounting Officer Memorandum. The Memorandum requires an Accounting Officer in receipt of a Direction from a Minister to comply with his instructions. The Accounting Officer is then required to inform the Treasury of what has occurred and should communicate the papers to the Comptroller and Auditor General (C&AG) without delay. On receipt of such material it is for the C&AG to determine what action to take. These procedures exist to protect the relationship between Ministers and officials while at the same time enabling the C&AG to consider, on behalf of Parliament, whether further investigation is required.

The circumstances surrounding the RORO Direction were duly communicated to the Comptroller and Auditor General and we understand that the C&AG

subsequently conveyed them to the Chairman of the Committee of Public Accounts. As the established procedures have been correctly followed, I am withholding the advice tendered by my Accounting Officer on 8 March 2001 in accordance with Exemption 2 of the Code of Practice on Access to Government Information, relating to internal discussion and advice.

Nuclear Weapons

Dr. Cable: To ask the Secretary of State for Defence, pursuant to his answer of 19 September 2002, *Official Report*, column 322W, on nuclear weapons accident exercises *(a)* what assessment has taken place of the exercises and *(b)* what recommendations have been put forward for the nuclear weapons accident exercises his Department held at (i) Convoy NAR team standardisation and (ii) RAF Station NAR team standardisation; and if he will make a statement. [75394]

Mr. Ingram: The Convoy NAR team Standardisation Exercise held in Leicestershire in August and the RAF Station NAR team Standardisation Exercise held in Northamptonshire in September were both assessed as SATISFACTORY. A number of recommendations have been made which include arrangements for the reception and interface with emergency services, the deployment of Convoy resources, command and control, and media handling issues. The UK/US Table Top Exercise held in Norfolk in October was not an assessed exercise. The RAF NAR team Standardisation Exercise in Suffolk has taken place but the assessment report has yet to be written.

Royal Military Music School

Dr. Cable: To ask the Secretary of State for Defence what discussions he has had in the last year, on the future of the Royal Military Music School, Kneller Hall, Twickenham; and if he will make a statement. [75115]

Dr. Moonie: There have been no Ministerial discussions on the future of the Royal Military School of Music at Kneller Hall within the last year. However, the school is part of the Royal Military Academy, Sandhurst (RMAS) budgetary grouping and the Army Training and Recruiting Agency, which is responsible for RMAS and Kneller Hall, are examining options for the future provision of the services provided there. Once a way forward on these is agreed, interested parties will be kept informed.

Fire Service

Mr. Gray: To ask the Secretary of State for Defence (1) if he will make a statement about the Defence Fire Services PPP and Fire Study 2000; [75086]

(2) what savings he anticipates as a result of the PPP on Defence Fire Services; [75093]

(3) when he intends to announce the outcome of the study in the prioritisation of air base services including the Defence Fire Service. [75090]

Mr. Ingram: The Airfield Support Services Project (ASSP) is seeking to achieve the most viable and cost effective solution for the provision of airfield support, and wider fire services, to the Ministry of Defence world-wide, without compromising operational effectiveness or safety. The options include both PPP and in-house solutions.

The Fire Study 2000 is specifically to review the current organisation of the Defence Fire Services and to develop an optimum strategy for meeting the Department's current and future requirements for Fire Risk management. The results of Fire Study 2000 will inform the in-house Public Sector Comparator (PSC) for ASSP.

The Airfield Support Services Project is currently in the detailed assessment phase. The outcome of this phase of the work will provide a clearer view of the expected savings and benefits of the various options. A decision on the outcome of ASSP is expected to be announced in the second half of 2003.

Mr. Gray: To ask the Secretary of State for Defence what use will be made of *(a)* Defence Fire Services and *(b)* RAF Fire Service in the event of a local authority firemen's strike. [75089]

Mr. Ingram: Defence Fire Service personnel have been providing advice and training to the Armed Forces as part of the contingency preparations for a potential national firemen's strike. They will continue to provide advice to Military Commanders deployed on Op FRESCO, should there be a strike, undertake duties at military headquarters in support of the deployment and will also contribute towards the provision of fire cover on the Ministry of Defence estate. Elements of the RAF Fire Service who have specialist skills will, in the event of a strike, be deployed around the country to assist in the provision of emergency fire and rescue cover.

Mr. Gray: To ask the Secretary of State for Defence if he will make a statement about Operation Fresco military assistance to the civil powers in the event of a local authority firemen's strike; and what effect this would have on military capabilities. [75083]

Mr. Ingram: The Armed Forces role during any strike by firemen would be to provide emergency cover, thus seeking to save lives and ensure that essential services were maintained. They would not be capable of replicating the current fire fighting capability. Assistance would be provided to and at the request of the Office of the Deputy Prime Minister and not the civil power.

Obviously, Op FRESCO would place an added burden on Service personnel who have been particularly busy over the last few years performing their primary duties. Any deployment to provide emergency fire and rescue cover would impact on their ability to continue those duties, but emergency cover would, as far as possible, be maintained for as long as the strike continued and balanced with other demands on military resources.

Mr. Gray: To ask the Secretary of State for Defence what was the total cost to the public purse for each of the last five years of *(a)* the Defence Fire Service, *(b)* the RAF Fire Service and *(c)* the RN Fire Service. [75091]

Mr. Ingram: The information requested is not held centrally and could only be provided at disproportionate cost.

Mr. Gray: To ask the Secretary of State for Defence (1) what discussions he has had with the USAF about the privatisation of Defence Fire Services at US Air bases in the UK; [75087]

(2) what steps he has taken to ensure that the US Air Force is content with the proposed contractorisation of fire services at air bases in the UK. [75088]

Mr. Ingram: Ministry of Defence officials have been in discussion with US Air Force officials about the Airfield Support Services Project from its early stages. The dialogue is ongoing.

The US Air Force requirements were included in the Invitation to Tender, against which the Consortia were invited to bid. Every effort will be made to ensure that the Project meets their requirements.

Mr. Gray: To ask the Secretary of State for Defence (1) which local authority fire services are assisting commercial companies in the preparation of bids for the privatisation of Defence fire services; [75084]

(2) under what authority the West Midlands Fire Service is assisting one of the consortia bidding for the Defence Fire Services contract. [75085]

Mr. Ingram: West Midlands Fire Service is working as a partner of one of the Consortia bidding for the Airfield Support Services Project contract.

It would be for the West Midland Fire Service to comment on their relationship with any commercial organisation.

Belfast City Cemetery

Mrs. Iris Robinson: To ask the Secretary of State for Defence what plans he has for the re-instating of the headstones of the war graves situated in Belfast City Cemetery which were removed after being vandalised in 1979; and if he will make a statement. [75068]

Dr. Moonie: Ministers take a close interest in the proper maintenance of war graves wherever they are, but this is a matter for Belfast City Council and the Commonwealth War Graves Commission.

Fire Study 2000

Mr. Gray: To ask the Secretary of State for Defence what savings in costs are envisaged in the Fire Study 2000. [75092]

Mr. Ingram: This information is not yet available. Fire Study 2000 continues to be developed to inform a robust Public Sector Comparator for the Airfield Support Services Project. When the Study is complete we will have a clearer view of the potential savings.

Parliamentary Questions

Mr. Chope: To ask the Secretary of State for Defence, pursuant to his answer of 16 October, Ref 36810, what reasons underlay the length of time needed to provide a substantive reply. [76176]

Dr. Moonie: I apologise for the lengthy delay in replying which was due to an administrative error.

Mr. Yeo: To ask the Secretary of State for Defence if he will list the written questions asked of him between *(a)* 1 to 30 June 2001, *(b)* 1 to 31 July 2001, *(c)* 1 to 30 September 2001, *(d)* 1 to 31 October 2001, *(e)* 1 to 30 November 2001, *(f)* 1 to 31 December 2001, *(g)* 1 to 31 January 2002, *(h)* 1 to 28 February 2002, *(i)* 1 to 31 March 2002 and *(j)* 1 to 30 April 2002 that had not received a substantive answer by 30 April; and if he will state (i) the name of the hon. Member asking the question and (ii) the reasons the question had not received a substantive answer. [54087]

Dr. Moonie *[holding reply 2 May 2002]:* The number of questions that have not received a substantive answer is set out in the table below.

Month	*No still to receive a substantive reply*
1–20 June 2001	Nil
1–31 July 2001	1
1–30 September 2001	0
1–31 October 2001	2
1–30 November 2001	3
1–31 December 2001	1
1–31 January 2002	13
1–28 February 2002	25
1–31 March 2002	29
1–30 April 2002	11

Officials are working to provide substantive answers to the questions as soon as possible. In some cases the information is not immediately available in the form requested, and additional time is required to answer.

Ministers aim to answer named day written questions on the day named and ordinary written questions within five working days.

The name of the hon. Member asking the question could only be provided at disproportionate cost.

HAARP Programme

Paul Flynn: To ask the Secretary of State for Defence what assessment has been made of the HAARP programme; and what contribution Britain is making to it. [75022]

Dr. Moonie: The Ministry of Defence is fully aware of the HAARP project. However the MOD has made no specific assessment of the project for defence purposes nor has it contributed towards it.

Military Trucks

Mr. Hoyle: To ask the Secretary of State for Defence if he will make a statement on the contract for military trucks. [75028]

Dr. Moonie: Bids for the military trucks contract were received from four companies on 25 June 2002 and are currently being assessed.

Staff Relocation

Jim Knight: To ask the Secretary of State for Defence whether the decision to agree in principle the relocation of DSTL staff from Winfrith has taken into account the

economic impact *(a)* on rural areas and *(b)* of supporting locally based defence contractors in the South Dorset area. [75939]

Dr. Moonie: A Regional Impact Assessment was carried out by staff in the office of the Ministry of Defence (MOD) Director General Management and Organisation. The assessment concluded that the loss of approximately one hundred jobs from the Winfrith area, though regrettable, should not significantly affect the area in the longer term. The plans do though, offer significant benefits to Defence Science and Technology Laboratory (Dstl) and MOD in terms of improved technical synergy and operational effectiveness and also to staff through better career development opportunities.

Jim Knight: To ask the Secretary of State for Defence what research his Department has conducted to assess the cost benefits to be gained from moving DSTL staff from Winfrith to Portsdown Main; and what evidence has been gathered to prove the scientific benefits of co-location of staff. [75940]

Dr. Moonie: Options for the Defence Science and Technology Laboratory (Dstl) site rationalisation were considered on the issues of improved technical synergy and operational effectiveness and on affordability. The selected option demonstrates the greatest improvements in technical synergy and operational efficiency while remaining affordable.

To examine the financial benefits, an investment appraisal model was produced. To meet Treasury requirements financial modelling has to cover a 25-year period. Dstl plans fully meet all Ministry of Defence and Treasury financial targets. This appraisal has been subject to an independent review by the MOD Senior Economic Adviser.

Studies show that to preserve, sustain and develop the essential technical capabilities found in Dstl a critical mass of staff is required that cannot be achieved with the current dispersed organisation. Geographical fragmentation of the workforce inhibits our ability to build technical excellence and the dispersion of staff significantly degrades the effectiveness and efficiency of the organisation.

Dartmoor National Park

Mr. Steen: To ask the Secretary of State for Defence if he will renegotiate the leasing arrangements with the Duchy of Cornwall to exclude the two highest points in the Dartmoor National Park for live firing purposes. [74933]

Dr. Moonie: The implications of the Ministry of Defence's use of Yes Tor and High Willhays are currently under consideration and officials will meet shortly with Duchy representatives to discuss the position.

Gulf War

Llew Smith: To ask the Secretary of State for Defence if he will make a statement on the pension award made to the former Territorial Army medical auxiliary Shaun Rusling following illness he suffered after the Gulf War. [75461]

Dr. Moonie: Ex-Reserve Forces personnel who have served during the Gulf conflict, and who are injured or fall ill as a result of that Service, may be entitled to benefits under the War Pensions Scheme and the Reserve Forces (Attributable Benefits etc) Regulations. It would not be appropriate for the Ministry of Defence to disclose details of the benefits awarded to Mr. Shaun Rusling under these schemes, as they are of a personal and private nature. I am therefore withholding them in accordance with Exemption 12 of the Code of Practice on Access to Government Information.

Afghanistan

Norman Lamb: To ask the Secretary of State for Defence how many *(a)* murders and *(b)* kidnappings have taken place in Kabul in each month since ISAF was established. [75223]

Mr. Ingram: We do not hold the information requested.

DEPUTY PRIME MINISTER

Housing (Right to Buy)

Ms Oona King: To ask the Deputy Prime Minister if he will place a copy of the research commissioned by his Department by the universities of Bristol and Birmingham into the impact of the February 1999 changes to the limits on right to buy discounts in the Library. [74821]

Mr. McNulty: A copy of the report will be placed in the library of the House when it is published. This is expected to be early in 2003.

Alconbury Airfield

Mr. Djanogly: To ask the Deputy Prime Minister when he will decide on the Planning Inspectorate's report concerning the proposed development at Alconbury Airfield, Cambridgeshire. [74834]

Mr. McNulty: The Inspector's report has not yet been sent to the Deputy Prime Minister for decision. At this stage, therefore, it is not possible to say when the decision will be issued.

Fire Service

Mr. Wray: To ask the Deputy Prime Minister how many *(a)* women and *(b)* members of ethnic minorities are in the Fire Service; and what targets have been set in this area.

Mr. Leslie: As at 31 March 2002 there were 6,277 women and 1,040 staff from minority ethnic background in the fire service in England and Wales as a whole. The following table shows the breakdown by service areas:

	Operational Staff (Uniformed) (Wholetime and Retained)	Control Staff (Uniformed)	Total Uniformed Staff	Non Uniformed	Total
Women	806	1223	2029	4248	6277
Percentage of total employed in service area	1.7%	80%	4%	59%	11.0%
Minority Ethnic Staff	698	13	711	329	1040
Percentage of total employed in service area	1.5%	0.85%	1.4%	4.6%	1.8%

Fire service targets are to work towards 15 per cent. of operational staff to be women by 2009, and 7 per cent. of the uniformed and 8 per cent. of the non uniformed work force to be from minority ethnic background, also by 2009.

Mr. Oaten: To ask the Deputy Prime Minister how many incidents firemen were called out to for each of the last five years, broken down by fire authority. [75178]

Mr. Leslie: I have placed the information on incidents attended by Local Authority Fire Brigades in the UK for the last five years for which data are available in the library of the House.

Local Government Finance

Mr. Webb: To ask the Deputy Prime Minister which elements of the local government funding formula are based on data derived from the Census; and what are, for each of the main local government spending blocks that use such data, *(a)* the latest sub-population estimate used for South Gloucestershire Unitary Authority in the most recent settlement and *(b)* the corresponding estimate from the 2001 census. [74850]

Mr. Leslie: The information requested is given in the table below. The most recent settlement, for the year 2002–03, used population estimates as at 30 June 2000. The corresponding figures for 30 June 2001, derived from the 2001 census, are also given.

South Gloucestershire	Population as at 30 June		Population group used in 2002–3 formulae for service block					
(rounded to the nearest hundred)	2001	2000	Education	PSS[1]	Police	Fire	Highways Maintenance	EPCS[2]
Total resident population	246000	247900	✓	✓	✓	✓	✓	✓
Resident population aged 0 to 4	15200	15800	✓					
Resident population aged 0 to 15	51100	51200		✓				
Resident population aged 0 to 17	57100	56700	✓	✓				
Resident population aged 5 to 10	19900	20000	✓					
Resident population aged 11 to 15	16000	15400	✓					
Resident population aged 16 to 24	23600	23400	✓					
Resident population aged 18 to 64	153400	156300		✓				
Resident population aged 65 to 74	19900	19700		✓				
Resident population aged 75 to 84	11800	11300		✓				
Resident population aged 11 and over	210900	212100	✓					
Resident population aged 65 and over	35500	34900		✓				
Resident population aged 85 and over	3900	4000		✓				
The population of working age[3]	147300	150200		✓	✓			✓
Resident males aged 18 to 64	76600	79900		✓	✓			✓
Resident females aged 18 to 59	70700	70300		✓	✓			✓
Resident males aged 0	1400	1500		✓				✓
Resident males aged 1 to 4	6500	6700		✓				✓
Resident males aged 5 to 9	8500	8500		✓				✓
Resident males aged 10 to 14	8400	8000		✓				✓
Resident males aged 15 to 19	7600	7000		✓				✓
Resident males aged 20 to 24	6200	6600		✓				✓
Resident males aged 25 to 29	7600	8700		✓				✓
Resident males aged 30 to 34	9700	10900		✓				✓
Resident males aged 35 to 39	10800	11300		✓				✓
Resident males aged 40 to 44	9200	9200		✓				✓
Resident males aged 45 to 49	7900	7900		✓				✓
Resident males aged 50 to 54	8600	9000		✓				✓
Resident males aged 55 to 59	7700	7400		✓				✓
Resident males aged 60 to 64	6100	6200		✓				✓
Resident males aged 65 to 69	5200	5200		✓				✓
Resident males aged 70 to 74	4300	4300		✓				✓
Resident females aged 0	1400	1500		✓				✓
Resident females aged 1 to 4	6000	6200		✓				✓
Resident females aged 5 to 9	8000	8300		✓				✓
Resident females aged 10 to 14	7900	7600		✓				✓
Resident females aged 15 to 19	6700	6500		✓				✓
Resident females aged 20 to 24	6200	6200		✓				✓
Resident females aged 25 to 29	7900	8300		✓				✓

South Gloucestershire	Population as at 30 June		Population group used in 2002–3 formulae for service block					
(rounded to the nearest hundred)	2001	2000	Education	PSS[1]	Police	Fire	Highways Maintenance	EPCS[2]
Resident females aged 30 to 34	10200	10400		✓				✓
Resident females aged 35 to 39	10800	10500		✓				✓
Resident females aged 40 to 44	8900	8500		✓				✓
Resident females aged 45 to 49	8100	7800		✓				✓
Resident females aged 50 to 54	8600	8600		✓				✓
Resident females aged 55 to 59	7700	7500		✓				✓
Resident females aged 60 to 64	6100	6100		✓				✓
Resident females aged 65 to 69	5600	5700		✓				✓
Resident females aged 70 to 74	4700	4600		✓				✓

[1] Personal Social Services
[2] Environmental, Protective and Cultural Services
[3] Resident population of working age = resident males aged 18 to 64 plus resident females aged 18 to 59

Poultry Units

Mr. Steen: To ask the Deputy Prime Minister if he will issue planning guidance to local authorities concerning the erection of mobile and static free-range poultry units. [72376]

Mr. McNulty: We have no plans to issue specific planning guidance on this issue. Advice about agriculture-related development, including temporary agricultural structures, is contained in Annex C of Planning Policy Guidance Note 7, *The Countryside*.

Disability Facilities Grant

Dr. Cable: To ask the Deputy Prime Minister if he will make a statement on the eligibility criteria for disability facilities grant. [73074]

Mr. McNulty: Local housing authorities have a statutory duty under the Housing Grants, Regeneration and Construction Act 1996 to offer mandatory Disabled Facilities Grants (DFG) to homeowners and tenants in both the private and social rented sectors who require adaptations to help them live independently in their homes. The range of purposes for which the grants are available are set out at section 23(1) of the 1996 Act.

In June the Government issued a consultative document, Housing Renewal Guidance, which contains more detail and guidance on DFG eligibility at annex D. A copy of the guidance has been placed in the library of the House.

Rough Sleepers

Tim Loughton: To ask the Deputy Prime Minister how many under-16s are living rough in *(a)* West Sussex and *(b)* London; and what plans he has to reduce this number. [75559]

Mrs. Roche: As far as we are aware, our information which includes street counts and client lists, suggests that there are no under 16s sleeping rough. Voluntary sector workers are highly skilled and, if they knew of a child under the age of 16 sleeping rough, they would immediately liaise with the local police and local authority social services department.

However, the Government is aware that there are a large number of children who run away each year. The SEU is shortly publishing a report which considers the immediate safety of young runaways and examines the policies and services available to young runaways or those at risk of running.

The Office of the Deputy Prime Minister has also worked closely with the Connexions Service to produce guidance for homelessness agencies working with vulnerable young people to deliver effective services for 13 to 19 year-olds.

Vacant Council Houses

Tim Loughton: To ask the Deputy Prime Minister how many vacant council houses, by local authority area, there are in West Sussex; and what plans he has to work with West Sussex County Council to reduce the vacancy numbers. [75557]

Mr. McNulty: The number of vacant council houses, by local authority area, in West Sussex at 1 April 2001 (latest data available) is shown in the table below.

Local authority vacant dwellings in West Sussex by local authority area at 1 April 2001

Local authority	LA vacant dwellings
Adur	9
Arun	22
Chichester	–
Crawley	63
Horsham	–
Mid Sussex	–
Worthing	–
Total	*94*

Notes:
Chichester, Horsham, Mid Sussex and Worthing no longer own any dwelling stock, having transferred them through the Large Scale Voluntary Transfer (LSVT) scheme.

Source:
ODPM's 2001 Housing Strategy Statistical Appendices completed by local authorities.

On 1 April 2001 there were 94 vacant council houses in West Sussex (0.6 per cent. of the stock). A proportion of housing will always be vacant at any given time as a result of the normal process of letting housing, which becomes available to new tenants. We will continue to support authorities in developing effective council housing business plans, which minimise the numbers of vacant dwellings, but have no plans to take any specific action on vacant dwellings with housing authorities in West Sussex (where the proportion of vacant council house dwellings is well below the national average of 2.9 per cent.).

Solar Energy

Mr. Wyatt: To ask the Deputy Prime Minister what plans his Department has to increase the number of new houses with solar tiles; and if he will make a statement. [74837]

Mr. Wilson: I have been asked to reply.

The DTI has a research and development programme to assess various aspects of PV product development, installation and operation on domestic buildings. In particular, the Domestic PV Systems Field Trial is supporting several projects on clusters of houses. This should result in around 500 PV roofs with a total capacity of around 800 KWp and a budget of over £5 million. This trial will use the design, construction and monitoring of the installation as a learning opportunity for utilities, building developers and other key players in the process of PV installation. Information will be gathered on the buildability, operating performance, reliability and maintainability of building-integrated PV (BIPV) systems, thus paving the way for improvements in know how in the home PV industry.

In addition, the recently introduced First Phase of the Major Photovoltaic Demonstration Programme aims to distribute grants to households and businesses wishing to install PV arrays onto their buildings. The programme seeks to increase public awareness and drive down the market cost of installation by offering 50 per cent. grants on the installation of PV systems. A third of the £20 million budget has been allocated to small PV installation on individual dwellings, which should result in 1500 roof systems being installed. A further third of the budget has been allocated to private and social housing developers, resulting in a further 1500 roof systems. Up to the end of September the programme has had 70 successful small scale applications and has approved 8 larger scale applications.

With regard to building regulations, these were changed on April 2002 to enable the benefits of low carbon and zero carbon technologies, such as PV, to be more readily taken into account and to encourage industry and consumer take-up. The economics of making the installation of PV solar panels a compulsory element of new building regulations are not yet favourable, as the price of PV remains high.

Housing

Mr. Sanders: To ask the Deputy Prime Minister if he will publish the latest available figures in descending order for the average number of households per 1,000 in each local authority area which are accepted as being in priority need for housing. [74858]

Mrs. Roche: Available information reported by local authorities in England on the number of households accepted per 1,000 under statutory homelessness provisions for the quarter ending 30 June 2002 is available from the library of the House.

TRADE AND INDUSTRY

Inflation

Mr. Yeo: To ask the Secretary of State for Trade and Industry if she will make a statement on the level of inflation in the public sector. [75230]

Ruth Kelly: I have been asked to reply

Inflation in the public sector—as defined by growth in the implied government consumption deflator—is currently close to its average over the past 5 years, and is significantly lower than its average from 1979 to mid-1997. Nevertheless the data need to be interpreted cautiously, because the non-marketed nature of public services and the difficulty of making appropriate adjustments for quality change complicate the measurement of prices and inflation in the public sector.

Public Sector Deflator

Mr. Yeo: To ask the Secretary of State for Trade and Industry if she will make a statement on the level of the public sector deflator in each month of the last 10 years. [75239]

Ruth Kelly: I have been asked to reply

The implied government consumption deflator is not available on a monthly basis, as it is derived from quarterly nominal and real government consumption data.

Consultations

Mr. Yeo: To ask the Secretary of State for Trade and Industry if she will list the consultations being undertaken by her Department. [75232]

Ms Hewitt: Consultations which are currently being undertaken by the Department, and their opening and closing dates, are as follows:

Consultation on Commission proposal for a directive on the working conditions of temporary (agency) workers	01/07/02	18/10/02
Managing the Nuclear Legacy—A strategy for action (White Paper)	04/07/02	18/10/02
EU Regulation concerning sales promotions, promotional competitions and games	02/08/02	25/10/02
The Copyright Directive (2001/29/EC)—UK Implementation	07/08/02	31/10/02
Draft Conduct of Employment Agencies and Employment Business Regulations 2002	22/07/02	01/11/02
Employment Agencies: consultation on new regulations	23/07/02	01/11/02
Disclosure of beneficial ownership of unlisted companies (joint DTI/Treasury)	23/07/02	14/11/02
A consultation document on the early settlement of credit agreements under the Consumer Credit Act 1974	28/08/02	22/11/02
Consultation on the extension of the application of the EU Regulation on International Accounting Standards	02/09/02	26/11/02
Possible Introduction Of "Promote" Licences To Encourage Exploration Activity On The UKCS	27/09/02	29/11/02
Companies Bill—Modernising Company Law White Paper Cm 5553	16/07/02	30/11/02
Consultation on Topics for Forsight		

Projects	10/09/02	04/12/02
High Performance Workplaces: The Role of Employee Involvement in a Modern Economy	11/07/02	11/12/02
Employment status in relation to statutory employment rights	11/07/02	11/12/02
Consultation on Competition Commission Monetary Penalties	18/09/02	16/12/02
Consultation on Competition Appeal Tribunal Draft	18/09/02	16/12/02

Aircraft Fuel

Mr. Peter Ainsworth: To ask the Secretary of State for Trade and Industry what the average price of aircraft fuel was in September. [75032]

Mr. Wilson: The average spot price was $263 a tonne (source: Platts Information Agency).

Electricity and Gas Prices

Dr. Cable: To ask the Secretary of State for Trade and Industry whether pre-tax *(a)* electricity and *(b)* gas prices were above or below the EU/G7 median for 2001; and if she will make a statement. [75129]

Mr. Wilson: Average annual electricity and gas prices for 2001 are not yet available for all EU and G7 countries.

In 2001 average pre-tax electricity prices for industrial consumers in the UK were 5 per cent. below the EU/G7 median, based upon the 5 countries for which data are available. Average pre-tax electricity prices for domestic consumers in the UK were 13 per cent. above the EU/G7 median, based upon the 7 countries for which data are available.

Average pre-tax gas prices for UK industrial consumers in 2001 were 20 per cent. below the EU/G7 median, based upon the 7 countries for which data are available. Average pre-tax prices for domestic gas consumers in the UK were 4 per cent. below the EU/G7 median, based upon the 10 countries for which data are available.

Estimates based on data from Eurostat (the EU Statistical Office) and Energy Advice Ltd (a private sector consultant) suggest that in July 2002 industrial electricity and gas prices in the UK, both including and excluding taxes, were generally below the EU median price. Similarly, the estimated data suggests that UK domestic electricity and gas prices, including taxes, were below the EU median price, but were above the EU median price if taxes are excluded.

The DTI regularly publishes this comparison in "Quarterly Energy Prices", which is also available on the DTI web site.

Single Market Directives

Dr. Cable: To ask the Secretary of State for Trade and Industry what percentage of single market directives had been transposed by September; and if she will make a statement. [75130]

Ms Hewitt: Provisional indications from the Commission are that the Internal Market Scoreboard for November 2002 will show the UK as having transposed around 98.5 per cent. of single market directives. This was also the percentage shown for the UK in the last Scoreboard published in May 2002.

Corus

Dr. Cable: To ask the Secretary of State for Trade and Industry, pursuant to her answer of 14 February 2002, *Official Report*, column 529W, on Corus, how much of the aid that was announced in May 2001 to provide suport to communities affected by Corus redundancies has been spent in respect of each of the projects listed; and if she will make a statement. [75437]

Alan Johnson: The majority of the £48 million package of regeneration measures for areas in England affected by the closures announced by Corus in May 2001 consisted of major infrastructure projects funded by the Department for Transport, Local Government and the Regions.

The announcement also indicated that the Government intended to approach the Commission under Article 56 of the ECSC Treaty with a view to introducing an ISERBS type of programme to provide social aid to redundant steelworkers. A scheme involving a one off lump sum payment of £2,480 per individual was implemented. By end of October 2002 £28.6m will have been disbursed to eligible workers.

Infrastructure projects are necessarily slow moving, and little money is spent in the early stages. Progress on the projects is as follows:

Durham University Stockton Campus (budget £19.4 million)—Work has started on site reclamation but there is no significant expenditure to date.

Phase 2 of the Middlehaven scheme—One NorthEast is planning to spend some £16 million on Phase 2 which includes a contribution to a new junction on the A66 to access the site. Design work on the junction has been started and development of the Phase 2 site, which will involve the private sector, is planned to start in 2003.

New Tees crossing and Teesside Light Rapid Transit system feasibility studies (combined budget £500,000)—£300,000 has been spent so far and further work has been commissioned to start in 2003.

A66 Longnewton Junction improvements (budget £4.7 million)—the project is included in the Highways Agency programme and work will start in 2003.

Projects funded by the UK broadband fund are seeing One North East in the Tees Valley area and Yorkshire Forward in the North Lincolnshire are a spending £500,000 each on supporting these communities. One North East are spending their money on connecting SMEs to broadband services and Yorkshire Forward on connecting business parks. £130,000 has been spent on feasibility so far in the North East.

Enterprise Grants in Scunthorpe and some additional wards in Glanford (budget of up to £500,000)—expenditure is dependent on applications from companies wishing to expand. So far 11 applications have been received of which 5 have been approved and offers of grant totalling £149,000 have been made.

The remainder of the package announced in 2001 consisted of an extension of the Job Transition Service to the areas affected by the closures, and is a matter for my right hon. Friend the Secretary of State for Work and Pensions. Expenditure on the regeneration package for Wales also announced on that day is a matter for the National Assembly for Wales.

Electricity

Dr. Cable: To ask the Secretary of State for Trade and Industry how many *(a)* interruptions there were per 100 customers and *(b)* minutes were lost to electricity power supply interruptions in 2001–02; and if she will make a statement. [75128]

Mr. Wilson: *(a)* The average number of consumer interruptions per 100 customers in Great Britain in 2001–02 was 89.49.

(b) The average number of customer minutes lost per customer in Great Britain in 2001–02 was 88.94.

The industry regulator, OFGEM, has this year introduced measures that will create financial incentives to network operators to further improve performance.

Minimum Wage

Dr. Cable: To ask the Secretary of State for Trade and Industry how much the advertising campaign for the increase in the minimum wage run in association with the Inland Revenue costs; if she will be running an assessment of the success of the campaign; and if she will make a statement. [75118]

Alan Johnson: The advertising campaign this year to publicise the October 2002 increases in the national minimum wage cost £353,000 exclusive of VAT. Research is presently being undertaken on the effectiveness of the campaign.

Sellafield

Llew Smith: To ask the Secretary of State for Trade and Industry which reprocessing plant at Sellafield has the technical capacity to dissolve the unirradiated MOX fuel en route from Japan to Sellafield. [75453]

Mr. Wilson: BNFL have advised that the Thermal Oxide Reprocessing Plant (THORP) has the technical capacity to dissolve the unirradiated MOX fuel, subject to appropriate regulatory consents.

Nuclear Energy

Llew Smith: To ask the Secretary of State for Trade and Industry whether civil safeguarded magnox plutonium from British reactors has been used in MOX fuel sent to Japan. [73566]

Mr. Wilson: The arrangements for manufacture and delivery of MOX fuel are a commercial matter for BNFL and its customers.

Gas

Bob Spink: To ask the Secretary of State for Trade and Industry if she will make it her policy to consult the people of Canvey Island on the provision of *(a)* new and *(b)* re-furbished gas storage facilities on Canvey Island. [74331]

Mr. Wilson: If planning permission is sought for gas storage facilities at Canvey Island, it would fall to the local planning authority, or on appeal to my right hon. Friend the Deputy Prime Minister, to determine. The planning process provides an opportunity for the public to express their views on a proposal.

Bob Spink: To ask the Secretary of State for Trade and Industry what policies she has to increase gas storage facilities. [74297]

Mr. Wilson: The Government's policy is to ensure an appropriate regulatory regime for the gas market in Great Britain, and to keep security of gas supply under review through the work of the DTI-Ofgem Joint Energy Security of Supply (JESS) Group. My right hon. Friend the Secretary of State and Ofgem (the Office of Gas and Electricity Markets) both act under a duty to exercise their relevant functions under the Gas Act 1986 (as amended) so as to protect the interests of consumers. The 1st Report of JESS, dated June 2002, drew attention to the possibility that peak gas demand could exceed maximum gas supply within the next few years if investment in gas storage/infrastructure is delayed. My Department has this year written to two local planning authorities considering proposals for new gas storage facilities about the national need for additional gas storage capacity.

Bob Spink: To ask the Secretary of State for Trade and Industry if she will list the constituencies where there are *(a)* operational and *(b)* potential bulk gas storage facilities suitable for transmission into the National Grid. [74325]

Mr. Wilson: The major gas storage facility serving the market in Great Britain is the partially depleted Rough field in the Southern North Sea. The main existing onshore facilities are: Hornsea, east Yorkshire; five LNG (liquefied natural gas) storage facilities which are integral to the national transmission system and are owned and operated by Transco (at Avonmouth, Avon; Dynevor Arms, mid-Glamorgan; Glenmavis, Lanarkshire; Isle of Grain, Kent; and Partington, Lancashire); and two facilities which recently commissioned, at Hatfield Moor in east Yorkshire and Hole House Farm in Cheshire. A proposed facility at Aldborough, east Yorkshire, has secured planning permission and is under development. In addition a project at Byley in Cheshire is currently seeking planning permission, and a project at Fleetwood in Lancashire is understood to be close to applying for planning permission.

Bob Spink: To ask the Secretary of State for Trade and Industry what policies she has to expand the pan-European gas transmission network to improve UK access to imported gas; what estimate she has made of the cost of expanding the network; and if she will make a statement. [74356]

Mr. Wilson: The Government's policy is to ensure an appropriate regulatory regime for the gas market in Great Britain, and to keep security of gas supply under review through the work of the DTI-Ofgem Joint Energy Security of Supply Group. There are a number of commercial projects to increase UK access to imported gas. These include new contractual arrangements and improved connections from the Norwegian Continental Shelf; increasing the import capacity of the existing gas interconnector pipe-line between the UK and Belgium; an additional interconnector between the Netherlands and the UK; and a number of projects to import LNG (liquefied natural gas) into the UK. The costs in each case are a commercial matter. The new price control that Ofgem

has put in place to regulate Transco as transmission system operator is designed to make Transco's investments in the national transmission system for gas more responsive to market needs, including new patterns of supply as we become increasingly dependent on imported gas.

Bob Spink: To ask the Secretary of State for Trade and Industry in which constituencies there are *(a)* operational and *(b)* potential liquified gas unloading facilities for the importation of liquefied gas by sea; and what plans she has to utilise these facilities. [74358]

Mr. Wilson: There are no existing operational LNG (liquefied natural gas) importation facilities. I understand that there are commercial plans for the development of LNG import facilities at the Isle of Grain and Milford Haven. Utilisation of such facilities would be a commercial matter.

Disposable Nappies

Mr. Swayne: To ask the Secretary of State for Trade and Industry what measures have been taken to ensure that disposable nappies containing tributyl tin are excluded from UK markets; and if she will make a statement. [73990]

Miss Melanie Johnson: No measures have been necessary. Whilst trace levels of tributyl tins (TBT) were reported in certain brands of disposable nappies on sale in Germany in May 2000, this was claimed to be due to contamination during the manufacturing process and was subsequently eliminated. Organotins such as TBTs are not intentionally added to these products. A survey undertaken for the DTI by LGC Ltd (formerly the Laboratory of the Government Chemist), showed that there was no risk to the health of babies in disposable nappies sold in the UK.

European Procurement Policy

Ms Walley: To ask the Secretary of State for Trade and Industry when in 2002 the inclusion of environmental criteria in respect of European procurement policy was discussed by her Department and the European Commission; and if she will make a statement. [74054]

Miss Melanie Johnson: In the context of discussions with the European Commission and other Member States on the proposals to update, clarify and simplify the EC public procurement directives, my officials have covered a number of aspects of procurement policy, including the scope to use environmental criteria at each stage of the procurement process.

Political agreement on the proposals was reached at the Internal Market and Tourism Council on 21 May 2002.

Broadband Communications

Mr. Webb: To ask the Secretary of State for Trade and Industry if she will estimate the proportion of people in each region who are served by *(a)* broadband-enabled telephone exchanges, *(b)* cabled-based broadband services and *(c)* either of the above; and if she will estimate the numbers in each category who make use of that facility. [74849]

Mr. Timms: As of the end of June 2002, the proportion of the population in each region and nation able to access broadband through DSL enabled exchanges, cable modem services, and in total, was estimated by independent consultants to be as follows:

	Per cent households with broadband access		
Region/Nation	*DSL*	*Cable modem*	*Total*
North East	64	43	72
North West	66	52	75
Yorkshire and Humber	59	42	64
West Midlands	68	53	75
East Midlands	55	39	61
East of England	54	36	57
South West	48	22	51
South East	66	33	68
London	98	53	98
Scotland	39	3	53
Wales	32	24	38
Northern Ireland	46	30	47

Oftel figures for September 2002 show the number of broadband users nationally was over 885,000, of which around 390,000 used ADSL and 490,000 used cable. Since then, Oftel have announced that there are now in excess of one million broadband users in the UK.

Post Offices

Tim Loughton: To ask the Secretary of State for Trade and Industry how many *(a)* rural and *(b)* urban post offices have closed in each of the last five years; and how many new ones have opened. [75699]

Mr. Timms: In the last five years net annual figures for post office closures are:

March 1998	243
March 1999	233
March 2000	382
March 2001	547
March 2002	262

I understand from Post Office Limited that gross closure and opening/reopening figures, broken down between rural and urban post offices have only been available since April 2001. In the year ending March 2002, 371 rural offices closed and 177 rural offices opened/reopened and 114 urban offices closed and 46 opened/reopened.

RDA Members

Mr. Yeo: To ask the Secretary of State for Trade and Industry if she will make a statement on the process by which *(a)* chairmen and *(b)* members of regional development agencies are appointed. [75238]

Alan Johnson: The process for appointing both the Regional Development Agency Chairs and Board Members is run according to the Code of Practice issued by the Office for the Commissioner of Public Appointments (OCPA).

Appointments are made on merit, following open competition, application and formal interviews. Each applicant is assessed against the selection criteria, as set out in the person specification for the post. Some candidates for the RDA Chair positions were identified through executive search. These candidates went through the same process (including interviews) and were assessed on the same criteria as candidates who responded to the advertisement.

Mr. Yeo: To ask the Secretary of State for Trade and Industry if she will list the members of each regional development agency stating for each member the *(a)* date of, *(b)* length of, their appointment and *(c)* their qualifications for the job. [75237]

Ms Hewitt: The dates of appointment for current Regional Development Agency (RDA) board members are detailed in the table below.

The Regional Development Agencies Act 1998 states that in appointing members to the RDA Boards, "the Secretary of State shall have regard to the desirability of appointing a person who has experience of, and has shown capacity in, some matter relevant to the functions of the agency."

Board members' backgrounds include trade unions, the voluntary sector and rural interests; and at least half the members have current or recent business experience. On each RDA board, four of the board members are drawn from local government.

Before being appointed to the boards, potential board members are assessed against the criteria set out in the person specification for the posts.

	Date of first appointment	*Date of re-appointment*	*Expiry date of appointment*
Advantage West Midlands			
Stephenson Alex	14/12/98	14/12/01	13/12/02
Barnes Richard	14/12/98	14/12/01	13/12/04
Bhattacharyya Kumar	14/12/98	14/12/01	13/12/03
Bore Albert	14/12/98	14/12/01	13/12/02
Davies Sue	14/12/98	14/12/01	13/12/04
Harris Anthony	14/12/98	14/12/01	13/12/03
Holmes Bill	11/02/02		13/12/04
Kaur Stubbs Sukhvinder	14/12/98	14/12/01	13/12/02
King Christine	14/12/98	14/12/01	13/12/03
Moore Isabella	14/12/01		13/12/04
Price Norman	14/04/00		13/04/03
Sealey Tony	14/12/01		13/12/04
Sparkes David	14/12/98	14/12/01	13/12/02
Tilsley Paul	14/12/01		13/12/04
Woods-Scawen Brian	14/12/98	14/12/01	13/12/03
East of England Regional Development Agency			
Watts Vincent	14/12/98	14/12/01	13/12/03
Ali Roger	14/12/01		13/12/04
Bagnall Ruth	14/12/01		13/12/04
Brinton Sal	14/12/98	14/12/01	13/12/04
Cereste Marco	14/12/01		13/12/04
Cherry Alan	14/12/98	14/12/01	13/12/02
Grant Greg	14/12/98	14/12/01	13/12/03
Martin Peter	14/12/98	14/12/01	13/12/02
Murray Leo	14/12/01		13/12/04
Paveley Chris	14/12/01		13/12/04
Powell Richard	14/12/98	14/12/01	13/12/03
Reyner Neville	14/12/98	14/12/01	13/12/03
Shariff Yasmin	14/12/01		13/12/04
Skinner Marie	14/12/98	14/12/01	13/12/03
East Midlands Development Agency			
Mapp Derek	14/12/98	14/12/01	13/12/04
Bilgan Kashmir	14/12/01		13/12/04
Bradford Jane	14/12/98	14/12/01	13/12/04
Carr Bryan	14/12/99	14/12/02	13/12/05
Chapman Graham	14/12/98	14/12/01	13/12/04
Gadsby Peter	14/12/98	14/12/01	13/12/02
Gardner Gill	14/12/98	14/12/01	13/12/02
Gemmell Samantha	14/12/01		13/12/04
McLeod Jonathan	14/12/01		13/12/04
Patel Rita	14/12/01		13/12/04
Ramsden Peter	14/12/01		13/12/04
Scarborough Andrew	14/12/01		13/12/04
Morgan-Webb Patricia	14/12/98	14/12/01	13/12/04
Whittaker Ron	14/12/99	14/12/02	13/12/05
Wood Christine	14/12/98	14/12/01	13/12/02
North West Development Agency			
Gray Bryan	01/04/02		31/03/05
Chamberlain Neville	14/12/01		13/12/04
Doyle Miichael	14/12/98	14/12/02	13/12/02
Dunning John	14/12/98	14/12/02	13/12/04
Goodey Felicity	14/12/98	14/12/02	13/12/02
Harris Martin	14/12/01		13/12/04
Jeanes Clive	14/12/98	14/12/02	13/12/03
Lane Pauleen	14/12/01		13/12/04
Leese Richard	14/12/98	14/12/01	13/12/03
Manning Alan	14/12/98	14/12/01	13/12/03
Mendoros Dennis	14/12/98	14/12/01	13/12/04
Reade Kath	14/12/98	14/12/01	13/12/02
Ruia Anil	14/12/01		13/12/04
Smith Brenda	14/12/01		13/12/04
Storey Michael	14/12/01		13/12/04
One North East			
Bridge John	14/12/98	16/07/01	13/12/03
Arkley Alistair	14/12/98	19/12/01	13/12/03
Cantle-Jones Tim	07/12/01		13/12/04
Dennis Barbara	14/12/98	19/12/01	13/12/03
Edwards Christopher	07/12/01		13/12/04
Fisher Jackie	07/12/01		13/12/04
Hodgson Geoff	07/12/01		13/12/04
Hughes Philllip	14/12/98	19/12/01	13/12/04
Maudslay Richard	14/12/98	19/12/01	13/12/04
Nolan Jane	07/12/01		13/12/04
Stringfellow Rita	14/12/98	19/12/01	13/12/02
Walsh David	07/12/01		13/12/04
Williams John	14/12/98	07/02/02	13/12/02
Wilson Susan	14/12/98	19/12/01	13/12/01
South East England Development Agency			
Willett Allan	14/12/98	14/12/01	13/12/02
Bodfish Ken	14/12/98	14/12/01	13/12/03
Booth Clive	14/12/98	14/12/01	13/12/04
Brathwaite James	14/12/01		13/12/04
Brighouse Elizabeth	14/12/01		13/12/04
Camfield Barry	14/12/98	14/12/01	13/12/03
Douglas Robert	14/12/01		13/12/04
Kong Janis	14/12/98	14/12/01	13/12/04
McAnally Mary	01/11/00		31/10/03
Oliver Kit	14/12/98	14/12/01	13/12/02
Read Peter	01/11/00		31/10/03

	Date of first appointment	Date of re-appointment	Expiry date of appointment
Thornber Thomas (Kenneth)	14/12/01		13/12/04
Ward Sarah	14/12/98	14/12/01	13/12/02
Williams Caroline	14/12/98	14/12/01	13/12/02
Wilson Kevin	14/12/98	14/12/01	13/12/02
South West of England Regional Development Agency			
Lickiss Michael	14/12/98	14/12/01	13/12/01
Ansari Doris	14/12/98	14/12/01	13/12/01
Buckland Nicholas	14/12/01		13/12/04
Chalke Peter	14/12/98	14/12/01	13/12/01
Costley Nigel	14/12/98	14/12/01	13/12/01
Holland Helen	14/12/98	14/12/01	13/12/01
Kemp Brian	14/12/01		13/12/04
Leece Michael	14/12/98	14/12/01	13/12/01
Morris Alfred	14/12/98	14/12/01	13/12/01
Nicholl Robin	14/12/01		13/12/04
Pope Jeremy	14/12/98	14/12/01	13/12/01
Porritt Jonathon	15/12/99	15/12/02	14/12/02
Skellett Colin	14/12/01		13/12/04
Yorkshire Forward			
Hall Graham	14/12/98	14/12/01	13/12/01
Ashcroft John	15/12/99	14/12/02	
Barker Muriel	14/12/98	14/12/01	13/12/01
Bosomworth Eileen	14/12/01		13/12/04
Coburn Jeanne	17/10/00		16/10/03
Cummins Julian	14/12/98	14/12/01	13/12/01
Greenwood Brian	14/12/98	14/12/01	13/12/01
Gregory Richard	14/12/98	14/12/01	13/12/01
Haskins Christopher	14/12/98	14/12/01	13/12/01
Hougton Stephen	14/12/98	14/12/01	13/12/01
Jagger Paul	14/12/98	14/12/01	13/12/01
King Christopher	14/12/01		13/12/04
Malik Adeeba	14/12/98	14/12/01	13/12/01
Pinnock Kathryn	14/12/01		13/12/04
Warhurst Pamela	14/12/98	14/12/01	13/12/01

Mr. Yeo: To ask the Secretary of State for Trade and Industry if she will list the known political affiliations of members of the regional development agencies, stating whether she and her predecessors *(a)* had this information at the time of appointment of and *(b)* took account of the information when making the appointment. [75235]

Ms Hewitt: I refer the hon. Member to the answer given on 8 July 2002, *Official Report*, column 674W, which listed the political affiliation of Regional Development Agency (RDA) board members as declared under the Office for the Commissioner of Public Appointments (OCPA) Code of Practice.

This information is required under the OCPA code as part of the application process for all public appointments. It is not part of the information used when deciding whom to appoint. The exception to this is the four local authority posts on each RDA board. Information on political affiliation is taken into account by Ministers making these appointments, as the aim is for RDA boards to reflect generally the political make up of their region. However, even for local authority appointments, political balance is a secondary consideration to the overriding principle of appointment on merit.

Mr. Yeo: To ask the Secretary of State for Trade and Industry if she will list the number of applicants for each vacancy for membership of the regional development agencies. [75236]

Ms Hewitt: Information on the current appointments process for RDA board members (outside London) is set out in the table below.

RDA	Post	Number of Applications[1]
AWM	Business	*34*
	Local Authority[2]	*13*
	Multiple[3]	*2*
NWDA	Business[4]	*52*
	Local Authority	*13*
	Voluntary Sector[4]	*22*
	Multiple[3]	*1*
EMDA	Local Authority	*12*
	Trade Union	*3*
	Business[5]	*7*
	Higher/Further Education[5]	*1*
	Multiple[3]	*2*
SEEDA	Business[2]	*59*
	Local Authority[2]	*33*
	Rural	*6*
	Voluntary Sector[5]	*1*
	Social Enterprise[5]	*2*
	Higher/Further Education[5]	*1*
	Multiple[3]	*2*
Yorkshire Forward	Business[6]	*37*
	Higher/Further Education[5]	*3*
	Local Authority[5]	*3*
	Rural[6]	*4*
	Multiple[3]	*4*
ONE	Business[2]	*33*
	Local Authority	*24*
	Trade Union	*7*
	Multiple[3]	*1*
EEDA	Business	*42*
	Local Authority[2]	*15*
	Trade Union[5]	*1*
	Multiple[3]	*3*
SWRDA	*Business*	*51*
	Higher Education	*12*
	Local Authority	*23*
	Social Enterprise	*15*
	Trade Union[5]	*1*
	Voluntary Sector[5]	*2*
	Multiple[3]	*5*

Notes:

[1] Some candidates applied for posts in more than one region.

[2] 2 posts.

[3] Applicant claimed primary experience in more than one sector.

[4] NWDA needs 1 business person and 1 either business or voluntary sector.

[5] No vacancy in this field on this board.

[6] Yorkshire Forward needs 2 business people, ideally 1 with a strong link to the rural economy.

Regulations

Mr. Yeo: To ask the Secretary of State for Trade and Industry if she will list those regulations proposed by other Departments that have been amended after comments from her Department since 2 May 1997. [75233]

Ms Hewitt: Records relating to those regulations proposed by other departments, that have been amended after comments from the Department, are not held centrally. However, both the Department of Trade and Industry and Small Business Service see many consultations, both formally and informally, and where appropriate make comments to be taken into consideration on regulatory issues.

National Insurance

Mr. Yeo: To ask the Secretary of State for Trade and Industry on what date her Department began discussing with the Treasury the increase in the rate of National Insurance contributions in the last budget. [75231]

Ms Hewitt: It has not been the practice of successive governments to disclose details of discussions between Ministerial colleagues (under exemption 2 of the Code of Practice on Access to Government Information).

Telecommunications Masts

Mr. Sawford: To ask the Secretary of State for Trade and Industry (1) what guidance he gives to local authorities on collecting revenue from telecommunications masts. [73960]

(2) what the average rateable value is of a telecommunication mast. [73403]

Mr. Leslie: I have been asked to reply. In addition to the guidance provided on the collection of business rates generally, local authorities were given specific information in respect of rates and telecommunication masts in December 2000. This followed the coming into force of the Non-Domestic Rating (Telecommunication Apparatus) England Regulations 2000, which simplified for the future the payment and collection of rates on masts. The Regulations provided that where there were a number of separate entries in a rating list for a single mast—because the mast had equipment belonging to more than one telecommunication operator—then these entries would be replaced by a single entry. Where this happened, one of the operators would assume responsibility for the rates on behalf of all of the operators, and the local authority would need to bill accordingly.

The current average rateable value of masts is estimated to be about £5,000.

NORTHERN IRELAND

School Exam Performance

Mr. Brady: To ask the Secretary of State for Northern Ireland if he will rank the *(a)* GCSE and *(b)* A level performance in Northern Ireland's schools with that in English local education authority areas. [75228]

Jane Kennedy: The information is not available in the format requested. Information on comparative performance between pupils in Northern Ireland and England for the 5 years ending in 2000–01 (latest available data) is, however, set out below:

Performance Indicator[1,2]		*1996–97*[5]	*1997–98*	*1998–99*	*1999–00*[6]	*2000–01*
% achieving 2+ "A" Levels A-E[3]	NI	91	92	92	93	93
	England	81	81	81	81	82
% achieving 5+ GCSEs A*-C[4]	NI	54	55	56	57	57
	England	45	46	48	49	50
% achieving 5+ GCSEs A*-G[4]	NI	85	87	87	87	86
	England	86	88	88	89	89
% achieving no GCSEs[4]	NI	4	3	3	4	4
	England	8	7	6	6	5

*Sources:*1 DE, DfES

[2] Excludes special and independent schools in Northern Ireland.

[3] A level figures are expressed as a percentage of pupils in the final year of an A level course in Northern Ireland and as a percentage of pupils in school and sixth form colleges in England.

[4] GCSE figures are expressed as a percentage of pupils in year 12 in Northern Ireland, and as a percentage of 15 year olds in England and Wales.

[5] From 1996/97 GCSE figures include GNVQ Part 1 Qualifications.

[6] From 1999/00 A level figures for Northern Ireland are from the University of Bath GCE Database.

Performance information for England by LEA is available on the DfES Website, www.dfes.gov.uk/statistics/DB/SBU/b0334/index.html.

Police Service

Mr. Donaldson: To ask the Secretary of State for Northern Ireland how many *(a)* Roman Catholics, *(b)* Protestants and *(c)* others have been recruited to the Police Service of Northern Ireland since its inception. [76154]

Jane Kennedy: As at 18 October 2002, the Police Service of Northern Ireland has appointed 479 trainees. Of these, 243 have declared themselves to be Roman Catholic; 232 have declared themselves to be Protestant; and 4 are non-determined. The balance of appointments during the course of each competition can be subject to some slight fluctuation.

Parades Commission

Mr. McNamara: To ask the Secretary of State for Northern Ireland what costs were incurred by the Parades Commission in the organisation of conferences in the financial year ending 31 March; what the costs were of each event; what the advertising costs were; how many people attended each; if he will breakdown the attendance of each by *(a)* perceived community background and *(b)* gender; and what assessment has been made by the Commission of these events. [74796]

Jane Kennedy: The overall cost of the two conferences held in the financial year ending 31 March 2002 was approximately £70,575.

The first conference cost £53,278 and the second conference cost £17,297. A significant portion of the costs of the first conference (for example planning and design work) represented outlay that was utilised also in the second conference.

No advertising costs were incurred as attendance at both conferences was by invitation.

There were 196 people in attendance at the conference on 26 January 2002. There were 175 people in attendance at the conference on 9 March 2002.

The Parades Commission does not hold the necessary information to enable them to provide a breakdown of attendance, but it was clear that the nationalist viewpoint was more strongly represented at the second conference and the unionist viewpoint more strongly represented at the first. There were more men than women at both conferences. This may reflect to some extent a greater predominance of men involved in parading organisations.

The Parades Commission issued evaluation forms to delegates at the end of each conference. The delegates were asked to provide an assessment of the conference and submit any suggestions on how to make progress with regard to the parading issue. The Commission provided a summary report of the key issues raised at each conference and a copy was issued to each delegate who attended.

Based on feedback from both conferences, the Commission is seeking to build on this positive initiative. It has also been able to establish more constructive relationships with some parading interests as a direct result of the conferences.

Police Retention

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what action he will take to stem the loss of experienced Northern Ireland police officers. [75067]

Jane Kennedy: The Government is committed to ensuring the police service of Northern Ireland is resourced to deliver an effective and efficient police service. It is the Chief Constable who sets the criteria for admission to the severance scheme and the Government continues to be guided by his assessment of policing requirements.

The Government has welcomed the PSNI workforce plan, endorsed by the Policing Board, which gives careful consideration to the policing needs of Northern Ireland and how the police can most efficiently and effectively provide the service which the public is entitled to expect.

ADVOCATE-GENERAL

Devolution

Mrs. Irene Adams: To ask the Advocate-General if she will make a statement on the devolution issues that have been raised with her in the past three years. [73707]

The Advocate-General: I have received intimation of more than 1,500 cases in which devolution issues were raised. In some of these cases additional devolution issues were raised by further minutes. These devolution issues have referred to a great variety of matters, both civil and criminal in nature, and many of these raise issues under Article 6 of the European Convention on Human Rights relating, for example, to the right to a fair trial and undue delay in trial.

PRIME MINISTER

Standing Order No. 13

Mr. Allen: To ask the Prime Minister if he will propose changes to Standing Order No. 13 to extend his power to make representations to the Speaker for the earlier meeting of the House in certain circumstances to all hon. Members. [74871]

The Prime Minister: I have no plans to do so.

Royal Prerogative

Mr. Allen: To ask the Prime Minister if he will bring forward proposals to make it a requirement for Parliament to be consulted on the use of his power under Royal Prerogative to take the country to war; and if he will make a statement. [75214]

The Prime Minister: There is no need for a formal requirement for Parliament to be consulted since the House is already given the opportunity to debate such decisions.

Iraq

Llew Smith: To ask the Prime Minister (1) what the basis is of the assertion at page 17 of his dossier on Iraq's weapons of mass destruction that Saddam Hussein is determined to retain the weapons of mass destruction that the dossier discusses; [75830]

(2) if he will set out the technical basis for the assertion made at page 19 in the dossier on Iraq's weapons of mass destruction that chemical or biological weapons could be deployed within 45 minutes of an order to do so; [75829]

(3) what the basis is for the assertion at paragraph 30, page 30 of the dossier on Iraq's weapons of mass destruction that Saddam Hussein remains committed to developing longer-range weapons. [75828]

The Prime Minister: These points reflect specific intelligence information. In the area of longer-range weapons, paragraph 28 of the dossier also explains the significance of the new engine test stand at al-Rafah, which has a capability to test engines for missiles with ranges over 1000km.

Llew Smith: To ask the Prime Minister for what reasons hon. Members were not provided with copies of his dossier on Iraq's weapons of mass destruction before the day it was debated in Parliament. [75686]

The Prime Minister: The Government was working to a tight deadline. The dossier was made available at 8am on Tuesday 24 September in order for Members and Peers to be able to consider it before the debate.

Llew Smith: To ask the Prime Minister what assessment Her Majesty's Government made of the report on Iraq's military production and deployment capabilities published by the International Institute for Strategic Studies in September; and whether Iraq could assemble nuclear weapons within months if it had sufficent fissile materials. [75868]

The Prime Minister: The International Institute for Strategic Studies report was an independent and well-researched overview of the evidence available in the public domain. Our assessment, as the dossier states, is that if Iraq obtained fissile material and other essential components from foreign sources, it could produce a nuclear weapon in between one and two years.

Iraq Dossier

Llew Smith: To ask the Prime Minister (1) whether information from United States sources was used in the Iraq dossier on weapons of mass destruction; [75871]

(2) whether representatives of the United States Administration were shown the Iraq dossier prior to its publication on 24 September. [75870]

The Prime Minister: The sources used in the dossier were mainly those of the United Kingdom's intelligence and analysis agencies—the Secret Intelligence Service, the Government Communications Headquarters, the Security Service, and the Defence Intelligence Staff. The dossier also reflected our access to intelligence from close allies, but details of discussions on these matters are confidential.

Cabinet Committees

Llew Smith: To ask the Prime Minister if he will make an exception from the rule covering non-disclosure of information from Cabinet committees and sub-committees under Part II of the code of practice on access to Government information to permit details of progress made at meetings of the Cabinet sub-committee ENV of green ministers to be given to Parliament on a more regular basis than its annual report to the Environmental Audit Committee. [75455]

The Prime Minister: The Sustainable Development in Government Report is published annually and outlines the contribution of all departments to sustainable development. Key developments during the year are posted on the Sustainable Development in Government website, http://www.sustainable-development.gov.uk/sdig/index.htm. The Environment Audit Committee is able to call for reports and evidence at any time.

It is established practice under Exemption 2 of Part II of the Code of Practice on Access to Government Information not to disclose information relating to the proceedings of the Cabinet and its committees.

Russian Convoy (Campaign Medal)

Bob Spink: To ask the Prime Minister if he will meet a group of Royal Navy and Merchant Navy Russian convoy veterans to discuss the offer of a campaign medal made by the Russian Government. [75472]

The Prime Minister: We have received no formal request from the Russian Government asking that permission be granted to issue the Defence of the Soviet Arctic Region Medal to British veterans. Were the Russian authorities formally to ask for this campaign medal to be officially recognised in this country, the Government would consider it carefully and discuss with relevant groups.

Convention on the Future of Europe.

Keith Vaz: To ask the Prime Minister what plans he has to meet M Valery Giscard d'Estaing to discuss the Convention on the Future of Europe. [75662]

The Prime Minister: I met M Giscard d'Estaing to discuss the Convention in February and May. I hope to arrange a further meeting with him later this year. He reported to the Seville European Council in June on the progress of the Convention, and is due to address the Brussels European Council, 24–25 October, on the same subject.

Swill Feeding

Mrs. Browning: To ask the Prime Minister what discussions he has had on a ban on swill feeding in the last two years. [76173]

The Prime Minister: I have of course been made aware of the ban on swill feeding as part of the discussions I have had with regard to Foot and Mouth Disease.

On 20 November 2001, my hon. Friend the Parliamentary Under-Secretary at the Department for Environment, Food and Rural Affairs met with the Associated Swill Users and agreed to investigate the possibility of providing free business advice to those former swill feeders affected by the ban. The Government applied for, and has now received, approval from the European Commission to fund, via the State Aid process, a scheme to provide free business advice to those affected by the ban on swill feeding.

CABINET OFFICE

E-Government

Mr. Yeo: To ask the Minister for the Cabinet Office if he will make a statement on the promotion of *(a)* e-democracy and *(b)* e-Government. [75240]

Mr. Alexander: To promote e-democracy and to further inform our policy thinking, we are currently running a wide-ranging public consultation. The consultation paper—*In the Service of Democracy*—was launched by my right hon. Friend the President of the Council and Leader of the House of Commons on 16 July. The consultation is due to close on 31 October 2002.

To promote e-government we have developed ukonline.gov.uk, a portal for government services and information. It is indexed on popular search engines and other government department websites.

In addition we have created a platform for government services on Sky DiTV and we deliver some government services and information through interactive kiosks.

Emergency Planning

Mr. Francois: To ask the Minister for the Cabinet Office what schemes the Government intend to implement to increase public knowledge and awareness with regard to emergency planning; and if he will make a statement. [73774]

Mr. Alexander: The provision of advice and guidance to the public remains central to the government's approach to contingency planning.

Extensive arrangements are in place at central government and local authority level to ensure the provision of information on specific issues. Government Departments and agencies use a range of tools including web-sites to disseminate relevant facts and advice. In cases of particular emergency, such as flooding, publicity would be given to the risks as well as sources of help and advice. This would be through regional or national activity including the use of broadcast media. The Cabinet Office provides central co-ordination where required.

Work is in hand to revise and update the document "Dealing with Disaster", a key statement of guidance on the arrangements for emergency response nation-wide, in consultation with local authorities and the emergency services.

Thinking on public information and guidance is regularly exchanged between central, local and devolved government through courses and seminars held under the auspices of the Emergency Planning College (EPC). Further details can be found on the EPC web-site at www.ukresilience.info/college.

TREASURY

Food Supplements

Mr. Nigel Jones: To ask the Chancellor of the Exchequer if he will assess the impact on Treasury revenues of the European Food Supplement Directive and the proposed European Directive on Traditional Herbal Medicinal Products; and if he will make a statement. [75815]

Mr. Boateng: The impact on Treasury revenues, as a result of the European Food Supplements Directive and the proposed Traditional Herbal Medicinal Products Directive, is likely to be negligible.

Commercial Property Valuation Tribunals

Peter Bottomley: To ask the Chancellor of the Exchequer how many commercial property valuation tribunal hearings are listed for hearing in 2004. [74801]

Mr. McNulty: I have been asked to reply.

There are no hearings currently listed to take place in England in 2004. In some areas there is an intended programme of hearing dates shown on the valuation tribunal website, but these will not be formally listed until a notice of hearing is issued by the relevant valuation tribunal not less than 4 weeks before the hearing date.

Fuel Duty

Mr. Peter Ainsworth: To ask the Chancellor of the Exchequer if he will estimate the annual income to Exchequer funds which would arise from extending the present rate of road fuel duty on unleaded petrol to aviation fuel. [75037]

John Healey: Levying duty on aviation turbine fuel at the same duty rate as that charged on ultra low sulphur petrol (ULSP), which is 45.82 pence per litre, would have raised approximately £5.7 billion in 2001–02, assuming no reduction in demand.

Correspondence

David Winnick: To ask the Chancellor of the Exchequer for what reason the delay occurred in transferring the letter of 19 August from the hon. Member for Walsall, North concerning a constituent, reference 5/07848/2002, to the Department for the Environment, Food and Rural Affairs. [74912]

John Healey: There was initial discussion within the Treasury and then with HM Customs and Excise as to which department was best placed to address the issues raised. Following further discussion with DEFRA the hon. Gentleman's letter was transferred to that department on 16 September.

Insurance Mediation Directive

Barbara Follett: To ask the Chancellor of the Exchequer when he will publish the Government's proposals for implementing the European Union's Insurance Mediation Directive. [76573]

Ruth Kelly: As I announced on 12 December 2001 (WA 890–891W) the Government proposes to give the Financial Services Authority (FSA) responsibility for regulating general insurance and reinsurance mediation. I have today published a consultation document that sets out the intended approach to regulating the sale of general insurance products following adoption on 30 September 2002 by the European Parliament and Council of Ministers under the co-decision procedure of the Insurance Mediation Directive (the Directive).

The consultation document explains that the FSA will regulate the following activities:

introducing, proposing or carrying out other work preparatory to the conclusion of contracts of insurance or reinsurance;

assisting in the administration and performance of such contracts, in particular in the event of a claim; and

concluding contracts of insurance or reinsurance.

The Directive requires the regulation of mediation activities in relation to all contracts of insurance. However, it provides certain exemptions for insurance sold as part of a package, including travel insurance sold with a holiday and extended warranties that are contracts of insurance.

It is for the UK Government to decide whether to regulate those insurances that are exempted from the Directive and I have decided to defer a decision on whether the FSA should regulate extended warranties pending the outcome of the Competition Commission enquiry into extended warranties for electrical goods.

As to travel insurances that are sold with a holiday, we need carefully to weigh the consumer protection issues against regulatory costs. The Government also needs to weigh fairly the competition issues between those intermediaries that sell travel insurance direct and travel agents that sell insurance alongside a holiday. I have decided, therefore, to consult on whether to give the FSA responsibility for regulating these products. There are three options:

No statutory regulation of sales of travel insurance sold as part of a package;

FSA regulation to cover these sales in the same way as stand alone sales of travel insurance; or

Industry specific regulation, requiring sellers of these products to be authorised by the FSA unless they are subject to an ABTA code which would be certified by the FSA. Sellers who were subject to the ABTA code but who also carried on other FSMA regulated activity, including selling any insurance other than packaged travel insurance, would be subject to FSA authorisation in relation to all of their regulated activities (including the activities to which the ABTA code applied).

Responses to the consultation on general insurance and reinsurance regulation, and on the options for travel insurance sold as part of a holiday, should be sent to HM Treasury by 31 January 2003.

Tax Credits (Fraud)

Mr. Webb: To ask the Chancellor of the Exchequer for what reason the claim form of working families' tax credit does not ask if claimants are currently receiving income support: and what plans he has to include this question in future versions of the form. [74844]

Dawn Primarolo: The qualifying conditions for Income Support and Working Families' Tax Credit are mutually exclusive to the extent that Income Support is available to people who work for less than 16 hours a week and Working Families' Tax Credit is available to people who work 16 hours or more a week. There are no plans to amend the Working Families' Tax Credit claim form.

Mr. Webb: To ask the Chancellor of the Exchequer how many staff are employed by the Inland Revenue to work on anti-fraud measures in respect of the working families' tax credit; and what plans he has to take on additional staff for anti-fraud work in respect of his new system of tax credits. [74852]

Dawn Primarolo: As at 17 October 2002, there are a total of 755 Inland Revenue staff involved in investigating possible incorrect applications for Working Families' Tax Credit (WFTC) and Disabled Persons' Tax Credit (DPTC). We are currently developing our staffing plans for the introduction of Child Tax Credit (CTC) and Working Tax Credit (WTC), the likely number of staff which will be involved in this work is approximately 1,100.

National Insurance Fund

Mr. Webb: To ask the Chancellor of the Exchequer in what form the balance of the National Insurance Fund is held. [74838]

Dawn Primarolo: Any working balance is invested and provides additional income for the Fund. The Fund may only invest in Government and Local Authority stocks, in accordance with directions given by the Treasury.

Commercial Flights

Mr. Peter Ainsworth: To ask the Chancellor of the Exchequer if he will estimate the annual income to the Exchequer which would arise from the imposition of a 17.5 per cent. sales tax on the purchase of tickets for commercial flight departures from United Kingdom airports. [75036]

John Healey: The lack of price data means it is not possible to estimate accurately the revenue from a 17.5 per cent. sales tax on the purchase of tickets for commercial flight departures.

Private Medical Insurance

Tim Loughton: To ask the Chancellor of the Exchequer how much revenue was raised from taxation of private medical insurance cover offered by employers as a benefit in kind in each of the last five years. [75695]

Ruth Kelly: Information on the total income tax liability of employees and Class 1A National Insurance liability of employers on the benefit of private medical and dental treatment or insurance provided by employers is shown in the table.

Year	*Amount £million*
2001–02[1]	390
2000–01[1,2]	390
1999–2000	270
1998–99	260
1997–98	250

Notes:
[1] Projected.
[2] From 6 April 2000, Class 1A NICs liability was extended to cover medical and dental treatment or insurance provided by employers.

Tim Loughton: To ask the Chancellor of the Exchequer what assessment his Department has made of the cost of re-introducing tax relief for pensioners paying for their own private medical insurance cover. [75696]

Ruth Kelly: The abolition of tax relief on premiums for private medical insurance for the over-60s was estimated to yield £135 million for 1999–2000 as shown in the July 1997 Financial Statement and Budget Report. A reliable updated estimate could only be produced at a disproportionate cost.

Cancer

Tim Loughton: To ask the Chancellor of the Exchequer if he will give the five year survival rates for *(a)* breast, *(b)* lung, *(c)* stomach and *(d)* colo-rectal cancer types; and on what authority they are based. [75692]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Tim Loughton, dated 21 October 2002:

As National Statistician, I have been asked to reply to your recent question concerning the five year survival rates for *(a)* breast, *(b)* lung, *(c)* stomach and *(d)* colorectal cancer types; and on what authority they were based.

The latest available five year survival rates for cancer of the breast (female), lung, stomach and colon are for patients diagnosed in 1993–95 and followed up to 31 December 2000.

Five year survival rates by sex and age group for England are available on the National Statistics website at: http://www.statistics.gov.uk/statbase/Expodata/Spreadsheets/D4924.xls

Five year survival rates for cancers of the lung, stomach and colon for all persons, and for cancer of the breast for females, all ages combined, are available for NHS regions and health authority areas in England as they were up to 1st April 2001, on the National Statistics website at: http://www.statistics.gov.uk/StatBase/Expodata/Spreadsheets/D5389.xls http://www.statistics.gov.uk/StatBase/Expodata/Spreadsheets/D5392.xls

The methodology used to calculate the survival rates is closely based on that used to analyse cancer survival trends over the period 1971 to 1990, which is described in *Cancer Survival Trends in England and Wales, 1971–95: deprivation and NHS Region*[1].

Note:

[1] Coleman MP, Babb PJ, Damiecki P, Grosclaude P, Honjo S, Jones J, Knerer G, Pitard A, Quinn M, Sloggett A, De Stavola B. Cancer Survival Trends in England and Wales, 1971–95: deprivation and NHS Region. Studies in Medical and Population Subjects No. 61. London: The Stationery Office, 1999.

HOME DEPARTMENT

Mobile Phone Thefts

Mrs. Brooke: To ask the Secretary of State for the Home Department how many prisoners are serving sentences of *(a)* theft and *(b)* robbery involving phones. [40009]

Hilary Benn *[holding answer 5 March 2002]:* There is no data held centrally on the number of persons in England and Wales who have committed an offence of theft or robbery that involves a phone.

Targeted Policing Initiative

Mr. Bercow: To ask the Secretary of State for the Home Department if he will list *(a)* those schemes which have received funding under the Targeted Policing Initiative in the Buckingham constituency, *(b)* the amount received and *(c)* the targets set to reduce crime under the schemes. [22625]

Mr. Denham: No schemes have been funded in the Buckingham constituency under the Targeted Policing Initiative.

Police Horses

Mr. Meale: To ask the Secretary of State for the Home Department what recent guidelines he has issued on the tethering of horses by police forces; and if he will make a statement. [55876]

Mr. Denham: There is no Home Office or Association of Chief Police Officers (ACPO) guidance on this matter. The equine training standards adopted by police forces are that the horses should not be tethered by the reins.

Criminal Injuries Compensation (Children)

Mr. Weir: To ask the Secretary of State for the Home Department (1) how many applications submitted to the CICA/CICB on behalf of children who have been victims of sexual abuse in each of the last five years have been successful, broken down by nation and region; [72789]

(2) how many applications have been submitted to the CICA/CICB on behalf of children who have been victims of sexual abuse in each of the last five years, broken down by nation and region. [72788]

Hilary Benn: The readily available information, which has been provided by the Criminal Injuries Compensation Authority, is summarised in the following table. The awards resolved in any given year do not necessarily relate to the applications received in that year.

Applications Relating To Child Abuse

	1997–98	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
	Number of Applications Received				
Total for Great Britain	5,164	4,887	5,056	4,607	4,606
Scotland Only	840	728	724	576	583
	Resolution of Applications				
	Money Awards				
Total for Great Britain	3,189	4,113	3,861	3,578	3,678
Scotland Only	328	481	420	410	417
	No Award				
Total for Great Britain	795	1,287	1,382	1,254	1,229
Scotland Only	111	209	236	201	147

Mr. Weir: To ask the Secretary of State for the Home Department (1) if it is the policy of the CICA/CICB to retain records of applications and papers submitted in respect of applications on behalf of children until such time as the child would attain the age of majority; [72787]

(2) what length of time papers presented to the Criminal Injuries Compensation Authority and its predecessor the Criminal Injuries Compensation Board relating to applications are held by the authority. [72792]

Hilary Benn: The Criminal Injuries Compensation Authority (CICA) advise that, prior to 4 December 2001, it was the general policy of both CICA and Criminal Injuries Compensation Board (CICB) to retain papers relating to applications for compensation for six years from the date of the last action on the case. The retention period was then reduced to five years because the increased throughput of resolved cases under the new tariff scheme was creating additional pressures on the available storage space.

The CICA's policy is to retain case files for applications submitted on behalf of children until the child reaches 21 years of age. In addition, in any case where the medical condition is likely to deteriorate, the policy is to retain the file for 25 years after the last action has been taken.

Police Finance

Mr. Woodward: To ask the Secretary of State for the Home Department what was the *(a)* total standard spending, *(b)* special police grants and central support services and *(c)* capital investment in (i) Merseyside Police, (ii) Greater Manchester Police and (iii) England and Wales in *(A)* 1997–98, *(B)* 1998–99, *(C)* 1999–2000, *(D)* 2000–01, *(E)* 2001–02 and *(F)* the projected levels for 2002–03. [71275]

Mr. Denham *[holding answer 23 July 2002]:*

	Merseyside				*Greater Manchester Police*				*England & Wales*			
	TSS £million	*Special Grant[2] £million*	*Capital[3] £million*	*Total*	*TSS £million*	*Special Grant[2] £million*	*Capital[3] £million*	*Total £million*	*TSS £million*	*Special Grant[2] £million*	*Capital[3] £million*	*Total £million*
1997/98	227.4	0	6.6	234.0	351.2	0	7.6	358.8	6,824.7	1.5	169.5	6,995.7
1998/99	233.2	0	3.5	236.7	364.7	0	4.3	369	7,035.5	5.8	144.4	7,185.7
1999/00	236.3	0.09	3.1	239.5	375.7	0.1	4.3	380.1	7,213.6	8.1	144.4	7,366.1
2000/01	242.3	4.3	3.9	250.5	386.0	6.6	4.8	397.4	7,415.3	113.1	144.4	7,672.8
2001/02	252.6	6.3	3.9	262.8	404.5	29.0	6.5	440.0	7,778.8	330.9	157.4	8,267.1
2002/03[1]	253.1	17.4	5.6	276.1	407.4	24.0	9.3	440.7	7,831.5	460.9	209.4	8,501.8

Notes:

[1] Total Standard Spending figures (TSS) for 2002/03 are not directly comparable with 2001/02 owing to the change in funding arrangement for the National Crime Squad/National Criminal Intelligence Service. On a like-for-like basis the comparable figures for 2001/02 are £247.2million for Merseyside, £395.8million for Greater Manchester Police and £7,613.7million for England & Wales.

[2] Special grant includes Home office Crime Fighting Fund, Rural policing grant, Airwave grant, payments from the DNA programme, National Intelligence Model payments, grant to tackle robbery, Fuel distribution emergency payments, grant to tackle robbery, execution of warrants grant, Beacon scheme payments, grant to tackle street crime and one-off payments of special grant for specific events.

[3] Capital allocations include capital grant and supplementary credit approvals. General capital allocations from 1997/98 to 2000/01 included an element of grant for major capital schemes allocated under the Priority Planning List scheme that has now concluded. The general capital allocation for 2002/03 includes £10million held as a reserve and £20million set aside for the Premises Improvement Fund. All police authorities have been invited to bid for a share of the Fund.

Central support services cannot be broken down for individual forces.

In addition to the above, forces benefited from additional funding for Targeted Policing Initiatives 1997–98 to 2002–03. Overall spend for Merseyside was £2.32million, Greater Manchester £1.4million and all England and Wales £29.6million.

Police

Norman Baker: To ask the Secretary of State for the Home Department how many police officers are in post *(a)* in total and *(b)* in each police authority area. [52157]

Mr. Denham *[holding answer 29 April 2002]:* I apologise for delay in responding to this Question. The table shows, for 31 March 2002, the total number of police officers for each police authority area in England and Wales.

On 31 March 2002 total police numbers, including secondments to National Crime Squad, National Criminal Intelligence Service and central services in England and Wales were 129,603 an increase of 3,922 or 3.1 per cent. since March 2001. This is a record number of police officers and the largest annual increase in police numbers since March 1976.

I am also pleased to report that on 31 March 2002, 19 forces in England and Wales had record numbers of police officers.

The substantial investment we are putting into the police service is delivering the improvements that we promised. We have delivered record numbers of officers ahead of our target of April this year and police strength in March 2002 was only 400 short of the target of 130,000 police officers for 31 March 2003.

A detailed breakdown of police personnel data can be found in Home Office Statistical Bulletin No. 10/02 ("Police Service Strength—England and Wales, 31 March 2002") which was published on 17 September 2002. A copy has been placed in the Library. It can also be found on the internet at www.homeoffice.gov.uk/rds/hosbpubs1.

Police Strength—England and Wales

Government Region	*Police force*	*Strength as at 31 March 2002*
North East		7,004
	Cleveland	1,461

Police Strength—England and Wales

Government Region	*Police force*	*Strength as at 31 March 2002*
North West	Durham[2]	1,614
	Northumbria[2]	3,929
		17,804
	Cheshire	2,059
	Cumbria	1,100
	Greater Manchester[2]	7,217
	Lancashire[2]	3,304
	Merseyside	4,125
		11,564
Yorkshire and the Humber	Humberside[2]	2,058
	North Yorkshire[2]	1,417
	South Yorkshire	3,199
	West Yorkshire	4,889
		8,690
East Midlands	Derbyshire	1,848
	Leicestershire[2]	2,100
	Lincolnshire	1,198
	Northamptonshire[2]	1,214
	Nottinghamshire	2,330
		12,801
West Midlands	Staffordshire	2,133
	Warwickshire	969
	West Mercia	2,018
	West Midlands[2]	7,681
		9,872
Eastern	Bedfordshire	1,069
	Cambridgeshire[2]	1,362
	Essex	2,946
	Hertfordshire	1,825
	Norfolk[2]	1,468
	Suffolk	1,203
		26,987
London	City of London	764
	Metropolitan Police	26,223
		15,482
South East	Hampshire[2]	3,480
	Kent	3,355
	Surrey	1,992
	Sussex	2,893
	Thames Valley	3,762
		9,870
South West	Avon & Somerset[2]	3,096
	Devon & Cornwall[2]	3,053
	Dorset[2]	1,381
	Gloucestershire[2]	1,183
	Wiltshire	1,157
		7,194
Wales	Dyfed Powys[2]	1,132
	Gwent[2]	1,333
	North Wales[2]	1,506
	South Wales	3,222
		127,267
England & Wales (exc. Secondments)[1]		2,336
Secondments		
TOTAL (incl. secondments)[1]		129,603

Notes:
[1] Because of rounding, constituent parts may not necessarily sum to the totals.
[2] Forces with record published numbers.

Queen Mother's Funeral

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what costs fell to his Department arising from the funeral of HM Queen Elizabeth the Queen Mother. [65257]

Mr. Denham: The only direct cost that has fallen to the home Department from the funeral of the Queen Mother was £1,817 for the notification mourning envelopes and letterhead stationery.

The Metropolitan Police Authority has estimated additional costs to policing arising from the Queen Mother's funeral at £2million. The operation involved the deployment of 7,955 police and 1,302 civilian staff between 31 March and 9 April.

The Home Office provides a special grant to the Metropolitan Police Service each year to take account of those costs specific to policing the capital and national events.

Yarl's Wood

Mr. Malins: To ask the Secretary of State for the Home Department in relation to the fire at Yarl's Wood on 14 and 15 February 2002, how many detainees are unaccounted for. [75402]

Beverley Hughes: The number of detainees that are unaccounted for following the incident at Yarl's Wood removal centre has been reduced to 14 individuals. Efforts to trace and apprehend these remaining individuals continue. The Bedfordshire police conducted an exhaustive search of the site and concluded that it was highly improbable that anybody had perished in the fire.

Mr. Malins: To ask the Secretary of State for the Home Department how many of those charged with violent disorder arising out of the Yarlswood incident have been convicted and sentenced. [75400]

Beverley Hughes: Twelve individuals have been charged with offences of violent disorder arising from the incident at Yarl's Wood removal centre on 14/15 February. Their trial is set for April 2003.

IND

Mr. Vaz: To ask the Secretary of State for the Home Department what the advertised salary is for the new head of IND. [75661]

Beverley Hughes: The advert for this post described the salary as an attractive six-figure package. In the notes for candidates, it was stated that the post was in Senior Civil Service Pay Band 3 for which the usual maximum salary was £124,000 and that more may have been available for an exceptional candidate.

Mr. Vaz: To ask the Secretary of State for the Home Department how many persons applied for the post of head of IND; and how many were *(a)* men, *(b)* women and *(c)* from ethnic minorities. [75658]

Beverley Hughes: This post attracted a total of 52 applicants, of which 45 were men and seven were women. Of those who completed the Equal Opportunities monitoring form, three stated that they were from ethnic minorities. 12 forms were not returned.

Ms Yana Figurova

Mr. Waterson: To ask the Secretary of State for the Home Department when he expects to reach a decision on the case of Ms Yana Figurova (Ref. No. F1025919). [75158]

Beverley Hughes: Ms Figurova's applications for leave to remain in the United Kingdom have been now allocated to a caseworker in the Integrated Casework Directorate of the Immigration and Nationality Directorate. The caseworker will be making a decision shortly. Ms Figurova's legal representatives will be notified of the decision.

Rural Police Forces

Mr. Breed: To ask the Secretary of State for the Home Department (1) which police forces he classifies as rural; [75184]

(2) how much of the Rural Policing Fund was spent by forces in *(a)* 2000–01, *(b)* 2001–02 and *(c)* 2002–03 to date. [75185]

Mr. Denham: The Rural Policing Fund was introduced in June 2000 to support the particular needs of forces with the most widespread populations. £15million was allocated in 2000–01 and £30million a year in 2001–02 and 2002–03.

There is no formal definition of a rural force. Many police force areas will cover both rural and more urban areas. The Rural Policing Fund is allocated to police authorities with the most dispersed populations, weighted for the degree of sparsity of population. Thirty one of the forty three police forces in England and Wales benefit. A table of grant allocations is given in the table.

Rural Funding Allocations—2000–01 to 2002–03

Police Authority:	*2000–01*	*2001–02*	*2002–03*
Avon & Somerset	£494,892	£992,875	£993,718
Bedfordshire	£81,390	£163,540	£163,555
Cambridgeshire	£561,585	£1,125,169	£1,126,395
Cheshire	£115,058	£228,487	£227,493
City of London	0	0	£0
Cleveland	0	0	£0
Cumbria	£690,613	£1,370,910	£1,360,324
Derbyshire	£208,347	£416,190	£415,196
Devon & Cornwall	£1,554,673	£3,114,489	£3,128,806
Dorset	£221,858	£442,209	£443,158
Durham	£124,270	£246,803	£245,259
Dyfed Powys	£1,297,570	£2,588,337	£2,583,979
Essex	£251,315	£503,710	£504,105
Gloucestershire	£387,093	£776,548	£775,749
Greater Manchester	0	0	0
Gwent	£102,895	£204,476	£203,489
Hampshire	£110,175	£220,430	£219,680
Hertfordshire	0	0	0
Humberside	£357,640	£710,250	£705,395
Kent	£298,863	£599,342	£599,700
Lancashire	£32,228	£64,054	£63,835
Leicestershire	£216,758	£433,988	£433,164
Lincolnshire	£985,951	£1,978,690	£1,984,449
Merseyside	0	0	0
Metropolitan	0	0	0
Norfolk	£1,036,848	£2,078,830	£2,085,509
North Wales	£770,617	£1,533,723	£1,530,130
North Yorkshire	£1,005,224	£2,013,806	£2,018,359
Northamptonshire	£350,892	£704,141	£705,137
Northumbria	0	0	0
Nottinghamshire	0	0	0
South Wales	0	0	0
South Yorkshire	0	0	0
Staffordshire	£138,358	£275,072	£273,147
Suffolk	£711,353	£1,422,627	£1,424,923
Surrey	£5,463	£11,048	£11,006
Sussex	£273,834	£550,563	£549,849
Thames Valley	£629,559	£1,262,860	£1,261,933
Warwickshire	£282,108	£562,546	£561,338
West Mercia	£1,157,670	£2,311,653	£2,309,690
West Midlands	0	0	0
West Yorkshire	0	0	0
Wiltshire	£544,900	£1,092,634	£1,091,530
All Police Authorities	£15,000,00	£30,000,000	£30,000,000

It is a matter for the Police Authority and the Chief Officer to decide how the money will be spent for the benefit of rural communities. Police authorities which

have been allocated a share of the rural policing fund are required to publish a statement on the use of the grant, in their Annual Policing and Best Value Performance Plan. Records are not collated centrally of spending by each force.

Asylum Seekers

Mr. Malins: To ask the Secretary of State for the Home Department if he will list each site which he is considering as a possible accommodation centre for asylum seekers. [75410]

Beverley Hughes: On 14 May, we announced a shortlist of the following six sites:

Defence Storage & Distribution Centre (DSDC) Bicester, Oxfordshire

RAF Newton, Nottinghamshire

Throckmorton Airfield, Worcestershire

AirWest, Edinburgh

Sully Hospital, Cardiff

Hemswell Cliff, Lincolnshire

Site searching has continued since we made our initial announcement, as we said it would. We shall not be putting into the public domain details of such sites unless and until they are considered to be serious prospect for the siting of an accommodation centre.

Mr. Gerrard: To ask the Secretary of State for the Home Department if he will list for each of the last five years for which statistics are available the number of asylum applicants *(a)* granted refugee status, *(b)* granted exceptional leave to remain and *(c)* refused, classified in each case as (i) post or (ii) in-country applications. [75484]

Beverley Hughes: The information available is shown in the table.

The initial decision outcome data shown may reflect the different mix of nationalities who apply at port and in-country as well as any difference between port and in-country applications in the type of cases. In-country applications constitute a mix between those who apply at the Asylum Screening Unit in Croydon, postal applications, and those who apply through Local Enforcement Offices (including efforts by South East Ports Surveillance Team and as a result of operations against illegal working).

Initial decisions[1,2,3] made on applications for asylum in the UK, lodged at port and in-country, excluding dependants

	Total Initial Decisions			Grants of asylum			Grants of ELR			Total refusals			Granted asylum or exceptional leave under backlog criteria[4,5]			Refused under backlog criteria[4,6]		
	Total	Port	In Country	Total	Port	In Country	Total	Port	In Country	Total	Port	In Country	Total	Port	In Country	Total	Port	In Country
1997	36,045	14,845	21,200	3,985	1,475	2,510	3,115	1,525	1,590	28,945	11,845	17,100	–	–	–	–	–	–
1998	31,570	14,650	16,920	5,345	2,100	3,245	3,910	2,505	1,405	22,315	10,045	12,270	–	–	–	–	–	–
1999	33,720	17,335	16,385	7,815	3,565	4,250	2,465	1,950	515	11,025	7,420	3,605	11,140	3,830	7,310	1,275	570	705
2000	109,205	52,775	56,435	10,375	5,475	4,900	11,495	6,410	5,085	75,680	36,990	38,690	10,325	3,530	6,795	1,335	370	965
2001[p]	119,015	38,755	80,260	11,180	3,685	7,495	19,845	7,230	12,610	87,990	27,840	60,150	–	–	–	–	–	–

Notes:
[1] Decisions do not necessarily relate to applications received in the same period.
[2] Figures rounded to the nearest 5.
[3] Information is of initial decisions, excluding the outcome of appeals or other subsequent decisions.
[4] Cases decided under measures aimed at reducing the pre 1996 asylum application backlog.
[5] Includes cases where asylum or exceptional leave has been granted under the backlog criteria.
[6] Includes some cases where the application has been refused on substantive grounds.
[p] Provisional figures.

Mr. Gerrard: To ask the Secretary of State for the Home Department if children with special educational needs who are living in accommodation centres will receive full-time education in *(a)* a local school or *(b)* the accommodation centre. [76146]

Beverley Hughes: There will be an initial assessment of learning needs when children enter an accommodation centre. If any children are identified as having needs that can only be meet outside the centre, then the Local Education Authorities (LEA) will be able to arrange for suitable education to be provided. However, we believe there will be very few such children. Most children with Special Educational Needs (SEN) should be educated with their peers within the centre, just as other children with SEN are mostly taught in mainstream schools.

Mr. Gerrard: To ask the Secretary of State for the Home Department if he will list the categories of children who will be considered as special cases for the purpose of education provision in accommodation centres. [76145]

Beverley Hughes: It is important to take account of those children whose individual needs cannot be met in the centres and that is why the Government has made provision for flexibility in the Nationality, Immigration and Asylum Bill. Having said that, those who are gifted but lack good English are likely to benefit from the intensive language support they will get in the centre, and those with good English should also be catered for in that the centre will be providing a wide curriculum at all levels.

Parents, and the Centres themselves, will be able to ask Local Education Authorities (LEA) to carry out a Special Educational Needs (SEN) assessment, which will help determine whether a centre can make suitable provision for particular pupils with SEN or whether additional support from LEA services is required on a continuing (rather than occasional) basis by way of a statement. If a statement is made, the child may continue to be taught in the Centre with additional support from the LEA. Alternatively, if this is not possible, placement in a special school may be arranged. LEAs will also be able to conclude that a mainstream

school placement is necessary, for example in circumstances where local specialist provision is made wholly in units in such schools.

Most children with SEN should be educated with their peers within the centre, just as other children with SEN are mostly taught in mainstream schools.

Mandatory Sentences

Mr. Grieve: To ask the Secretary of State for the Home Department how many persons were given a mandatory sentence for *(a)* domestic burglary and *(b)* drug dealing in 2001. [74717]

Hilary Benn: Statistics for 2001 will be available in December.

However, information held centrally on the Home Office Court Proceedings Database, relating to England and Wales, shows that in 2000 no mandatory sentences for domestic burglary were passed but that two mandatory sentences were passed for drug trafficking.

Correspondence

Mr. Lidington: To ask the Secretary of State for the Home Department when he expects to reply to the letter of 2 May to the former Immigration Minister from the hon. Member for Aylesbury on behalf of Mr. D. C. about Miss S. A. (reference PO 9135/2). [74911]

Beverley Hughes: I wrote to the hon. Member on 21 October. I am sorry he did not receive an earlier reply.

Hospitals (Charitable Status)

Tim Loughton: To ask the Secretary of State for the Home Department what proposals he has for altering the charitable status of hospitals and other medical facilities outside the NHS. [75693]

Beverley Hughes: The Strategy Unit report "Private Action, Public Benefit", published on 25 September 2002, recommends to Government that charitable status be redefined in a way that includes the advancement of health as a charitable purpose.

None of the objects currently recognised as charitable would be excluded in the new definition. The Government is currently consulting on the proposals.

Work Permits

Mrs. Irene Adams: To ask the Secretary of State for the Home Department how many people have applied for work permits in Scotland in the last 12 months. [73678]

Beverley Hughes: Information is not recorded onto the system by employer location therefore details regarding the number of work permits issued for Scotland cannot be extrapolated.

Mrs. Irene Adams: To ask the Secretary of State for the Home Department how many applications for work permits have been rejected in the last 12 months. [73679]

Beverley Hughes: In the last 12 months to date (16 October 2001–15 October 2002) 14,063 work permit applications have been refused. This is 10.6 per cent. of the total number of applications in that period.

Personal Data

Harry Cohen: To ask the Secretary of State for the Home Department in relation to personal data linked to fingerprints or DNA stored on national police computers, whether the personal data are marked to identify those personal data which are associated with individuals who are not criminals or who are not suspected of any criminality; and if he will make a statement concerning compliance with the Third and Fifth Data Protection Principles in relation to these personal data. [74484]

Mr. Denham: The Criminal Justice and Police Act 2001 allows for the retention of all fingerprints and DNA samples taken on suspicion of involvement in a criminal offence. These may be used only for the purposes of prevention and detection of crime, the investigation of an offence or the conduct of a prosecution.

The legislation has been challenged in the courts under the European Convention of Human Rights. On 12 September 2002 the legislation was ruled in the Court of Appeal to have not contravened the Convention. The Association of Chief Police Officers (ACPO) and the Home Office have been looking at how the police can best use the opportunities provided by the Criminal Justice and Police Act 2001. A revision of the rules governing the weeding of records from the Police National Computer is being examined in parallel with consideration of the best way to retain data on fingerprints and DNA from individuals who have been acquitted. The Information Commissioner's Office is being fully consulted on this exercise.

The DNA profiles of individuals who have had samples taken lawfully under the Police and Criminal Evidence Act 1984, but against whom the prosecution was not proceeded with or who were subsequently acquitted by the courts, can be identified on the National DNA Database. DNA samples are retained and used solely for the purposes of prevention and detection of crime, the investigation of an offence or the conduct of a prosecution and such use does not contravene data protection legislation. Currently the fingerprints of persons who are acquitted or against whom charges have not been proceeded with are weeded from the National Automated Fingerprint Identification System (NAFIS) system. Once the acquittal/not proceeded with information is put on the Police National Computer a message is sent to NAFIS and the fingerprint record deleted. In light of the changes in the Criminal Justice and Police Act 2001, further proposals are under consideration in relation to the system to allow for the retention of fingerprints on NAFIS in such cases.

Harry Cohen: To ask the Secretary of State for the Home Department under what circumstances a police officer can take *(a)* fingerprints and *(b)* DNA samples from those stopped for motoring offences. [74586]

Mr. Denham: Whether the police can take fingerprints or samples in relation to an alleged motoring offence will depend on the specific circumstances.

Under the Police and Criminal Evidence Act 1984 (PACE), fingerprints or samples can only be taken with the consent of a suspect detained at a police station unless specific provisions apply.

Fingerprints can be taken without consent with the authority of an officer of at least superintendent rank who has reasonable grounds for suspecting the involvement of the person in a criminal offence and for believing that the fingerprints will tend to confirm or disprove his involvement or will facilitate ascertaining his identity; from a person who has been charged with a recordable offence or informed that he will be reported for such an offence and has not previously had his fingerprints taken in relation to that offence; or from a person convicted of a recordable offence.

Non-intimate samples can be taken without consent with the authority of an officer of at least superintendent rank who has reasonable grounds for suspecting the involvement of the person in a recordable offence and for believing that the sample will tend to confirm or disprove his involvement; from a person who has been charged with a recordable offence or informed that he will be reported for such an offence and either has not had a sample taken from him in the course of the investigation of the offence or has had a sample taken which was either unsuitable for analysis or insufficient; or from a person convicted of a recordable offence.

Asylum

Mr. Peter Duncan: To ask the Secretary of State for the Home Department how many applications for asylum were received at Stranraer port during each of the past five years. [73795]

Beverley Hughes: The figures are not available for all of the period in question.

The number of new asylum applications lodged at Stranraer is as follows:

1 January—31 December 2000	10
1 January—31 December 2001	36
1 January—12 October 2002	127

These figures may be subject to revision.

Mr. Peter Duncan: To ask the Secretary of State for the Home Department what facilities for processing asylum applications are available at Stranraer port. [73794]

Beverley Hughes: Passenger traffic at Stranraer is within the Common Travel Area between the United Kingdom and the Republic of Ireland. Therefore, it is not designated as a Port of Entry within the provisions of the Immigration Acts. Immigration Service staff operate at Stranraer in support of Police controls operated by Dumfries & Galloway Constabulary, from whom suspected immigration offenders are referred. Any person who claims asylum during such enquiries is initially processed by the Immigration Service within police accommodation at Stranraer Police Station. Such persons may then be granted temporary release or transferred to Dungavel House Immigration Removal Centre pending resolution of their asylum applications.

Drug Dealers, Brixton

Mr. Evans: To ask the Secretary of State for the Home Department if he will estimate the number of drug dealers in the London Borough of Brixton in *(a)* 1999, *(b)* 2000, *(c)* 2001 and *(d)* 22002. [73884]

Mr. Bob Ainsworth: The information requested is not available.

Distraction Burglaries

Tim Loughton: To ask the Secretary of State for the Home Department how much he spent last year on public awareness campaigns about distraction burglaries. [73922]

Mr. Denham *[holding answer 15 October 2002]:* £664,000 was spent in 2001–02 by the Home Office Distraction Burglary Taskforce on activities to raise awareness of distraction burglary. The activities included producing publicity and educational materials such as a Good Practice Toolkit, videos for use with members of the public and for practitioners, a leaflet for householders, newsletters and other promotional materials and equipment.

In addition, between November 2001 and March 2002 the Task Force held a series of 11 regional seminars on distraction burglary, which received substantial press coverage.

We have also provided funding for projects targeting distraction burglary in Sheffield (£288,000 by March 2002) and Leeds (£554,000 by March 2003), which involved substantial elements of publicity and education of vulnerable groups.

Tim Loughton: To ask the Secretary of State for the Home Department how many distraction burglaries took place last year; and what steps he is taking to inform elderly, disabled and infirm people about bogus house-callers. [73924]

Mr. Denham *[holding answer 15 October 2002]:* There is no separate recordable offence category of distraction burglary. However, the figures we have received from police forces indicate that some 19,500 offences were recorded as distraction burglaries in 2001–02.

We set up the Distraction Burglary Taskforce in 2000 with £1 million funding to tackle the problem. Its membership is drawn from a wide range of organisations involved in different ways with older adults and other vulnerable groups, including the police, utility companies, local authorities and voluntary bodies.

Amongst other things, the Taskforce has produced a Good Practice Toolkit, which is available on the Crime Reduction Website (www.crimereduction.gov.uk/burglary48.htm), and is being distributed to key practitioners. It has also produced two videos and a leaflet on distraction burglary, together with posters and door stickers. The Taskforce held a series of regional seminars on distraction burglary between October 2001

and March 2002. These were attended by representatives of a wide range of organisations with an interest in the needs of older adults.

We have also funded a two-year programme to provide home security upgrades such as better door locks, window locks, door chains and spy-holes for low income pensioners in areas with burglary rates above the national average. Over 55,000 homes have received upgrades together with advice on home security. The scheme has been run in conjunction with the Department for Environment and Rural Affairs (DEFRA's) Warm Front scheme, which provides heating and insulation improvements.

Special Constables

Tim Loughton: To ask the Secretary of State for the Home Department how many special constables were serving in *(a)* Sussex police and *(b)* Highdown division in each year since 1997. [73923]

Mr. Denham *[holding answer 15 October 2002]:* Police Personnel statistics are collected by the Home Office Research Development and Statistics Directorate every six months. The figures are collected per force and not at divisional level. The figures available for the Sussex Special Constabulary as a whole at 31 March each year since 1997 are given in the table below:

1997	472
1998	442
1999	393
2000	352
2001	306
2002	306

Note:
* Statistics provided by Research Development and Statistics Directorate.

The special constabulary is a key element of the reform agenda. Specials have a vital role to play in reducing crime and providing reassurance to the public. We are committed to increasing the number of specials. In May we announced a new headline role for specials, focusing on intelligence led patrolling and crime reduction initiatives. Also in May we introduced a new foundation training package for specials. With the Association of Chief Police Officers (ACPO) we are preparing, good practice guidance which will help forces to develop their strategies for improving both the recruitment and retention of specials.

Hilda Murrell

Mr. Paul Marsden: To ask the Secretary of State for the Home Department if he will make a statement on the progress made in the Hilda Murrell murder investigation. [73717]

Mr. Denham: A major crime review of the 1984 murder enquiry into the death of Hilda Murrell was launched in April 2002. It is being conducted in line with West Mercia Police force policy and guidance from the Association of Chief Police Officers (ACPO), issued in 1998, which states that undetected major crimes should be periodically reviewed. The review is proceeding according to plan.

The objectives of the review, drawn up by West Mercia Police force's Chief Officers, are:

1 To attempt to identify and report on what investigative opportunities exist within the current enquiry that may assist in detecting the crime.

2 To ensure the existing enquiry paper, audio, exhibits and other documents are maintained in the best possible state for subsequent investigative action and review.

3 To produce a report with recommendations for further action.

I understand that in order to ensure that the potential of the review is fully explored, experts from a range of fields—including the National Crime Operations Faculty (CENTREX)—are being consulted.

The original enquiry was paper-based and pre-dated the HOLMES computerised enquiry system. It ran for over two years, nearly 3,000 statements were taken, over 2,500 exhibits seized or referred to and many thousands of other documents contained within the investigation file. A significant part of the review involves capturing the case information on modern computerised systems to allow more efficient analysis. Whilst this process is ongoing other material held by the enquiry is being assessed and reviewed for forensic potential and opportunities.

Due to the size and complexity of the review, the process of data capture will not be completed before the end of 2002. The forensic review will require a staged submission of identified items, and it is therefore difficult to accurately predict when that process will be complete. However, the current estimate is the last quarter of 2003 at the earliest.

Jubilee Celebrations

Mr. Paice: To ask the Secretary of State for the Home Department what estimates he has received from the Metropolitan Police of the numbers of people present in and near the Mall on each day of the Jubilee celebrations. [73434]

Mr. Denham: The Metropolitan Police inform me that the following numbers of people were estimated to be present in and near the Mall on each day of the Golden Jubilee celebrations.

1 June – Classical concert within the grounds of Buckingham Palace relayed to screens located in the Mall. The estimated attendance in and near Mall was 50,000 to 70,000.

2 June – No event.

3 June – Music event at Hyde Park. Concert within the grounds of Buckingham Palace relayed to screens in the Mall, followed by a fireworks display outside Buckingham Palace. The estimated audience during the course of the day was 800,000 to 1,000,000.

4 June—State procession from Buckingham Palace to St. Paul's Cathedral, followed by pageant. All of these events were also relayed to screens in the area of the Mall, St. James's Park, Green Park, Hyde Park and Trafalgar Square. The estimated attendance for these events was in the region of 1,000,000.

Roadside Checks

Mr. Paice: To ask the Secretary of State for the Home Department how many roadside checks were carried out

by each police force during the last 12 months for the purposes of *(a)* speed, *(b)* use of seat belts and child restraints, *(c)* vehicle safety and roadworthiness and *(d)* influence of alcohol or drugs. [73432]

Mr. Denham: Information is not available centrally on the number of roadside checks carried out by the police on motorists. However, available information by type of police action is given in the table.

Motoring Offences (Speeding, seat belts, vehicle condition & driving after consuming alcohol/drugs) dealt with by official police action and police force area. England and Wales 2000

	Speed limit offences[1]				Seat belt offences[2]				Vehicle defect offences[3]				consuming alcohol/drugs[4]		
			Proceedings				Proceedings				Proceedings				Proceedings
	Written Warnings	Fixed Penalties	at magistrates' courts	Total dealt with	Written Warnings	Fixed Penalties	at magistrates' courts	Total dealt with	Written Warnings	Fixed Penalties	at magistrates' courts	Total dealt with	Written Warnings	at magistrates' courts	Total dealt with
Avon & Somerset	70	36,122	4,671	40,863	3	4,360	102	4,465	75	107	1,446	1,628	1	2,719	2,720
Bedfordshire	12,862	16,707	2,316	31,885	—	3,841	37	3,878	1	44	198	243	—	884	884
Cambridgeshire	2	8,708	1,692	10,402	1	1,639	73	1,713	1	62	333	396	—	882	882
Cheshire	223	15,356	4,805	20,384	1	3,229	68	3,298	8	149	685	842	—	1,899	1,899
Cleveland	1,317	23,228	1,126	25,671	2,469	1,653	87	4,209	89	112	1,219	1,420	—	858	858
Cumbria	4	4,103	1,610	5,717	9	1,360	145	1,514	38	323	862	1,223	1	874	875
Derbyshire	16	18,291	5,308	23,615	—	3,535	84	3,619	68	106	1,116	1,290	—	1,599	1,599
Devon & Cornwall	39	28,091	5,324	33,454	9	5,588	118	5,715	26	178	1,102	1,306	—	2,421	2,421
Dorset	—	18,305	1,456	19,761	—	4,959	32	4,991	3	198	294	495	—	1,244	1,244
Durham	4	9,180	1,458	10,642	6	3,146	89	3,241	8	37	1,164	1,209	2	1,218	1,220
Essex	7	102,326	6,887	109,220	1	6,734	125	6,860	4	77	787	868	1	2,702	2,703
Gloucestershire	28	5,781	2,675	8,484	2	1,393	25	1,420	1	46	661	708	—	891	891
Gt Manchester	89	59,765	15,263	75,117	21	10,241	706	10,968	22	647	2,478	3,147	—	5,186	5,186
Hampshire	264	27,566	6,498	34,328	6	4,246	209	4,461	28	93	1,877	1,998	12	3,812	3,824
Hertfordshire	124	23,956	2,635	26,715	19	3,639	81	3,739	239	80	919	1,238	3	1,691	1,694
Humberside	2	22,209	2,181	24,392	5	3,963	81	4,049	10	258	818	1,086	—	1,468	1,468
Kent	25	24,617	2,501	27,143	2	4,707	54	4,763	30	543	2,786	3,359	1	2,807	2,808
Lancashire	3	29,683	5,932	35,618	—	9,787	348	10,135	20	706	2,291	3,017	—	2,879	2,879
Leicestershire	1	8,094	2,124	10,219	3	2,086	102	2,191	33	280	669	982	6	1,651	1,657
Lincolnshire	22	26,319	3,724	30,065	7	2,359	64	2,430	18	20	627	665	—	911	911
London, City of	1	353	206	560	—	186	5	191	1	22	302	325	—	193	193
Merseyside	1,943	7,385	1,651	10,979	874	2,831	261	3,966	111	170	807	1,088	7	2,515	2,522
Met Police	32	54,843	9,175	64,050	44	6,270	630	6,944	45	1,725	7,479	9,249	7	14,166	14,173
Norfolk	—	4,783	1,482	6,265	—	3,547	62	3,609	—	71	540	611	—	1,014	1,014
Northamptonshire	—	35,489[5]	288	35,777	—	1,245	15	1,260	3	9	412	424	1	898	899
Northumbria	747	24,265	3,920	28,932	584	3,952	281	4,817	166	819	2,339	3,324	1	2,958	2,959
North Yorkshire	3	5,295	1,303	6,601	—	1,293	58	1,351	18	112	390	520	—	1,160	1,160
Nottinghamshire	347	23,766	1,497	25,610	—	1,391	83	1,474	—	7	1,007	1,014	—	1,915	1,915
South Yorkshire	2	20,987	2,769	23,758	5	5,782	135	5,922	17	470	1,607	2,094	—	2,322	2,322
Staffordshire	26	13,969	..	16,518[6]	18	2,212	..	2,291[6]	78	130	..	1,917[6]	4	..	2,014[6]
Suffolk	2	12,596	1,292	13,890	18	1,423	65	1,506	19	83	474	576	—	1,002	1,002
Surrey	34	12,072	3,127	15,233	—	5,696	88	5,784	27	112	804	943	2	1,729	1,731
Sussex	17	24,990	4,681	29,688	1	5,349	85	5,435	17	105	540	662	32	2,327	2,359
Thames Valley	87	71,888	8,784	80,759	2	7,142	174	7,318	10	288	1,061	1,359	1	3,921	3,922
Warwickshire	3,260	2,099	4,825	10,184	1,183	881	49	2,113	231	48	652	931	—	855	855
West Mercia	144	22,150	2,989	25,283	—	2,266	116	2,382	38	343	1,351	1,732	—	1,741	1,741
West Midlands	9	5,668	4,099	9,776	3	3,411	310	3,724	29	380	2,229	2,638	1	5,212	5,213
West Yorkshire	13	24,595	6,222	30,830	9	4,484	236	4,729	21	283	1,715	2,019	1	3,798	3,799
Wiltshire	212	16,351	2,606	19,169	—	3,047	78	3,125	12	64	561	637	—	997	997
Total England	21,981	891,951	143,625	1,057,557	5,305	144,873	5,422	155,600	1,565	9,307	48,311	59,183	84	89,329	89,413
Dyfed Powys	5	8,840	1,035	9,880	3	1,617	48	1,668	50	105	476	631	1	985	986
Gwent	45	16,518	4,123	20,686	3	3,288	61	3,352	15	95	755	865	4	1,341	1,345
North Wales	21	16,980	2,987	19,988	4	2,533	55	2,592	20	173	624	817	—	1,430	1,430
South Wales	2,051	54,383	2,898	59,332	848	2,990	154	3,992	61	241	1,326	1,628	2	3,075	3,077
Total Wales	2,122	96,721	11,043	109,886	858	10,428	318	11,604	146	614	3,181	3,941	7	6,831	6,838
Total England & Wales	24,103	988,672	154,668	1,167,443	6,163	155,301	5,740	167,204	1,711	9,921	51,492	63,124	91	96,160	96,251

Notes:

[1] All speed limit offences: Road Traffic Regulation Act 1984 secs 16, 81, 84, 86, 88 & 89. Motor Vehicles (Speed Limits on Motorways) Regulations 1973. Parks Regulation (Amendment) Act 1926 and byelaws made thereunder

[2] Seat Belt offences: Road Traffic Act 1988 secs 14 (3), 15 (2) & (4).

[3] Vehicle or part in dangerous or defective condition: Road Vehicles (Construction and Use) Regulations 1986, Regs 7, 8, 11, 16, 18, 22 to 24, 25 to 27, 29, 30 to 39, 45 to 48, 61, 63, 71, 100. Schedule 3, Road Traffic Act 1988 secs 40A *(a)* & *(b)*, 41A, 42 as added by the Road Traffic Act 1991, sec 8.

[4] Driving etc after consuming alcohol or taking drugs: Road Traffic Act 1988 secs 4 (1) & (2), 5 (1) *(a)* & *(b)*, 6 (4), 7 (6). (Fixed Penalty Notices not issued for these offences).

[5] Amended data. Northamptonshire Police have revised figures down from published figures of 70,298.

[6] Proceedings at magistrates' courts—estimates made for Staffordshire Police Force, who were only able to supply data for a sample of weeks in 2000, have been included in totals only.

.. Not available

Safety Cameras

Mr. Paice: To ask the Secretary of State for the Home Department what assessment he has made of the impact of the safety camera initiative on the numbers of police officers employed on speed enforcement duties in those areas where it has been implemented. [73430]

Mr. Denham: The use of automatic road safety cameras, which operate at all times, and act as a continuous deterrent to speeding, does not need uniformed attendance. It therefore frees up police resources for other purposes, including other traffic law enforcement.

Air Weapons

Joyce Quin: To ask the Secretary of State for the Home Department what recent discussions he has had in relation to air weapons including *(a)* minimum age for possession of such weapons and *(b)* a licensing system. [74099]

Mr. Bob Ainsworth: In addition to meeting a delegation lead by the hon. Friend for Gateshead East and Washington West, I have met other MPs and the victim of a very serious assault with an air weapon and his parents. In order to obtain an overall assessment of the effectiveness of existing controls, I have also been in contact with organisations such as the British

Association for Shooting and Conservation, the Gun Trade Association, the Forensic Science Service and the Association of Chief Police Officers.

We are determined to tackle the problem of air weapon misuse and are looking very carefully at all aspects of the problem with a view to determining whether or not any changes in the present age limits or the introduction of a suitable registration system might help to ensure that air weapons are used safely and responsibly at all times.

Football Banning Orders

Bob Russell: To ask the Secretary of State for the Home Department how long after the issue of a banning order for travelling to an overseas football match a relevant reason remains a consideration for the maintenance of the banning order. [74466]

Mr. Denham: The duration of a football banning order is determined by the court in accordance with criteria set out in section 14F of the Football Spectators Act 1989. An individual may apply to the court for the order to be terminated once it has been in force for two-thirds of the period determined by the court.

Guns

Mr. Wiggin: To ask the Secretary of State for the Home Department (1) what steps the Government are taking to ensure that deactivated guns are not reactivated; [73854]

(2) what the Government's role has been since 1997 in deactivating guns; if he will make a statement on the process of deactivating guns; and where such guns are stored once deactivated. [73855]

Mr. Bob Ainsworth: Under section 8 of the Firearms (Amendment) Act 1988 any gun may be considered to be deactivated and thus no longer a firearm if it bears a proof mark to that effect and has had a certificate of deactivation issued by one of the two Proof Houses. To assist in this process the Home Office issued a set of specifications in 1989 against which a deactivated firearm could be compared. These were subsequently revised and more stringent specifications have applied since 1995. There is no substantial evidence to suggest that guns deactivated to these later standards are being successfully restored to working order.

The Proof Houses have the authority to reject any deactivated firearms submitted to them which do not conform with the approved specifications. However, section 8 is only an evidential provision and does not preclude the possibility that a firearm which has been deactivated in some other manner may also have ceased to be a firearm within the meaning of section 57(1) of the Firearms Act 1968. In the event of a prosecution it would be for the courts to decide whether or not this was the case.

There are no legal requirements regarding the storage of deactivated firearms.

We are looking in conjunction with the European Commission at the need to establish stricter controls on deactivation standards throughout Europe.

Immigration

Mr. Wiggin: To ask the Secretary of State for the Home Department (1) how many people failed to comply with the conditions associated with their temporary immigration status in each year since 1997; and how many were reprimanded as a result; [73739]

(2) how many persons have been temporarily admitted to the UK in each year since 1997; and what sanctions are used in the event of non-compliance with the conditions associated with their temporary status. [73747]

Beverley Hughes: The information requested, on the number of persons who have been temporarily admitted to the United Kingdom, have failed to comply with the conditions associated with their temporary immigration status, and were reprimanded as a result, is not available.

Failure to comply with the conditions attached to a grant of temporary admission or release without a reasonable excuse is an offence under section 24(1)*(e)* of the Immigration Act 1971. Depending on the circumstances, consideration may also be given to varying the conditions or detaining the person concerned.

Information from the Home Office Court Proceedings database on a principal immigration offence basis indicates that in 2000, four persons were prosecuted under section 24(1)*(e)* of the Immigration Act 1971, and three were found guilty. Information for 2001 is due to be published in the Command Paper "Control of Immigration: Statistics United Kingdom 2001" on 29 November 2002.

Mr. Wiggin: To ask the Secretary of State for the Home Department what plans he has to modify the systems for tracking illegal immigrants. [73777]

Beverley Hughes: The nature of illegal entry is such that it is not possible to track every individual who has entered the United Kingdom unlawfully.

However, on detection, those liable to removal may be granted temporary admission pending a decision whether to grant leave or remove.

Temporary admission may be subject to conditions of residence, employment and reporting to the Police or an Immigration Officer. Failure to comply with these conditions is an offence. A person detained under Immigration Act powers may be released on bail, subject to conditions, which may include a requirement to report.

I outlined in my reply to the Hon. Member of 16 July, *Official Report*, column 224W, measures for contact management which are in place to track and monitor all failed asylum seekers whether illegal entrants or not. This is to ensure that they are removed from the United Kingdom if they do not appeal or as soon as possible after their appeal rights have been exhausted. Since my earlier reply the number of designated reporting centres has been increased to eight, and plans are in hand to enhance contact management further by the use of mobile reporting centres, Immigration Service teams using specified police stations for reporting and for visiting asylum seekers at their accommodation.

The Immigration and Nationality Directorate are currently undertaking a project to amalgamate their Ports, Enforcement and Casework Information Technology Systems into a joint database. This project is in its early stages. However, once completed, it should enhance our ability to track those illegal entrants who have been detected.

Additionally, the Government is developing strategies to detect clandestine illegal entrants before they get to the United Kingdom. On 12 July my right hon. Friend the Home Secretary agreed a range of measures with his French counterpart to reduce the level of illegal immigration between France and the United Kingdom. As part of this the Immigration Service is committed to deploying new detection technology (such as heart beat detectors and millimetric wave imagers) at Calais and other continental ports.

The government has also created Reflex, a multi-agency forum to direct all activity against organised immigration crime targeting the United Kingdom. Reflex aims to reduce the profits made by the criminal gangs, raise the risks they face and reduce the opportunities for them to exploit individuals, thereby reducing the flow of illegal migrants to the United Kingdom. It achieves this through a combination of overseas and United Kingdom based activity. Since April 2002, 16 organised crime groups involved in people smuggling and trafficking have been disrupted and there are currently 60 operations targeting serious criminal involvement ongoing. Nine Immigration Liaison Officers have been posted overseas to work closely with local law enforcement to disrupt the flows of illegal migrants to the United Kingdom and a United Kingdom-led project assisting the State Border Service in Bosnia has seen a reduction of over 90 per cent. of potential illegal migrants passing through Sarajevo airport.

Mobile Phones

Mr. Rendel: To ask the Secretary of State for the Home Department (1) how many *(a)* car, *(b)* bus, *(c)* taxi, *(d)* coach drivers and *(e)* cyclists have been prosecuted for offences involving the use of a hand held mobile phone in each of the last three years; [74242]

(2) how many tourist coach drivers have been prosecuted for offences involving the use of a hand held microphone in each of the last three years. [74243]

Mr. Bob Ainsworth *[holding answer 15 October 2002]:* There is no separate offence for driving a motor vehicle (of any type) using a hand-held mobile telephone. In the main prosecutions are likely to be for driving without due care and attention or not being in proper control of a vehicle. For drivers of public transport these offences are also covered under specific regulation, a pedal cyclist is likely to be prosecuted for the offence of careless riding.

Firearms

Mr. Wiggin: To ask the Secretary of State for the Home Department how many crimes involving firearms occurred in *(a)* 2000–01 and *(b)* 2001–02. [74109]

Mr. Bob Ainsworth: The number of recorded crimes involving firearms in the year ending March 2002 is not yet available. The numbers of such crimes in the previous year, which were published in "Criminal Statistics England and Wales 2000" in December 2001, were 7,362 recorded crimes in which a firearm other than an air weapon was used, and 10,227 recorded crimes in which an air weapon was used.

PRIVY COUNCIL

European Union Institutions

Mr. Allen: To ask the President of the Council what percentage of hon. Members have used the facility of a visit to an EU institution in each of the years for which figures are available; and what steps he has taken to encourage greater take up of this facility. [73725]

Mr. Robin Cook: The number of hon. Members who have visited EU institutions under this scheme is as follows:

Year	*No of Members*	*Percentage (%)*
1998–9	65	9.9
1999–00	61	9.3
2000–1	72	10.9
2001–2	80	12.1
2002–3 (first six months)	76	11.5

The "quick guide" to members' allowances contains details of the entitlement. This was sent out to all Members in May, and further copies are available from the Department of Finance and Administration.

The House itself approved an amendment of the scheme on 9 May, to allow up to three visits each year to national parliaments of EU member states and those of candidate countries, in addition to EU institutions in Brussels, Strasbourg and Luxembourg.

I understand that Foreign and Commonwealth Office (FCO) officials are ready to assist Members using the allowance, and I am pleased my hon. Friend has given me the opportunity to remind Members of its existence.

WORK AND PENSIONS

Structural Unemployment

Mr. Jim Cunningham: To ask the Secretary of State for Work and Pensions how many parliamentary constituencies have levels of unemployment of 2 per cent. or less. [73075]

Mr. Nicholas Brown: The number of constituencies with claimant unemployment rates of 2 per cent. or less is 187. In 1997 there were only 44.

Our policies have reduced claimant unemployment by over 40 per cent. in the last five years. And it is not just these constituencies that have benefited; unemployment has fallen in every area across the country.

New Deal

Mr. Jenkins: To ask the Secretary of State for Work and Pensions what assessment he has made of the effectiveness of the New Deal for 50 plus. [73076]

Mr. Nicholas Brown: New Deal 50 plus has been successful with over 81,000 people so far moving into work and claiming the Employment Credit. Evaluation of the programme has shown that it is providing people with the increased motivation and confidence they need to find work.

The success of New Deal 50 plus is contributing to our wider campaign to tackle age discrimination and improve prospects of older people.

Mrs. Anne Campbell: To ask the Secretary of State for Work and Pensions if he will make a statement on the take-up of the New Deal for Lone Parents. [73077]

Mr. Nicholas Brown: By the end of June this year nearly 300,000 lone parents had participated in the New Deal and over half of these had found work, including 170 in my hon. Friend's constituency.

We are continuing to roll out compulsory Personal Adviser meetings for lone parents claiming Income Support. These meetings ensure that lone parents find out about the New Deal and all the other help and support we have introduced to enable them to move into work.

Mr. Rooney: To ask the Secretary of State for Work and Pensions if he will make a statement on the New Deal for lone parents. [73088]

Mr. Nicholas Brown: We know that nine out of ten lone parents want to work and the New Deal for Lone Parents, along with a wide range of measures we have introduced, is helping them to help themselves. Since 1997 the number of lone parents dependent on Income Support has fallen by over 150,000.

The New Deal for Lone Parents is part of our long-term investment to make a real difference to the lives of lone parents and lift them and their children out of poverty.

Mr. Khabra: To ask the Secretary of State for Work and Pensions what plans he has to increase the involvement of employers in the formulation of New Deal programmes. [73094]

Mr. Nicholas Brown: Employers are a key partner in the achievement of our objectives to tackle poverty by helping more people move into work. We want employers to have a strong voice in the development of our welfare to work policies and services.

The National Employment Panel is an employer-led body that provides independent advice to Ministers on the design, delivery and performance of the UK Government's labour market policies and programmes. Its remit encompasses all the New Deals and other welfare to work activities delivered by the Department and its partner organisations at both national and local levels.

Progress 2 Work Scheme

Ann Coffey: To ask the Secretary of State for Work and Pensions if he will make a statement on the Progress 2 Work Scheme for recovering drug mis-users. [73078]

Mr. Nicholas Brown: We are introducing progress2work to give unemployed people who are recovering from their drug problem the extra help they need to get into work.

Progress2work provides additional specialist support to help recovering drug users to make the best use of our welfare to work initiatives. It will also equip Jobcentre Plus staff with the skills and knowledge they need to better identify, and refer to appropriate provision, people whose drug misuse puts them at a disadvantage in the labour market. And it will bring more local and national co-ordination to provision in this field.

We launched the first progress2work projects in the spring in 27 pathfinder areas throughout the country. The second phase of the initiative begins in a further 36 areas from this month, and we plan to roll out the programme nationally from next year.

Lawrie Quinn: To ask the Secretary of State for Work and Pensions what help he will give to people considered by employers to be unemployable. [73087]

Mr. Nicholas Brown: We are committed to the goal of employment opportunity for all. Building on a foundation of a strong and stable economy, we have introduced measures to ensure that everyone of working age has the chance, and is encouraged, to be in work.

In April we launched Jobcentre Plus to deliver work focused support for all people claiming working age benefits. Jobcentre Plus will provide a single, integrated service, providing people with the help they need to move into work, and working closely with employers to encourage them to open up more job opportunities to Jobcentre Plus clients.

Our New Deals are providing the help people need to overcome the barriers they face when trying to move into work. The New Deals have already helped nearly three-quarters of a million people move into work and improved the job prospects of thousands more by giving them the skills, experience and confidence to succeed in the labour market.

We are also introducing further measures to help those people who continue to face significant barriers to work. For example:

we are introducing 20 StepUP pilots to provide transitional jobs for long-term unemployed people;

we will shortly roll out the second phase of progress2work, providing recovering drug mis-users with the extra help they need to get into work;

and later this month we will begin piloting extra support for other disadvantaged groups such as ex-offenders and homeless people.

Rural Employment

Mr. Russell Brown: To ask the Secretary of State for Work and Pensions what policies he is pursuing to assist the long-term unemployed in rural areas. [73090]

Mr. Nicholas Brown: Since 1997 long-term unemployment in rural areas has been cut by 78 per cent. Our policies, based on the foundation of a strong and stable economy, have played an important part in this success.

The New Deals have helped nearly three quarters of a million people in all parts of the country move off benefit and into work. They have performed particularly well in rural areas. For example, nearly 60 per cent. of those leaving the New Deal for Young People in rural areas have moved into jobs.

Employment Zones and Action Teams for Jobs are helping people from the most deprived areas of the country move into work. The Action Teams and Employment Zones operating in predominantly rural areas have between them helped over 11,500 people into jobs.

With the introduction of Jobcentre Plus, we aim to make our services more accessible to a wider group of people. We are building on the services we already offer over the telephone and internet such as Jobseeker Direct and Worktrain. We are also developing new ways of bringing Jobcentre Plus services to those who need them through, for example, mobile offices covering remote areas.

We have introduced a number of initiatives to help unemployed people in rural areas overcome the transport barriers they may face. The New Deal can, for example, help participants meet the costs of travelling to their work or training placement. The Adviser Discretion Fund, which we introduced in July 2001, allows New Deal Personal Advisers to spend up to £300 to help individuals overcome barriers to work, including transport difficulties.

Employment Zones and Action Teams for Jobs are also helping overcome transport problems in rural areas, for example, by giving grants to clients for the purchase of scooters, bicycles or other vehicles to help them get to work. They can also help with the cost of taxing or insuring vehicles. In addition, they have helped to set up and subsidise bus routes to take jobless people to areas where work is available and run car lease schemes.

To build on this success, in April we launched the Transport Projects Fund, worth £5 million a year. Action Teams can bid for additional money from the Fund to support innovative transport projects that will benefit the local community.

Transport Difficulties

Mrs. Lawrence: To ask the Secretary of State for Work and Pensions what plans he has to help unemployed people for whom transport difficulties are an obstacle to getting back to work. [73091]

Mr. Nicholas Brown: We recognise that the cost and availability of transport can be a barrier to work for unemployed people and have measures in place to help jobseekers overcome such difficulties and move into work.

Jobseekers can receive help with the costs of travelling to job interviews through the Travel to Interview Scheme. Last year, the scheme helped nearly 40,000 people attend interviews. In my hon. Friend's constituency, following a survey of local people, Jobcentre Plus and the Local Authority will be setting up a working group, involving the bus companies and local MPs, to improve the bus links for people who are in work or looking for work.

New Deal participants can also receive help to meet the costs of travelling to their work or training placement. Through an agreement between Jobcentre Plus and the Association of Train Operating Companies, New Deal clients can receive a reduction in the cost of rail travel. Similar agreements exist with other transport providers at regional and local level. In the Jobcentre Plus District serving my hon. Friend's constituency, this has led to the availability of reduced fares with 9 public service operators, including First Cymru.

The Adviser Discretion Fund, which we introduced in July 2001, allows New Deal Personal Advisers to spend up to £300 to help individuals overcome barriers to work, including transport problems. The help provided can include, for example, paying for travel passes or helping with the cost of taxing a car. Up to May 2002, well over 120,000 awards has been made from the Fund.

Employment Zones and Action Teams for Jobs are also helping overcome transport difficulties, for example, by giving grants to clients for the purchase of scooters, bicycles or other vehicles to help them get to work. They can also help with the cost of taxing or insuring vehicles. In addition, they have helped to set up and subsidise bus routes to take jobless people to areas where work is available and run car lease schemes.

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Nottingham

Mr. Allen: To ask the Secretary of State for Work and Pensions what contribution his Department has made to employment in Nottingham North since 1997. [73095]

Mr. Nicholas Brown: Since 1997 the employment rate in Nottingham North has risen by 8.2 percentage points and the number of unemployed claimants has fallen by 31 per cent. Long term unemployment (12 months and over) has fallen by over 60 per cent. and the number of young people unemployed for 6 months or more is down by 70 per cent.

Building on the foundation of a strong and stable economy, the New Deals have helped nearly three-quarters of a million people in all parts of the country move off benefit and into work, including 1,700 people in my hon. Friend's constituency. An Action Team for Jobs and, Progress2Work and Ambition: construction initiatives are also operating in Nottingham North, providing further help and support to people moving from welfare to work.

Paul Clark: To ask the Secretary of State for Work and Pensions what help he will give to offenders to find work as part of the resettlement process. [73096]

Malcolm Wicks: We offer ex-offenders a wide range of help to move into work, including early access to employment programmes such as New Deal and Work Based Learning for Adults. Last autumn we also introduced Freshstart, a £3 million initiative to improve the links between prisons and Jobcentres and ease the transition from custody into work.

Earlier this year we introduced progress2work to offer individually tailored specialist support to help people find work or improve their prospects of doing so. The first stage of progress2work focused on unemployed people who are recovering from drug problems. Ex-prisoners referred by drug counselling teams are a priority target group for progress2work. Later this month we will begin piloting the extension of the progress2work approach to other groups facing particularly difficult barriers to work. This will include all ex-offenders.

Incapacity Benefit (Fraud)

David Taylor: To ask the Secretary of State for Work and Pensions what measures he is taking to prevent fraudulent claims of incapacity benefit. [73079]

Mr. Nicholas Brown: We are continuing to work hard to prevent fraud and error before it happens, to detect it when it does occur and to change public attitudes by showing that fraud is not a victimless crime. We are also taking further steps to tackle those who commit fraud, through new powers available under the Fraud Act.

Our last review of incapacity benefits in 2000 estimated that fraud accounted for less than 1 per cent. of benefit spend.

Stakeholder Pensions

Phil Sawford: To ask the Secretary of State for Work and Pensions, how many people in the Kettering constituency are entitled to a stakeholder pension. [73080]

Mr. McCartney: Anyone who meets the Inland Revenue requirements is eligible for a stakeholder pension. The main requirement is to be a UK resident under the age of 75 who is ordinarily resident in the UK. Those who are members of an employer's occupational pension scheme can also join a stakeholder pension scheme if they do not earn more than £30,000 a year and are not a controlling director. Stakeholder pensions mean that everyone now has access to a good value pension arrangement. Figures from the Association of British Insurers show that nationally 1,011,934 stakeholder pensions had been sold by the end of June 2002 and 330,296 employers have given their workforces access to a stakeholder pension through designating a stakeholder scheme.

Stakeholder pensions are helping to increase the size of the overall pensions market. They have driven down charges on other types of personal pension. Some employers have widened access to their occupational pension schemes and other employers have set up group personal pensions with an employer contribution.

Jobcentre Plus

Andy Burnham: To ask the Secretary of State for Work and Pensions what assessment he has made of customer reaction to Jobcentre Plus. [73081]

Mr. Nicholas Brown: The first 56 integrated Jobcentre Plus offices are now open and we will extend that network to cover the whole of Great Britain over the next four years.

Research carried out as part of the early evaluation of the new Pathfinder offices indicates that first reactions from both individual customers and employers have been overwhelmingly positive. We plan to publish these results shortly.

Jobcentre Plus will also be undertaking a National Customer Satisfaction Survey at the end of this year and will be publishing the findings in the spring of 2003.

Siobhain McDonagh: To ask the Secretary of State for Work and Pensions if he will encourage Jobcentre Plus to work in partnership with local voluntary sector organisations. [73082]

Mr. Nicholas Brown: Working in partnership is fundamental to the success of Jobcentre Plus. We recognise that working in partnership at national, regional and local level offers opportunities to harness the diverse skills and experiences that many other organisations have to offer. Not only will this help to provide a comprehensive service both to jobseekers and employers but it also helps our many partners to meet their own objectives.

In particular, we support, and will continue to encourage, closer working with local service providers and voluntary organisations through Local Strategic Partnerships and in a wide variety of other bodies.

Mr. Plaskitt: To ask the Secretary of State for Work and Pensions if he will make a statement on the range of personal advice available to users of Jobcentre Plus. [73083]

Mr. Nicholas Brown: With the introduction of Jobcentre Plus we are delivering a single, integrated service to all benefit claimants of working age.

Jobcentre Plus provides a full range of advice on employment and training opportunities combined with comprehensive benefit advice. This advice is tailored to the individual needs of the people using the service and will help them to move from welfare to work whilst ensuring they have the support they need whilst doing so.

56 Jobcentre Plus pathfinder offices are already providing the fully integrated and work-focused service which we will extend progressively to cover the whole of Great Britain over the next four years. As part of this upgrade to the service, everyone of working age who is making a new or repeat claim for benefit in these offices will participate in a work-focused interview with a Personal Adviser and be offered their continuing support.

Mr. Kidney: To ask the Secretary of State for Work and Pensions what assistance is provided by Jobcentre Plus in cases of large scale redundancies. [73084]

Mr. Nicholas Brown: In April we launched the Rapid Response Service. The Rapid Response Service works in co-operation with representatives of employees, employers and the local community to co-ordinate a response to redundancies that helps everyone affected and is tailored to their needs.

The Rapid Response Service offers a range of information, advice, training and other help so that those people made redundant can move quickly back into work. Since its launch the Rapid Response Service has provided support to 158 companies and made its services available to over 50,000 people.

Richard Burden: To ask the Secretary of State for Work and Pensions what progress is being made to extend Jobcentre Plus across the UK. [73092]

Mr. Nicholas Brown: We are progressively extending the new integrated Jobcentre Plus office network across Great Britain over the next four years. By April 2003 we aim to introduce Jobcentre Plus services in over 200 more sites across 25 of our 90 Districts. A list of those Districts is available in the Library.

Child Support

Mr. Bill O'Brien: To ask the Secretary of State for Work and Pensions when he intends to meet the Chief Executive of the CSA to discuss the progress of changes to the CSA; and if he will make a statement. [73085]

Malcolm Wicks: The Secretary of State holds regular meetings with the Chief Executive of the Child Support Agency to discuss the introduction of the new child support scheme and other operational issues.

Pensioners

Sir Teddy Taylor: To ask the Secretary of State for Work and Pensions what estimate he has made of the number of persons of pensionable age there will be in *(a)* 10 and *(b)* 20 years' time; and if he will make a statement on the implications for public expenditure of these estimates. [73086]

Mr. McCartney: It is estimated that there will be around 12 million people of pensionable age in 10 years time and around 12.5 million in 20 years time. The impact of an ageing population on the UK's public finances is expected to be manageable. The UK's public finances are sound and sustainable over the long-term.

The Government's long-term reforms will ensure that everyone has the chance to save for a decent income in retirement. Stakeholder pensions now provide a new option of safe, flexible, value for money pensions for people on moderate and higher earnings who do not have access to a good occupational scheme.

The Government also wants private pensions to remain attractive to members and to scheme providers. That is why steps are being taken to simplify the private pensions system while at the same time safe-guarding the security of scheme members.

The State Second Pension, introduced in April 2002, means that low earners will get at least double what they would have got from SERPS, while carers and disabled people with broken work records will be entitled to a second pension for the first time.

The next stage in the Government's strategy is the Pension Credit. From 2003, this will tackle both poverty amongst today's pensioners and complement stakeholder pensions by boosting the incentive for future pensioners to save for their own retirement.

Andrew Selous: To ask the Secretary of State for Work and Pensions if he will make a statement on the take-up of income related benefits by pensioners. [73098]

Mr. McCartney: As a result of the national Minimum Income Guarantee (MIG) take up campaign, over 139,000 pensioners are on average £20 a week better off. Over 2 million people now benefit from the MIG.

We have introduced a range of initiatives to improve the take up of MIG, including, a revised and substantially shortened claim form and a new leaflet explaining MIG in simple terms. We have also put in place measures to identify those pensioners who may be entitled to the MIG. Since October 2001 callers to the Retirement Pension telecentre who are not in receipt of MIG, but identified as possible claimants, have been encouraged to claim. Since April 2002 non-recipients of MIG who have potential entitlement following certain key life events, such as reaching age 75 or 80, or who are awarded another benefit such as Attendance Allowance, are automatically identified and invited to claim.

We are working with pensioner organisations and Local Authorities on take up initiatives which ensure pensioners on low incomes claim what they are entitled to.

As at May 2001, there are 1,939,000 pensioners are in receipt of Housing Benefit and 2,891,000 pensioners are in receipt of Council Tax Benefit.*

Source:

* Housing Benefit and Council Tax Benefit Management Information Annual 1 per cent. sample enquiry taken in May 2001

Carer's Allowance

Mr. Peter Bradley: To ask the Secretary of State for Work and Pensions if he will review regulations which reduce the value of carer's allowance and other benefits when recipients attain pensionable age; and if he will make a statement. [73089]

Maria Eagle: It is a basic principle of the Social Security system that only one benefit at a time can be paid for income maintenance. This is known as the overlapping benefit rule and has been a feature of the welfare state since its inception. State Pension is an income replacement benefit for those who have reached pensionable age. Invalid Care Allowance (ICA), which will be re-named "Carer's Allowance" in April 2003, provides a measure of financial support to those who give up the opportunity of full time paid employment to care for a severely disabled person. It too is an income replacement benefit. Even if it is not payable, underlying entitlement to ICA continues and if the carer is entitled to any of the income related benefits, carer premium can be paid. This is worth £24.80 per week.

There are no plans to change these arrangements.

Occupational Pensions

Ian Lucas: To ask the Secretary of State for Work and Pensions, if he will require employers and employees to make compulsory second pension contributions. [73093]

Mr. McCartney: I refer my hon. Friend to the answer I gave to the hon. Member for Leominster (Mr. Wiggin) on 15 October 2002, *Official Report*, column 640W.

Labour Market

Mr. Doran: To ask the Secretary of State for Work and Pensions if he will make a statement on recent trends in the labour market in the manufacturing industry. [73097]

Mr. Nicholas Brown: Our policies have created a strong economy geared to delivering stability, low inflation and sound public finances. Alongside this, our labour market policies promote attachment to the job market. As a result of our policies we have around the lowest number of unemployed people in a quarter century, and more people in work than ever before, with an increase in overall employment of almost 200,000 in the last year.

There are consistently high numbers of vacancies being created, with approximately 10,000 jobs being notified to Jobcentres every day. Our welfare to work policies, such as the New Deal, are aimed at helping those who lose their job, whether in manufacturing or any other sector, access these vacancies and return to work as quickly as possible.

In the United Kingdom, manufacturing employment has been on a downward trend since the mid-1960s. The trend towards a larger proportion of total employment being accounted for by services is common amongst industrialised countries. However, manufacturing matters. It creates a fifth of our national output, employs four million people and produces the majority of our exports. The success of United Kingdom manufacturing is therefore crucial to our country's prosperity, now and in the future.

One of the pillars of the Government's manufacturing strategy is raising skills and education levels and the Department is playing a key role in this area. Jobcentre Plus is one of the five key partners involved in the production of Frameworks for Regional Employment and Skills Action within the context of the Regional Economic Strategies. The Frameworks offer the opportunity to bring together various agencies to work towards a common employment strategy. They include plans for dealing with skills shortages, helping to ensure that industry has access to a pool of potential employees with the right skills for the modern labour market.

Long-term Unemployment

Ross Cranston: To ask the Secretary of State for Work and Pensions what further steps he will take to help communities with high levels of long term unemployment. [73065]

Mr. Andrew Smith: Economic stability and active labour market programmes have helped people move from welfare to work in all parts of the country. Unemployment has in general fallen fastest in the areas where it was highest, so that the gap between the employment rate in the poorest areas and the average has narrowed.

As well as the New Deals, we have Action Teams for Jobs and Employment Zones operating in areas with persistently high levels of unemployment.

Of course we want to do more. We are piloting the mandatory StepUp jobs initiative, working on extending Employment Zones to more client groups and investing new funds to help Action Teams support employment and transport projects that will benefit their local communities.

Deafness

Paul Holmes: To ask the Secretary of State for Work and Pensions what his policy is on funding under the Access-to-Work Scheme to prelingually deaf people who need language support at work in connection with reading and writing English. [74134]

Maria Eagle: The Access to Work programme provides help for disabled people with additional costs in travelling to work, adaptations to workplaces, special equipment and funding for support workers. The budget has been increased every year since 1997, and 32,798 people benefited from the scheme in 2001–02 compared to just 10,000 in 1996–97.

Help through Access to Work can include funding for English language support for prelingually deaf people to enable them to fulfil their responsibilities at work.

Paul Holmes: To ask the Secretary of State for Work and Pensions when information about disability living allowance will be made available in sign-language video format. [74137]

Malcolm Wicks: Information about Disability Living Allowance, along with the rest of the Department's benefit and pensions information, is currently being reviewed across the Department for Work and Pensions.

The review is driving the establishment of new corporate standards for the production of information in alternative formats. This includes the use of British Sign Language and the production of videos.

Disability Rights Commissioners

Mr. Willetts: To ask the Secretary of State for Work and Pensions if he will make a statement on the process for filling the five vacancies for Disability Rights Commissioners that will occur in April 2003. [74732]

Maria Eagle: The posts have been advertised openly in a range of national and specialist publications including the disability and ethnic minority press. The closing date was 4 October. The sift and interview processes will involve an independent assessor and the names of the successful candidates will be announced publicly by means of a press release, expected to be issued in March 2003. This process is in line with the Code of Practice for Public Appointments and guidelines issued by the Office of the Commissioner for Public Appointments (OCPA).

Pensions

Mr. Willetts: To ask the Secretary of State for Work and Pensions how many people who have made a claim for the basic state pension have been asked to complete form BF195 on the status of their marriage during the last 12 months; how many of these people have been allowed to make a claim as a married person; and how many complaints have been received about the form. [74721]

Mr. McCartney: The information could only be provided at disproportionate cost.

Patrick Mercer: To ask the Secretary of State for Work and Pensions what discussions he has had with pensioner organisations about developing initiatives to encourage the take-up of the proposed state pension credit. [73311]

Mr. McCartney: Ministers and officials meet with pensioner organisations on a regular basis to discuss initiatives to encourage the take-up of pension credit.

Mr. Webb: To ask the Secretary of State for Work and Pensions if he will estimate the additional weekly amount of state second pension accrued at current rates by a person who undertakes one year of full-time caring responsibilities and is in receipt of invalid care allowance. [74839]

Mr. McCartney: Expressed in current terms, for each complete tax year that people are entitled to invalid care allowance, they will receive an additional pension of £1.08p.

Motability

Mr. Oaten: To ask the Secretary of State for Work and Pensions if his Department was consulted on the recent awarding of the motability tender. [75857]

Maria Eagle: The Department was advised of two Motability tender exercises this year. The first was for inspection services for adapted vehicles, the contract for which was awarded in June 2002. The second was in relation to the future provision of powered wheelchairs and pavement scooters under the Motability scheme. A number of bids were received and the evaluation process is nearing its end, but no contract has yet been awarded. The Department has taken no part in the selection process in either exercise.

Disability Benefit

Mike Gapes: To ask the Secretary of State for Work and Pensions what the average wait was for a disability benefit appeal hearing in the last 12 months; and what plans he has to improve the service. [73067]

Maria Eagle: The average waiting time over the 12 month period, ending August 2002, for Disability Living Allowance appeals, from date of receipt by the Appeals Service until first hearing, was 13.1 weeks. A modernisation programme is currently underway which aims to improve the efficiency and effectiveness in the handling of appeals.

Pension Rights

Dr. Francis: To ask the Secretary of State for Work and Pensions what discussions he has had with EU counterparts on protection of employees' pension rights. [75029]

Mr. McCartney: We regularly take the opportunity to exchange views with EU counterparts on respective national approaches to pensions issues, including exchanging information and best practice. The UK also continues to participate fully in the ongoing development of the draft EU Directive on Institutions for Occupational Retirement Provision, which aims to put in place common requirements for the supervision of occupational pension schemes, including appropriate provisions for scheme members, in order to promote mobility.

Dr. Francis: To ask the Secretary of State for Work and Pensions what steps he is taking to ensure that advancements in information collection are used to inform pension-holders of their rights and opportunities. [75030]

Mr. McCartney: Pension providers, including occupational pension schemes, are required to provide information to pension holders and members of pension schemes at certain times or following specific events. They are able to make use of developments in information technology in order to meet these requirements, provided the person to whom the information is intended has access to the technology and is able to receive the information intended for them. The Government encourages schemes to consider the most appropriate routes for distributing information to members and to make full use of the advancements in information technology.

Paul Flynn: To ask the Secretary of State for Work and Pensions what assessment has been made of the current arrangements for winding up pension schemes; and what consideration will be given to providing greater protection to pension funds. [75024]

Mr. McCartney: The current provisions for winding up occupational pension schemes set out in the Pensions Act 1995 and subsequent regulations are intended to provide a fair and equitable distribution of assets.

In April of this year the Government introduced a package of measures designed to speed up the winding up process. This legislation places greater visible accountability on those people who are involved in winding up a pension scheme and will help to ensure that the benefits that members are entitled to are secured more quickly.

The Government is determined to protect the long-term security of pensioners and other pension scheme members in occupational pension schemes.

In his report to the Government Alan Pickering proposed a number of measures designed to protect pension scheme members on wind up, and ease the administrative burden faced by trustees. These issues, along with others in the Pickering Report will be addressed in the forthcoming Green Paper on Pensions.

HEALTH

Asylum Accommodation

Tony Baldry: To ask the Secretary of State for Health how many Government stars were awarded to hospitals within the NHS trusts whose boundaries include the proposed asylum accommodation centre sites; and how many such stars were awarded to hospitals covering the short-listed asylum accommodation centre sites not chosen. [74522]

Mr. Lammy: The table below identifies the main local acute National Health Service Trusts and their current star rating in the areas which the Home Office has identified as potential sites for accommodation centres for asylum seekers. Performance ratings published by the Department do not cover hospitals in Scotland and Wales.

Non-statutory public local planning inquiry to be held	*Local Trust*	*Rating*
Defence & Storage Distribution Centre, Bicester, Oxfordshire	Oxford Radcliffe Hospitals NHS Trust	1*
RAF Newton, Notts	Queens Medical Centre, Nottingham University Hospitals NHS Trust/Nottingham City Hospital NHS Trust	3*/2*
Planning notification to be submitted/	*Local Trust*	*Rating*
Throckmorton Airfield, Pershore, Worcs.	Worcestershire Acute Hospitals NHS Trust	3*
Decision on whether to proceed to planning notification stage still to be taken	*Local Trust*	*Rating*
Hemswell Cliff, Lincolnshire	Northern Lincolnshire & Goole Hospitals NHS Trust	3*
Airwest, Edinburgh	N/A	N/A
Sully Park Hospital, Cardiff	N/A	N/A
Decision taken not to proceed with proposed site	*Local Trust*	*Rating*
Hooton Park, Ellesmere Port, Cheshire	Wirral Hospitals NHS Trust	3*
Killingholme, North Lincolnshire	Northern Lincolnshire & Goole Hospitals NHS Trust	3*

Care Homes

Mrs. Dunwoody: To ask the Secretary of State for Health how many private care homes do not comply with the equivalent standard of care provided by public authorities; if he will specify the improved conditions he has now abandoned; and if he will encourage local authorities to re-open or open premises providing after-care services for the elderly. [74469]

Jacqui Smith: The degree to which individual care homes conform to national standards cannot be quantified in detail at the moment. The National Care Standards Commission will form a more detailed picture of care homes' compliance with the national standards as it completes its first cycle of inspections of providers in England during 2002–03.

We have not abandoned standards. We are simply proposing to change a few of the more challenging physical environment standards so that care homes which existed before 1 April 2002 which do not already meet these standards will not be expected to meet higher standards than those they already meet. National standards will continue to apply to new care homes and extensions and will be regarded as best practice to which all care homes should aspire.

The standards proposed for amendment are as follows:

Care homes for older people	*Care homes for younger adults*
1.2 users' guide	1.2 users' guide
20.1/20.4: communal space	24.2: living space
21.3: assisted baths	24.9: wheelchair access
22.2: passenger lifts	25.3: single rooms
22.5: doorways	25.5: shared bedrooms
23.3/23.4: single room floor space	27.2/27.4 toilets & bathrooms
23.11: single rooms	28.2 shared space

As part of the additional investment for intermediate care and related services announced in the NHS Plan, £66 million has been made available over two years (2002–03 and 2003–04) for intermediate care capital development schemes. All but £4 million of this funding has now been allocated. Some of this funding is being used to develop council premises to increase intermediate care capacity.

Mr. Burstow: To ask the Secretary of State for Health what measures he is putting in place to compensate care homes which have already complied with the national minimum standards on room sizes. [74530]

Jacqui Smith *[holding answer 16 October 2002]:* Under the Care Standards Act the Government is able to review standards at any time and all national standards are due to be reviewed within three years of their introduction. Many home owners meet or exceed the national standards and have no reason to be concerned about them.

We have no plans to provide financial assistance to those providers who needed to improve their care homes to meet national standards, including those standards which we are now consulting on. Care homes are independent businesses. Any improvements they make should be viewed as adding to the value of their property. However, in contracting with independent sector providers of care we expect local authorities to take into account a range of provider costs such as

implementing national standards. Providers will also be able to detail the facilities they offer in their prospectuses, so that those purchasing or using the services can make an informed choice.

Mr. Burstow: To ask the Secretary of State for Health if he will make a statement on the change in the requirements of the national minimum standard on room sizes for care homes. [74534]

Jacqui Smith *[holding answer 16 October 2002]:* My right hon. Friend the Secretary of State made a statement to the House on 23 July 2002 explaining the policy context for the consultation now underway. The consultation document published on 16 August 2002 also sets out the issues, which are to ensure that:

Care home owners are in no doubt about the standards they should meet;

Good local care homes do not fear closure because they may not meet all the environmental standards such as sizes of rooms and doors, the availability of single rooms, the number of lifts and baths;

People using care home services can make an informed choice by knowing what a particular home will be offering, with each care home spelling out where they do or do not meet the standards.

Copies of the consultation document are available from Department publications or on the Department's internet website at: www.doh.gov.uk/ncsc.

The consultation exercise runs until 8 November 2002 and we will carefully consider all representations we receive, and the full implications of any changes to the national standards for the care home sector, before coming to conclusions. We will publish our conclusions as soon as possible.

Tim Loughton: To ask the Secretary of State for Health when he proposes to publish his response to the consultation exercise on interpretation of regulations for care homes under the Care Standards Act 2000; and if he will place copies of the consultation responses in the Library. [75519]

Jacqui Smith: The consultation document issued on 16 August sets out proposals to change certain national minimum standards for care homes for older people and care homes for younger adults (18–65) which relate to the physical environment. The consultation does not propose making any changes to the Care Homes Regulations 2001 issued under the Care Standards Act.

The consultation exercise ends on 8 November. We will carefully consider all the comments we receive and publish revised national minimum standards for care homes for older people and for care homes for younger adults (18–65) as soon as possible.

A report summarising the responses to the consultation exercise will be placed in the Library.

Alzheimer's

Sandra Gidley: To ask the Secretary of State for Health what recent representations he has received regarding the mechanisms in place to ensure equitable uptake for new treatments for Alzheimer's; and if he will make a statement. [74208]

Jacqui Smith: According to our records we are not aware of any recent representations regarding the mechanisms in place to ensure equitable uptake for new treatments for Alzheimer's. In January 2001 the National Institute for Clinical Excellence (NICE) recommended that donepezil, rivastigmine and galantamine should be made available on the National Health Service as one component of the management of those people with mild to moderate Alzheimer's disease. Patients whose clinicians prescribe the drugs in line with NICE'S guidance should now receive the appropriate treatment.

Implementation of the national service framework for older people will ensure that people with Alzheimer's receive the treatment and care they need.

Sandra Gidley: To ask the Secretary of State for Health how much was spent in the last 12 months on Alzheimer's treatments; how many patients benefitted from Alzheimer's treatments in that period broken down by *(a)* health authority and *(b)* health trust; and if he will make a statement. [74207]

Jacqui Smith: The information requested is not routinely collected. Information is, however, available on the cost of the three drugs—donepezil, rivastigme and galantamine—currently used for the treatment of mild to moderate Alzheimer's and on the number of finished consultant episodes where the primary diagnosis is Alzheimer's.

The 2001–02 cost of the three drugs (excluding discounts) dispensed in the community was around £13.3 million (information is not available on their cost when dispensed in hospitals). The 2000–01 information for finished consultant episodes has been placed in the Library.

Transplants

Dr. Evan Harris: To ask the Secretary of State for Health what advice he has received about the viability of existing NHS hospitals providing open transplant surgical facilities. [74239]

Mr. Lammy: United Kingdom Transplant regularly publishes reports on transplant activity in each organ transplant unit in the UK. The most recent comprehensive report is the Transplant Activity Report 2001, which gives details of organ donation and transplant rates by centre for renal, cardiothoracic (heart and lung/heart/lung) and liver transplantation. The Department also receives annual reports on renal transplantation from regional specialty commissioning groups. The national specialist advisory group produces an annual report on national services, including cardiothoracic and liver transplantation.

Treatment Options

Mr. Havard: To ask the Secretary of State for Health how he plans to ensure that clinicians provide patients with full information about treatment options available to them. [73941]

Mr. Lammy: In March 2001 the Department published a "Reference Guide to Consent for Examination or Treatment", setting out the current law on consent to treatment. In November 2001 we published, with a Health Service Circular (HSC 2001/023) the "Good Practice in Consent Implementation Guide", which contains model consent forms. These

documents make clear the requirement that patients should be given full information about what is proposed and the treatment options that are available to them.

Wheelchairs

Mr. Gareth Thomas: To ask the Secretary of State for Health (1) what plans he has to ringfence grants to fund purchases of wheelchairs and other community equipment; [74502]

(2) what his response is to the Audit Commission's, *Fully Equipped 2002: Assisting Independence*—and if he will make a statement; [74513]

(3) what action he has taken to ensure that funding given to health authorities, hospital trusts, primary care trusts and social services to improve community equipment services, prosthetics departments and wheelchair services has increased capacity in all areas; [74512]

Jacqui Smith: The government welcomes the Audit Commission's report *Fully Equipped 2002: Assisting Independence*. Since the Audit Commission's original *Fully Equipped* report in 2000, we have set up a programme to improve disability services. The programme includes NHS Plan targets for integrating community equipment services and for increasing the numbers of equipment users by 50 per cent., both by 2004. The latter target has recently been extended to cover a further 250,000 people by 2006. The follow-up report *Fully Equipped 2002* indicates that at this half way stage progress has clearly been made in areas such as community equipment services, hearing aid services and neonatal hearing screening. However, it highlights other areas where further work is needed and where we are now taking action such as wheelchairs, prosthetics and orthotics.

Funding is given to the National Health Service with which to commission community equipment services, prosthetics, orthotics, hearing aid and wheelchair services. We have made available to the NHS an additional £105 million to improve community equipment services alone in the previous, current and next financial years. It is for local commissioners of services to determine how best to meet national priorities for improving health, tackling inequalities and modernising services and the extra investment in health and social care will help them do that.

In addition to the current tranche of additional NHS funding for community equipment services, local councils have also received an additional amount in the personal social services settlement to improve their community equipment services. Furthermore, on 23 July 2002, my right hon. Friend the Secretary of State made a statement to the House on older people and the reduction of delayed discharges from hospital. In it he indicated that community equipment has an important role to play in facilitating discharges and that there will be additional ring fenced funding for community equipment and minor adaptations for social services in the years 2003–04 to 2005–06. In the same statement, my right hon. Friend announced both the intention to remove the power of councils to charge for the loan of community equipment (subject to legislation) and new targets to speed up the time it takes to deliver equipment and to make minor adaptations. All these measures will directly benefit people who need such items.

Mid Essex Hospital Services NHS Trust

Mr. Burns: To ask the Secretary of State for Health how many people were waiting *(a)* for in-patient treatment in each of the last three months and *(b)* over 13 weeks for an out-patient appointment in the last two available quarters in the Mid Essex Hospital Services NHS Trust area. [75691]

Mr. Hutton: The information requested is given in the table. In-patient data is available monthly, but out-patient data is only published quarterly.

Waiting times data, Mid-Essex Hospital Services National Health Service Trust. Patients waiting for elective admission

Month	*Total waiting*	*Patients waiting for admission by month waiting*					
		0–2	3–5	6–8	9–11	12–14	15 plus
Mar–02	9,732	4,427	2,625	1,526	834	320	0
Apr–02	9,874	4,462	2,616	1,662	865	269	0
May–02	9,986	4,352	2,607	1,880	915	232	0
Jun–02	9,838	3,946	2,884	1,690	1,061	257	0
Jul–02	9,928	4,096	2,923	1,590	1,103	216	0
Aug–02	9,804	4,108	2,763	1,569	1,156	208	0

Source:
Department of Health form KH07 and Monthly Monitoring

Waiting time for first outpatient appointment, patients still waiting to be seen

Quarter	*13 to 26 weeks*	*26 plus weeks*	*Total over 13 weeks*
Mar–02	794	0	794
Jun–02	1,241	0	1,241

Source:
Department of Health form QM08

Hospital Building Programme

Mr. Watts: To ask the Secretary of State for Health what his Department's assessment is of the likely financial and staffing implication for the new building criteria for new hospitals. [74954]

Mr. Hutton: Affordability of all hospital building schemes, whether public finance initiative or publicly funded, has to be assessed alongside the resources for the clinical service commitments involved at new

hospitals, following guidance set out in the NHS Capital Investment Manual (1994). The commissioners have to clearly set out in the outline business case that they agree to the level, mix and cost of clinical services upon which the business case is based and that they can afford to pay for the services along with costs arising from the building project.

Delayed Discharge and Emergency Readmission

Mr. Burstow: To ask the Secretary of State for Health if he will place copies of the Quarter two delayed discharge and emergency readmission figures in the Library. [74543]

Jacqui Smith *[holding answer 16 October 2002]:* The quarter two (September 2002) figures on delayed discharge and emergency readmission are not yet available. I am placing in the Library all the available information on delayed discharge and emergency readmission for June 2002, which is the latest available.

Health Care (Portsmouth)

Mr. Hancock: To ask the Secretary of State for Health how many residential care home places for elderly people were closed in the Portsmouth, South constituency during the last two months; and if he will make a statement. [75996]

Jacqui Smith: The information requested is not centrally available.

Care Standards Act

Tim Loughton: To ask the Secretary of State for Health how many responses have been received to the consultation exercise regarding interpretation of regulations for care homes under the Care Standards Act 2000. [75518]

Jacqui Smith: As at 17 October 2002, the Department had received 51 responses to the consultation document setting out proposed revised physical environment standards for care homes for older people and younger adults. The closing date for comments is 8 November 2002.

English Standards

Tim Loughton: To ask the Secretary of State for Health what guidance has been issued by his Department to hospital trusts to ensure standards of spoken English for newly recruited nurses and doctors. [75528]

Mr. Hutton: Health Service Circular 1999/137 *Employment of European Economic Area (EEA) Nationals: Ensuring Language Competency* was issued on 14 June 1999. This circular clarifies the respective roles of registration authorities and employers and includes good practice guidelines to help employers ensure that they appoint staff who are able to speak and write English to an appropriate standard. Arrangements for testing the language and professional skills of non-EEA nationals are a matter for the appropriate professional regulatory body.

Organ Donors

Tim Loughton: To ask the Secretary of State for Health how many people have been registered as organ donors in each of the last five years. [75542]

Mr. Lammy: The number of people registering on the National Health Service organ donor register in each of the last five years are as follows:

1997–921,810
1998–867,257
1999–2,907,788
2000–1,237,005
2001–1,109,433

Operation Costs

Tim Loughton: To ask the Secretary of State for Health what the average cost to the NHS is of *(a)* hip replacement, *(b)* knee replacement, *(c)* heart bypass surgery and *(d)* cataract operations. [75547]

Mr. Hutton: The national average costs of the listed procedures in 2000–01 are as follows:

Primary hip replacement	£4,179
Primary knee replacement	£4,576
Coronary Artery Bypass Graft	£5,483
Cataracts	
—Phakeoemulsification cataract with lens implant	£583
—Other cataract extraction with lens implant	£572

Source:
Reference Costs 2001

The costs quoted are for elective inpatient stays for the first three procedures listed. Cataract surgery is primarily performed as a day case procedure, and the costs shown for cataract extraction are based on day case activity. If any procedure requires a stay in critical care, these costs are not included in the above figures but are reported separately. The time, and therefore associated costs, spent in critical care is patient specific and is therefore excluded.

The 2001–02 figures are currently being compiled and will be available shortly.

Renal Medicine

Tim Loughton: To ask the Secretary of State for Health how many consultants specialising in renal medicine were employed in the NHS in each of the last five years. [75539]

Mr. Lammy: Between Sept 1997 and March 2002, the number of consultants in renal medicine increased by 35 per cent.

The information requested is shown in the table.

Hospital, medical consultants within the renal medicine specialty by year

Year	*Numbers*
2002	270
2001	260
2000	230
1999	210
1998	210
1997	200

Note:
Figures are rounded to the nearest ten
Data for 1997–2001 is at 30 September and 2002 data is at 31 March.
Source:
Department of Health medical and dental workforce census.

Tim Loughton: To ask the Secretary of State for Health which renal units in hospital trusts in England and Wales operate at weekends. [75535]

Mr. Lammy: We do not collect this information, but it is normal practice for main renal dialysis units, and most satellite dialysis units, to dialyse patients on Saturdays.

Tim Loughton: To ask the Secretary of State for Health when he expects to publish his NSF on renal conditions. [75534]

Mr. Lammy: Advice on the renal national service framework is being developed by an external reference group in four modules covering, dialysis, transplantation, prevention and primary care, and end of life care. These will be published in due course.

Tim Loughton: To ask the Secretary of State for Health what the assessment is of his Department of the proportion of kidney failure cases linked to diabetes. [75533]

Mr. Lammy: The latest information is from the December 2001 Report from the United Kingdom renal registry covering the year 2000, copies which are available in the Library. This shows that diabetes accounted for 16 per cent. of new cases of end stage renal failure and 10 per cent. of prevalent cases.

Tim Loughton: To ask the Secretary of State for Health how many people received dialysis treatment in the NHS in each of the last five years. [75537]

Mr. Lammy: The information in the table is derived from survey data commissioned by the Department for the years 1993, 1995 and 1998 and shows the prevalent patients receiving dialysis. A further survey is planned for 2002.

England	*1993*	*1995*	*1998*
Dialysis	9,045	10,988	13,405

Tim Loughton: To ask the Secretary of State for Health what research is being funded by his Department into the prevalence of renal complaints amongst ethnic communities. [75532]

Mr. Lammy: We are not funding research specifically into the prevalence of renal complaints among ethnic communities although there are other research projects on related aspects of renal disease. There is already good evidence to show that the prevalence rates for most kidney diseases are three to five times higher among the Asian and African/Caribbean minority ethnic groups.

We are presently investing £0.5 million on two major publicity campaigns, and we have provided a three-year grant of £65,000 to the national kidney research fund's "A Better Life Campaign", all aimed at raising awareness of kidney disease among minority ethnic groups.

Tim Loughton: To ask the Secretary of State for Health what the average cost is to the NHS of providing annual dialysis treatment for patients with kidney disorders. [75538]

Mr. Lammy: The average cost data in the reference costs collection for renal dialysis is collected on a session, not a patient basis. The figures in the table are based on the four main categories currently used for analysis of these costs. The data is for the 2000–2001 financial year, and is based on data submitted by all National Health Service trusts in England.

Most haemodialysis patients dialyse three times a week although some may require fewer dialysis sessions depending on the severity of their condition. Patients on peritoneal dialysis will normally exchange fluids three of four times a day and patients using automated peritoneal dialysis will carry out exchanges at night.

Reference Costs 2000–01: Renal Dialysis	*No of Sessions*	*Mean Average £*
Hospital Based Haemodialysis (including, inpatients, outpatients and ward atttenders)	1,276,797	145
Home Haemodialysis	92,045	104
Continuous Ambulatory Peritoneal Dialysis (CAPD)	3,736,733	21
Automated Peritoneal Dialysis (APD)	899,800	18

Source:
Reference Costs 2001 Publication

Overseas Nurses

Tim Loughton: To ask the Secretary of State for Health what contracts have been signed by his Department to bring teams of doctors from continental Europe to work in the NHS. [75517]

Mr. Hutton: The Department does not sign contracts with overseas clinical teams. Contracts are negotiated between individual National Health Service trusts and overseas providers.

Social Workers

Tim Loughton: To ask the Secretary of State for Health how many social workers have *(a)* been recruited, *(b)* left before normal retirement age, and *(c)* retired since the launch of his social worker recruitment campaign in 2001. [75520]

Jacqui Smith: Recruitment and retirement figures on social workers are not collected centrally.

The aims of the Department's recruitment campaign are to:

Raise the number of people applying for social work training by 5000 by 2004.

Inform the public about what social workers actually do.

Make existing social workers realise that their work is valued.

The campaign is generating a lot of interest, and the provisional figures for the number of applications for social work training show that there has been an increase this year over last, the first increase in the number of applications since the mid-1990s.

Resource Allocation

Mr. Oaten: To ask the Secretary of State for Health when the Advisory Committee on resource allocation will report on its review of the Your NHS Funding Formula; and if he will make the report public. [75179]

Mr. Hutton: We are currently considering the recommendations of the advisory committee on resource allocation for a new National Health Service funding formula. Later this autumn when we announce the revenue allocations for the next three years we will explain changes to the formula. The team who carried out the research into the new formula plan to publish a full report of their findings.

Mr. Oaten: To ask the Secretary of State for Health how much his Department has made available for community equipment services in each of the last three years. [75858]

Jacqui Smith: Community equipment services are funded from National Health Service and social services general allocation and the amount made available by local commissioners each year is not collected centrally.

In addition to general funding allocations, additional funding has been made available. In 2001–02 and 2002–03, £11.7 million and £15.4 million were included in baseline allocations to health authorities. The Government also took account of the need for additional investment in the personal social services settlement for 2001–02 to 2003–04, to enable councils to contribute an appropriate share to the expansion of these services. These additional allocations are recurring amounts.

Written Answers to Questions

Tuesday 22 October 2002

WORK AND PENSIONS

Cabinet Office Guidance

Lynne Jones: To ask the Secretary of State for Work and Pensions, (1) pursuant to his answer of 24 July 2002, *Official Report*, in what circumstances it is not appropriate to follow Cabinet Office guidance; and whether there have been written consultations carried out by his Department when it has not been appropriate to do so; [73933]

(2) pursuant to his answer of 24 July 2002, *Official Report*, what assessment he made of whether it was appropriate to follow the guidance in relation to the consultation in the pensions statement; and if he will make a statement. [73934]

Mr. McCartney *[holding answer 15 October 2002]:* As a general rule, the requirements of the Code of Practice on Written Consultation apply to all national consultations carried out by the Department for Work and Pensions.

It should, however, be noted that the Code of Practice applies to those consultations that cover

"the whole area of a Department's responsibility . . ."

where views are sought from the public. The code makes clear that parts, but not necessarily all of the guidance it contains may be relevant to more limited consultation exercises, such as those seeking views from professional bodies or departmental trade unions, or consultation with local government. There may be occasions, for example on practical aspects of implementing technical legislation, where consultation is limited to those directly affected.

Jobseeker's Allowance

Paul Goggins: To ask the Secretary of State for Work and Pensions what plans he has to extend joint claims for jobseeker's allowance to childless partners of unemployed people who are aged 45 or under. [76869]

Malcolm Wicks: From 28 October 2002 we shall extend the provision for Joint Claims for Jobseeker's Allowance (Income Based) to include couples without dependent children where at least one partner was born after 28 October 1957 and is also aged 18 or over. Couples meeting the new joint claims criteria will be required to make a joint claim and meet the JSA conditions for benefit entitlement, in the same way as current joint claimants.

Benefit Fraud

Paul Goggins: To ask the Secretary of State for Work and Pensions if he will make a statement about the inspection report of the Benefit Fraud Inspectorate in respect of Cherwell District Council. [76871]

Malcolm Wicks: The Benefit Fraud Inspectorate's (BFI) inspection report on Cherwell District Council was published on 19 September 2002 and copies of the report were placed in the Library.

The BFI finds that the council had implemented improvements since its Best Value Review and the BFI Best Value inspection in October 2001. The introduction of a customer service team has had a positive impact on claims processing speed as this team deals with all telephone enquiries from claimants, which allows processing of claims without interruption. The council had set challenging targets to answering telephone calls quickly and BFI found the service to be efficient.

The report identifies a number of strengths and good practices. The council is commended for the high standard of verifying claims for benefit, recording the required evidence to support the claim and using efficient procedures to control and monitor claims.

The council has effective mechanisms for the identification, classification and recovery of overpayments and is commended for its use of management information for monitoring performance. However, the report notes that a number of cases sampled had been incorrectly classified. The council is recommended to use its powers to recover debt in all appropriate cases to improve the rate of recovery.

The council is also commended for its partnership approach to long-term strategies. The Community Plan has been produced with 15 public, private and voluntary sector organisations after extensive consultation with local people.

The report recognises the council's commitment to fraud prevention, deterrence and detection. Fraud awareness among benefit staff is high and this is reflected in the number of high quality fraud referrals that benefit staff make to the council's fraud investigators.

BFI expresses concern with the lack of management checks on IT security. The council has responded positively to this and has taken immediate steps to rectify the situation.

Paddy Tipping: To ask the Secretary of State for Work and Pensions if he will make a statement about the inspection report of the Benefit Fraud Inspectorate in respect of *(a)* North Ayrshire Council, *(b)* Calderdale Metropolitan Borough Council and *(c)* the Royal Borough of Kingston upon Thames. [76870]

Malcolm Wicks: The Benefit Fraud Inspectorate's (BFI) inspection report on North Ayrshire Council was published on 18 September 2002 and copies of the report were placed in the Library.

The report finds that in the first instance, the council had been delivering an inadequate benefits service. The council needs to take some basic decisions on its operational strategy for delivering benefits, such as the structure, location and management arrangements for benefits administration and counter fraud.

In terms of delivering the service, the report notes that the standards expected for verifying claims to benefit were not being met. Contributory factors included a poorly designed claim form that failed to guide the

claimant to complete it accurately, the absence of quality checks to identify weaknesses, insufficient staff training, the lack of a visiting team to undertake targeted checks and a constant backlog of cases. A high percentage of private sector claims were not being referred to the Rent Officer and were thus avoiding the required controls on rent and benefit levels.

The council operates decentralised benefit processing within its housing offices. At the time of the inspection, there were longstanding backlogs of work. The speed of processing was poor but varied across area and benefit type. Claimants were not receiving the same standard of service across the council's area.

The BFI expresses major concerns over the safety and security of the council's IT systems to support the benefits service.

Overpayments have been found to be a particularly weak area of the council's performance. The BFI considers that improvement is needed across all areas, including accuracy, identifying, recording and recovering overpayments. Improvements are also needed on the audit trail for decision making and management information.

The council was not generating the management information needed to manage benefits effectively. For example, in the areas of workflow and capacity, appeals and overpayments.

BFI commends the council for funding Professionalism in Security (PINS) training for its counter fraud staff. At the time of the inspection, fraud investigation was found to be inadequate but the signs were that this would improve. The council needs to develop its Prevention and Detection of Fraud and Corruption policy to include objectives, reporting arrangements, sanctions, review arrangements and how it will evaluate its effectiveness.

The Benefit Fraud Inspectorate's (BFI) follow up inspection report on Calderdale Metropolitan Borough Council was published on 19 September 2002 and copies of the report were placed in the Library.

The BFI first inspected and published a report on Calderdale Metropolitan Borough Council in October 1999. The report made eight major recommendations to improve performance.

This follow up report finds that while progress had been made in implementing these recommendations it had been too little and too slow.

The first inspection made a number of recommendations to improve the council's internal security. Some of these have been implemented but IT access controls remains weak, division of duties is not always appropriate, there is inadequate management checking and insufficient internal audit coverage.

The correct verification of claims was highlighted as an issue at the first inspection and remained inconsistent at the time of the follow up inspection.

Significant improvements were needed to the council's procedures for backdating claims. While some of these had been implemented, the follow up inspection showed there was still a need for improvement, in particular record keeping of applications for backdating. Further improvements were also needed to the council's claim form to ensure that claimants provide sufficient information to allow assessment of the claim.

There had been a noticeable improvement, including the appointment of a new fraud manager, in the council's counter fraud work although much of this improvement took place in the months leading up to the on-site phase of the follow up inspection.

The council dealt speedily with the processing of new and renewal claims, unfortunately, the BFI found that the number of errors entering the system at the time of inputting the information was increasing, with 11 mistakes found in a sample of 40 claims. The problem of a considerable backlog of new and renewal claims had been resolved.

An improved working relationship with the Benefits Agency and the Employment Service (now joined as Jobcentre Plus) is noted in the report.

The report makes recommendations to help the council address the remaining weaknesses and to further improve the administration of Housing Benefit and Council Tax Benefit, as well as counter fraud activities.

The Benefit Fraud Inspectorate's (BFI) inspection report on the Royal Borough of Kingston upon Thames was published on 26 September 2002 and copies of the report were placed in the Library.

The report finds that the Royal Borough of Kingston upon Thames had made many improvements during the 2 years before the BFI inspection and since bringing the benefits service back in house after a period of outsourcing. In some areas this improvement was significant.

These improvements include reductions in the time taken to process new and repeat claims and notifications of changes in circumstances. However, the council needs to improve further in these areas if it is to achieve its Best Value targets.

Other improvements made by the council include the implementation of the BFI national model claim form and Verification Framework, sustained improvements in key customer services and a reduced backlog of work which has led to reductions in customer complaints.

The Royal Borough of Kingston upon Thames still needs to improve its verification of claims, the quality of its fraud investigations and become more effective at recovering overpayments. This is critical if the £30.6m of benefit paid to 6,000 claimants is to be brought under tighter control.

The report finds that the council had a clear prosecution policy to deter fraudsters but identifies weaknesses in the quality of fraud investigations. The report acknowledges the successful prosecution of fraudsters in 2001–02.

Overall the report concludes that the Royal Borough of Kingston upon Thames has established a good platform from which it can make the necessary improvements.

In 2000/01, the Royal Borough of Kingston upon Thames administered approximately £30.6 million in housing benefits.

Kali Mountford: To ask the Secretary of State for Work and Pensions if he will make a statement about the inspection report of the Benefit Fraud Inspectorate in respect of *(a)* the London Borough of Enfield and *(b)* Wakefield Metropolitan District Council. [76865]

Malcolm Wicks: The Benefit Fraud Inspectorate's (BFI) inspection report on the London Borough of Enfield was published on 18 September 2002 and copies of the report were placed in the Library.

The BFI reports that the council's management of the administration of Housing Benefit and Council Tax Benefit was poor with weaknesses in many areas.

Access to the benefits system was not sound and the council did not ensure that claims were right from day one. Information was not routinely verified or cross checked and management was not monitoring performance. This significantly increased the risk of fraud and error at the outset of the claim.

The council did not detect when payments went wrong and take prompt action to correct them with appropriate penalties to deter a recurrence. Delays in dealing with changes of circumstances have increased the number and level of preventable overpayments.

Considerable delays occurred in the assessment and payment of benefit. Management was not monitoring the processes to ensure that bottlenecks and backlogs were quickly identified as they appeared. This caused hardships to claimants and by failing to make payments on account in appropriate cases the council increased this.

Insufficient resources were devoted to recovering overpayments of Housing Benefit and Council Tax Benefit. As a result, the council was failing to control the level of outstanding debt.

The BFI also found that the council's counter fraud performance was poor. Weaknesses were identified in the management of the investigation team and the quality of the investigative work.

The council is commended for its commitment to its anti-poverty strategy and for promoting the take up of benefit. Its dedicated team has helped Enfield residents to receive more than £12 million in new and additional welfare benefits since 1996.

The report concludes that the council needs to improve the management and effectiveness of its working practices within the benefit service in order to deliver its corporate vision.

The Benefit Fraud Inspectorate's (BFI) inspection report on Wakefield Metropolitan District Council was published on 9 October 2002 and copies of the report were placed in the Library.

The report finds that in March 2001, the council completed a Best Value Review of the benefits function. The review identified a need to improve in key areas such as claims processing, management checking and overpayment administration. The report finds performance in these key areas is poor. However, BFI recognises the efforts being made by the council to improve performance.

The council's practices for processing benefit claims differed across its 13 sites, and there was a 6 weeks backlog of work creating queries and complaints. The council was intending to centralise its benefit function as an answer to many of its problems, however insufficient plans for centralisation had been produced.

Whilst the report finds examples of good practices, it found differing levels of performance and procedures across the council. The inconsistent verification of benefit claims and low levels of management checks were identified as key weaknesses, increasing the risk of fraud and error entering the benefit system.

The council intends implementing the Verification Framework before March 2003 and it was improving its corporate performance measurement framework. These initiatives combined with centralisation should put the council in a position to provide a much improved benefits service.

The report finds very poor performance in the council's administration of overpayments of benefit, with benefit debt increasing and errors being made. However, the council was enhancing its IT system to improve its performance in overpayment administration.

The council had a sound approach to countering fraud and corruption, and had undertaken some good quality fraud prosecutions.

The report concludes that there is a clear need for the council to improve its benefit performance as the inspection identified many cases of poor performance. However, BFI was encouraged that the council was aware of the challenges it was facing, and with the level of interest shown by elected Members, both in the inspection and the benefit service.

In 1999–2000, Wakefield Metropolitan District Council administered approximately £65.2 million in housing benefits.

Lawrie Quinn: To ask the Secretary of State for Work and Pensions if he will make a statement about the inspection report of the Benefit Fraud Inspectorate in respect of *(a)* Babergh and *(b)* Swale district councils. [76866]

Malcolm Wicks: The Benefit Fraud Inspectorate's (BFI) follow up inspection report on Babergh District Council was published on 10 October 2002 and copies of the report were placed in the Library.

The BFI first inspected and published a report on Babergh District Council in April 2000.

This report finds that Babergh District Council had made significant improvements since the first inspection. Despite backlogs of work, the council had made progress in its housing benefits administration and counter fraud work. Throughout the inspection, BFI identified improvements and good practices that had been implemented since the first inspection.

The report finds that the council had introduced initiatives to raise awareness of housing benefits among its residents, and had reviewed its Housing Benefit and Council Tax Benefit claim form.

The council had introduced the Verification Framework, improving the collection and recording of evidence to support new claims for benefit, and it was identifying and checking any inconsistencies to reduce fraud and error. All new claims were subject to a 100 per cent. quality check.

However, the report finds that the council needed to improve its evidence gathering for renewal benefit claims and not make awards before all the necessary evidence was collected.

The report finds backlogs of work, arising from the simultaneous implementation of the Verification Framework and a new IT system for processing housing benefits claims, which were severely affecting the processing times for all claims.

The report finds a marked improvement in counter fraud work, with investigators receiving Professionalism in Security training and a full range of investigations being undertaken. The District Auditor had reported satisfaction with the council's counter fraud measures.

Overpayments had increased since the first inspection, mainly due to the backlogs of work and IT changes. Levels of recovery had dropped and overpayment cases were not well documented or subject to quality checks.

In 2000–01, Babergh District Council administered approximately £12.8 million in housing benefits.

The report makes recommendations to help the council address the remaining weaknesses and to further improve the administration of Housing Benefit and Council Tax Benefit, as well as counter fraud activities.

The Benefit Fraud Inspectorate's (BFI) follow up inspection report on Swale Borough Council was published on 25 September 2002 and copies of the report were placed in the Library.

The BFI first inspected and published a report on Swale Borough Council in April 2000. The report found that while the council demonstrated some good working practices, the efficiency and security of the benefits system was compromised by a backlog of work and a lack of a clear sense of direction and purpose in its counter fraud strategy. At that time, the council had undergone a period of significant change.

This report finds that of the 40 recommendations made in the April 2000 report, the council had implemented 6 in full, partially implemented 24 and not implemented 10.

The report commends Swale Borough Council for its commitment in clearing the backlog of work, which was having a detrimental effect during BFI's first inspection. This required a heavy investment in increasing and training its staffing on the benefit section.

There have also been improvements in the council's benefit claim form, the levels of verification and the speed of processing claims and notifications of change of circumstances.

There were still problems with the council's counter fraud operations. BFI reports that a lack of effective management had hampered the way that the unit operated. The report finds a general lack of management checking and controls to guard the system against fraud, error and abuse.

The report finds significant problems with overpayments not being accurately classified and the situation had worsened since the first report. The council did not always impose the maximum deduction for the recovery of fraudulent overpayments.

The counter fraud operation was not being sufficiently managed and there was minimal management checking and little direction during fraud investigations.

The council's post opening operation was found to be insecure and BFI expresses concern to find that numerous recommendations made in this area in the first report remained unactioned.

In conclusion, the council had only partially delivered the improvements that it said it would in its response to the Secretary of State following the publication of the BFI's first inspection report, published in April 2000.

The report makes recommendations to help the council address the remaining weaknesses and to further improve the administration of Housing Benefit and Council Tax Benefit, as well as counter fraud activities.

Mr. Watts: To ask the Secretary of State for Work and Pensions if he will make a statement about the inspection report of the Benefit Fraud Inspectorate in respect of *(a)* Erewash Borough Council, *(b)* East Dumbartonshire Council and *(c)* St. Helens Metropolitan Borough Council. [76867]

Malcolm Wicks: The Benefit Fraud Inspectorate's (BFI) inspection report on the Erewash Borough Council was published on 26 September 2002 and copies of the report were placed in the Library.

The report finds Erewash Borough Council failing to deliver an adequate and secure benefit service. There were significant weaknesses in the administration of Housing Benefit and Council Tax Benefit and counter fraud work. There were also significant backlogs of work.

At the time of BFI's inspection, the council had been in a state of constant change for over 4 years, and no senior manager was in post with specific responsibility, or expertise in, housing benefits or counter fraud work. This lack of expertise and key personnel had resulted in a complete lack of strategic direction. Council Members were aware of these problems but the council had made slow progress to resolve the issues. The report finds earlier plans had proved to be of limited use and much rested on the appointment of new chief officers.

Despite the serious lack of managerial involvement at a high level, the efforts of benefits staff must not be ignored as they devised procedures, which were a positive measure. They attempted to improve standards

by implementing the Verification Framework, expanding customer services and organising occasional landlord forums. Although fragmented, these efforts were a positive step.

There was a serious lack of control of benefits work. There were no quality or management checks, no formal procedures and little training. Staff resources were inadequate.

The introduction of a new IT system was poorly planned and managed, and the system was not used to its full potential. Management information from the housing benefits IT system was unreliable and there were serious flaws in the security of the system.

The report finds errors in all stages of the overpayment process, with little control or monitoring, and no one appointed with specific responsibility for overpayment work.

The council had poor counter fraud performance in all aspects of its operation. Fraud investigations lacked depth and substance and this impaired its ability to prosecute fraudsters.

Erewash Borough Council only fully implemented 9 of 30 recommendations, made by the District Auditor 3 years before the BFI inspection, to improve its counter fraud arrangements.

The Benefit Fraud Inspectorate's (BFI) follow up inspection report on East Dunbartonshire Council was published on 7 October 2002 and copies of the report were placed in the Library.

The BFI first inspected and published a report on East Dunbartonshire Council in March 1999. The report found that the council was a poor-performing authority that needed to design and develop a more secure and accurate benefits administration system and improve the quality of its benefits service.

This report finds that the council had responded positively to the findings in the first report and had introduced some improvements in its administration of housing benefits. However, some key recommendations from the first inspection had not been properly addressed and minimal progress had been made in counter fraud work.

The introduction of the Verification Framework in April 2001 had improved the evidence gathering process. However, the use of the same sub-standard claim form that was in place at the first inspection and poor staff training meant that the majority of Housing Benefit and Council Tax Benefit awards were based on poor or inadequate evidence.

There had been minimal improvement in counter fraud operations, which continued to be poor. Despite the introduction of a prosecution policy, no cases had been prosecuted and no other forms of sanctions had been considered. Weaknesses surrounding the council's post opening and cheque dispatch procedures continued to exist.

However, the report finds that the council had significantly improved in the recovery of benefit overpayments from claimants and landlords who were still receiving benefit. The council was less effective at recovering overpayments from debtors who were no longer receiving benefit.

The report concludes that while some progress has been made across benefits administration, it has in the main been slow. There is much to do to address the weaknesses identified at the follow up inspection and for those that remain outstanding from the first inspection. The council agreed to review the range of corporate duties allocated to the Benefits Manager to enable more management time to be given to improving its benefits service

In 2000–01, East Dunbartonshire Council administered approximately £12.7 million in housing benefits.

The report makes recommendations to help the council address the remaining weaknesses and to further improve the administration of Housing Benefit and Council Tax Benefit, as well as counter fraud activities.

The Benefit Fraud Inspectorate's (BFI) follow up inspection report on St. Helens Metropolitan Borough Council was published on 8 October 2002 and copies of the report were placed in the Library.

The BFI first inspected and published a report on St. Helens Metropolitan Borough Council in April 2000. The report found that the council needed to develop a more secure and accurate benefits administration system and improve the overall quality of its benefits service.

This report finds that the council had responded positively and delivered all 16 major recommendations from the earlier BFI inspection. The report finds that the council had made significant progress and had delivered a major programme of change that had significantly raised the standards of its administration of housing benefits.

Since the first inspection, the council had undertaken a Best Value Review of its benefits service and had introduced the Verification Framework. It had also increased management and staffing levels, reorganised the way it delivers benefits, and enhanced its IT systems.

The council had also introduced a new claim form, and had introduced management quality checking to test the quality and accuracy of benefit awards. The council was also actively reducing the backlogs of work that had been affecting processing times and causing overpayments.

The report finds that the verification process had improved significantly with 66 per cent. of cases examined containing proper evidence. Only 30 per cent. of cases were properly verified at the first inspection. The council plans to provide staff training to raise standards further.

The council had introduced a benefits prosecution policy and had significantly improved its counter fraud operations, with the quality of its fraud investigations improving considerably since the first inspection. However, despite these improvements, outstanding overpaid benefit debt had increased and the council had brought few prosecutions against offenders and had made no use of other sanctions.

The report concludes that there is scope for improvement across the council's benefit service but BFI was encouraged by the progress made since the first inspection.

In 2000–01, St. Helens Metropolitan Borough Council administered approximately £51 million in housing benefits.

The report makes recommendations to help the council address the remaining weaknesses and to further improve the administration of Housing Benefit and Council Tax Benefit, as well as counter fraud activities.

Asbestos

Mr. McWalter: To ask the Secretary of State for Work and Pensions when he will lay regulations on the control of asbestos in the workplace. [76868]

Mr. Nicholas Brown: Draft copies of the regulations and a Code of Practice are available for hon. Members in the Vote Office. This issue is the subject of a debate on a Government motion on 24 October.

Housing Benefit

Jeremy Corbyn: To ask the Secretary of State for Work and Pensions what the average administrative cost was of delivering housing benefit for each London borough in each of the last three years; how many outstanding applications there are; and how many complaints were recorded. [76328]

Malcolm Wicks: The available information has been placed in the Library. Information on the number of complaints made to local authorities about their Housing Benefit administration are not collected centrally.

However, in his Annual Report for 2001–02, the Local Government Ombudsman reported that complaints to him about Housing Benefit administration in England fell by a quarter on the previous year. Particular mention was made of the London Boroughs of Hackney, Islington and Lambeth which had accounted for 65 per cent. of complaints in the previous year. Complaints against those authorities dropped dramatically in 2001–02. Those against Hackney and Islington Councils fell by around a half, whilst those against Lambeth Council fell by nearly a quarter.

Jeremy Corbyn: To ask the Secretary of State for Work and Pensions what assessment has been made by his Department of the performance of contractors in delivering housing benefit; and if he will publish it. [76329]

Malcolm Wicks: The Department has commissioned a review of the impact and effects of outsourcing on the efficiency of Housing and Council Tax Benefit administration and delivery.

We expect the findings to be published in the summer of 2003.

DEFENCE

Job Locations

Annabelle Ewing: To ask the Secretary of State for Defence how many jobs under the remit of his Department in *(a)* the core department, *(b)* arms of the armed forces and their support staff, *(c)* non-departmental public bodies, *(d)* executive agencies and *(e)* independent statutory bodies, organisations and bodies financially sponsored by his Department and other such organisations, are located in (i) Scotland, (ii) England, excluding Greater London, (iii) Greater London, (iv) Wales, (v) Northern Ireland and (vi) overseas, broken down by *(A)* whole time equivalent jobs and *(B)* the percentage per individual department, body or organisation. [72742]

Dr. Moonie *[holding answer 24 July 2002]:* The available information is given in the table below:

As at 1 April 2001

Department/Body/Organisation	*Scotland*		*London*		*Rest of England*		*Wales*		*Northern Ireland*		*Overseas*	
	No. (FTE)	*%*	*No. (FTE)*	*%*	*No. (FTE)*	*%*	*No. (FTE)*	*%*	*No. (FTE)*	*%*	*No. (FTE)*	*%*
Core Departments	3,130	8.2	4,840	12.6	23,220	60.6	710	1.9	3,060	8.0	3,360	8.8
Armed Forces[2]	15,080	7.2	6,430	3.1	136,610	65.5	3,220	1.5	8,390	4.0	38,900	18.6
Non-Departmental public bodies	—	—	250	64.6	140	36.2	—	—	—	—	—	—
Executive Agencies	6,290	10.8	3,290	5.7	43,470	74.7	4,070	7.0	100	0.2	960	1.7
Independent Statutory Bodies	Information Not Available											
Total	24,500	8.0	14,810	4.8	203,440	66.6	8,000	2.6	11,550	3.8	43,220	14.1

Notes:
1 Figures in the breakdown exclude 1875 MoD civilian staff, for whom allocation to a specific region is not possible.
2 April 2001 figures for UK based Service staff are not available and these have been taken as at 1 July 2000, this conforms with previously published data in UKDS 2001
3 The information required for the "Independent Statutory Bodies" can only be obtained at disproportionate costs.
4 Numbers have been rounded to the nearest 10.

Creche Facilities

Mr. Bercow: To ask the Secretary of State for Defence, pursuant to his answer of 25 March 2002, *Official Report*, column 557W, regarding creche facilities provided by his Department, how much money was contributed in *(a)* 2000–01 and *(b)* 2001–02 to the costs of childcare schemes by (i) the Ministry of Defence and (ii) the Civil Service Modernisation Fund. [50341]

Dr. Moonie: The information regarding the Ministry of Defence's contribution towards the costs of childcare schemes is not held centrally and could only be provided

at disproportionate cost. I regret I am therefore unable to provide a substantive answer under the terms of Exemption 9 of the Code of Practice on Access to Government Information.

The Ministry of Defence has allocated some £900,000 of its Civil Service Modernisation Fund diversity grant to childcare related projects: £150,000 in 2000–2001 and £750,000 in 2001–2002.

HMS Nottingham

Mr. Hancock: To ask the Secretary of State for Defence when he expects HMS Nottingham to return to its port of destination in the UK; if it will be repaired in the Naval facilities in Portsmouth; and if he will make a statement. [75446]

Mr. Ingram: On current plans, the Type 42 Destroyer HMS Nottingham is expected to arrive in the United Kingdom on, or about, 12 December 2002. While a decision on the ship's future has yet to be made, there is no reason at this time to suppose that repairing her will not be worthwhile. We have therefore invited those UK shiprepair companies with the necessary in-depth knowledge and experience of maintaining and repairing Type 42 Destroyers and their systems to visit the ship to make their own assessments of the damage and tender for any repair work. This invitation has been issued without any commitment from the Ministry of Defence to proceed with the repairs should it not be cost effective to do so. One of the companies invited to visit Nottingham on this basis is Fleet Support Limited, the commercial operators of the Naval facilities at Portsmouth.

Mr. Hancock: To ask the Secretary of State for Defence (1) to ask the Secretary of State what has been the cost of salvaging HMS Nottingham since she ran aground, excluding costs of repairs to the ship once in dry dock in the UK; and if he will make a statement; [75447]

(2) what the cost was of berthing HMS Nottingham in Newcastle; and if he will make a statement; [75441]

(3) what the cost was of towing HMS Nottingham from Lord Howe Island to Newcastle; and if he will make a statement; [75440]

(4) what the cost was of bringing HMS Nottingham back to Britain on the heavy lift Swan; and if he will make a statement. [75438]

Mr. Ingram: The estimated cost of salvaging HMS Nottingham since she ran aground, excluding the costs of any repairs to the ship once in dry dock in the UK, has been some £9 million. This includes approximately £1.4 million to tow Nottingham from Lord Howe Island to Newcastle and berthing-related costs in Newcastle of some £0.4 million. In addition, it is estimated that the cost of returning Nottingham to the UK on the heavy lift ship will be about £3 million.

Mr. Hancock: To ask the Secretary of State for Defence what has been the cost of flying home the crew from HMS Nottingham; and if he will make a statement. [75442]

Mr. Ingram: The total estimated cost of flying HMS Nottingham's crew home from Australia on commercial airlines is expected to be in the region of £200,000. Available RAF aircraft were also used to transport personnel back to the United Kingdom.

Mr. Hancock: To ask the Secretary of State for Defence what the cost was of the accommodation for the crew of HMS Nottingham in Australia; and if he will make a statement. [75439]

Mr. Ingram: Since the grounding incident, HMS Nottingham's crew have been accommodated in service accommodation belonging to the Royal Australian Air Force. The bill for this accommodation has not yet been received, but costs are expected to be modest. From 19 October until the ship leaves Australia, essential members of the ship's crew will be accommodated in hotels in Sydney at an estimated cost of around £30,000.

Plutonium

Llew Smith: To ask the Secretary of State for Defence how much plutonium owned by his Department has been *(a)* considered for export and *(b)* exported to the Valduc facility in France as part of a joint project with the United States Department of Energy and the Commissariat . . L'Energie Atomique and Cogema in France, for test assemblies for plutonium MOX fuel rods, since 31 January 2000. [75459]

Dr. Moonie: None.

Weapons Decontamination

Mr. Dalyell: To ask the Secretary of State for Defence if he will make a statement on Her Majesty's Government's contingency plans for the decontamination of British weapons systems covered by *(a)* Sarin, *(b)* Soman, *(c)* Ebola, *(d)* VX and *(e)* other similar long-lasting substances. [76179]

Mr. Ingram *[holding answer 21 October 2002]:* In the first instance we seek to deter the use of chemical or biological warfare agents against our forces, or those of our Allies. We have made it plain that the United Kingdom would take an extremely serious view of this step and that it would invite a proportionately serious response.

In the event of a release of chemical or biological agents we would seek to avoid direct exposure, and hence contamination, by using equipment and procedures that detect chemical or biological threats, warn of hazards and protect personnel. If exposure is unavoidable, individuals are equipped to decontaminate themselves and their personal equipment, and units to carry out decontamination to allow them to continue operating. Additional processes would be followed at the end of an operation.

Lightweight Mobile Artillery Weapon System Rocket

Mr. Hancock: To ask the Secretary of State for Defence what the projected cost is of the assessment phase of the British Army's Lightweight Mobile Artillery Weapon System Rocket; and if he will make a statement. [76000]

Dr. Moonie: I can confirm that the Lightweight Mobile Artillery Weapon System Rocket programme recently received initial gate approval to enter the Assessment Phase. The Defence Procurement Agency is currently in negotiations with the preferred bidder, which is a consortium led by INSYS. As negotiations are still underway, I am withholding the information requested under Exemption 7 of the Code of Practice on access to Government Information.

F35 Aircraft

Mr. Gerald Howarth: To ask the Secretary of State for Defence when he expects the F35 aircraft to reach the end of its service life. [75955]

Dr. Moonie: On current plans, the United Kingdom's Joint Strike Fighter (JSF) aircraft is expected to remain in service until the 2040s.

Mr. Gerald Howarth: To ask the Secretary of State for Defence (1) what aspects of the design, development, equipment, manufacture and maintenance of the F35 aircraft are included in his estimates of the through-life costs of acquiring and operating these aircraft; and what costs of their deployment and operation are not included in his estimates; [75953]

(2) what aspects of the design, development, manufacture, equipment and maintenance of the F35 aircraft were included in the intention to acquire up to 150 aircraft at a cost of up to £10 billion announced by his Department on 30 September; [75952]

Dr. Moonie: We currently estimate that the whole life cost of the United Kingdom's planned force of Joint Strike Fighters will be up to £28 billion in full resource terms, through to 2042. This includes acquisition costs of up to £10 billion dependent on aircraft numbers and how they are to be supported through life.

Development costs include the United Kingdom's contribution to the JSF Prime Contractor (Lockheed Martin) as covered by the System Development and Demonstration MOU, which we signed with the US in January 2001. They also include funding for the integration of certain United Kingdom weapons systems to be selected in due course, securing JSF's compatibility with United Kingdom Command and Control arrangements and ensuring compliance with our safety and environmental requirements.

Acquisition costs include the manufacture of complete aircraft including their engines and also certain related activities such as the provision of flight simulators. The production of weapons for operational use is not included within the whole life cost of JSF.

Maintenance and other in-service support costs are not included in the £10Bn but are in the £28 billion. The in-service support costs include the provision of spares, fuel, training, storage, aircrew, ground-crew and station personnel, and flying station service costs including utilities, and the maintenance of runways and hangars.

Mr. Gerald Howarth: To ask the Secretary of State for Defence (1) what payments he expects to make in each financial year from 2003–04 to 2011–12 in respect of the design, development, manufacture and purchase of the F35 aircraft; [75951]

(2) what payments he has made and plans to make in the present financial year in respect of the design, development and manufacture of the F35 aircraft. [75949]

(3) what payments he expects to make in respect of the F35 aircraft in the financial year 2012–13 and each succeeding financial year while the aircraft is in service. [75956]

Dr. Moonie: We anticipate that the whole life cost of the United Kingdom's planned force of Joint Strike Fighters will be up to £28 billion in full resource terms. This includes up to £10 billion for the development and manufacture of Joint Strike Fighter (JSF) aircraft to meet our Future Joint Combat Aircraft (FJCA) requirement, dependent on the number of aircraft acquired and how they are to be supported through life. Of this figure, we forecast that some £2 billion will be spent on development activity.

I am withholding the information regarding the annual profile of this expenditure under Exemptions 2 and 7 of the Code of Practice on Access to Government Information.

Indonesia

Jeremy Corbyn: To ask the Secretary of State for Defence what discussion he has had with the Indonesian military forces during the past year; and if he will make a statement. [76334]

Mr. Ingram: Defence contacts with Indonesia over the past year have been focused on taking forward a reform programme within the Indonesian armed forces under the aegis of the inter-Departmental Global Conflict Prevention Fund. This has the objective of promoting the emergence of democratically accountable and professional security forces. Contacts have included visits to the United Kingdom by Indonesian politicians, civilian government officials, police and military officers to discuss issues such as defence management, promoting greater transparency and accountability of military expenditure, rules of engagement and the role of the military in support of the civil authorities. United Kingdom visitors to Indonesia have covered similar issues. In addition, two Indonesian officers and one civilian attended a United Kingdom-sponsored "Managing Defence in a Democracy" course in September 2002 in Singapore and two Indonesian officers attended a United Kingdom-sponsored regional peacekeeping course in Bangkok in August 2002.

PFI

Mr. Hancock: To ask the Secretary of State for Defence how many private finance initiative schemes are agreed and operating; for what projects within his Department private finance initiatives have been agreed; what the value of each project is; what the start date of each of the projects is; what the life of the contract is; and if he will make a statement. [76496]

Mr. Ingram: The Ministry of Defence has signed 45 PFI deals with a total capital value of £2.3 billion. The deals are listed below.

Name	£ Million	Financial Year Signed	Contract Length (Years)	Operational
Germany White Fleet	52.00	1995	5	Apr-96
Storage Facilities	21.90	1996	40	Dec-01
Hazardous Stores Information System (HSIS)	1.00	1996	10.5	Dec-97
MHE Vehicles	1.00	1996	5	Dec-96
TAFMIS (IT)	41.00	1996	10	97/98
RAF White Fleet	35.00	1996	5	Jul-96
DHFS (Helicopter Flying Sch.)	73.50	1996	15	Apr-97
Tidworth Water & Sewerage	6.00	1997	20	Sep-98
Hawk Simulator	19.00	1997	15	Dec-98
Electronic Messaging Service (Armymail)	33.00	1997	10	Sep-97
DFTS	70.00	1997	10	97/98
Medium Support Helicopter Aircrew Training Facility (MSHATF)	114.00	1997	40	98/99
Armed Forces Personnel Administration Agency (AFPAA)	264.00	1997	12	Jan-98
Joint Services Command and Staff College	93.00	1998	30	Sep-00
RAF Lyneham Sewerage	4.00	1998	25	Aug-98
RAF Fylingdales (Power)	7.00	1998	25	Yes
Yeovilton Family Quarters	8.00	1998	30	Jun-99
RAF Mail	12.00	1998	10	Apr-00
RAF Cosford/Shawbury Family Quarters	15.00	1998	25	Dec-99
RAF Lossiemouth Family Quarters	24.50	1998	20	Aug-99
Attack Helicopter Training	165.00	1998	25/30	No
Light Aircraft Flying Training (LAFT) (Bulldog)	20.00	1998	10	Apr-99
Central Scotland Family Quarters	25.00	1999	*	Jan-01
NRTA Fire Training	22.50	1999	*	Dec-99
Tornado GR4 Simulator	61.70	1999	34	Oct-01
Army Foundation College (AFC)	73.00	1999	30	May-00
DIS/IT (Touchstone)	5.00	1999	*	Dec-99
Commercial Satellite Communication Service—INMARSAT	2.50	2000	5	Apr-01
Tri-Service Materials Handling	35.00	2000	10	Nov-00
Defence Animal Centre (DAC)	11.00	2000	*	Jan-02
RAF Sentry E3D Aircrew	7.00	2000	30	Oct-01
Lynx Aircrew Training	15.00	2000	12	No
Defence Electronic Commerce Service (DECS)	9.00	2000	10	Dec-00
Main Building Redevelopment Headquarters	15.00	2000	30	Aug-00
Naval Comms	55.00	2000	27	No
Tri-Service White Fleet	40.00	2000	10	Aug-01
Wattisham Family Quarters	34.00	2001	*	Mar-02
Defence Housing Executive IS (DOMIS)	11.00	2001	10	Oct-01
Astute Class Training Service (ACTS)	41.00	2001	*	No
Bristol, Bath, Portsmouth Family Quarters	72.00	2001	*	No
Heavy Equipment Transporter (HET)	54.90	2001	20	No
Marine Support to Range and Aircrew services	11.30	2001	10 (with an option to extend to 15)	Apr-02
Materials Handling Equipment Services (Follow on)	38.80	2002	8	Aug-02
Strategic Sealift (Ro-Ro Ferries)	175.00	2002	25	No
Field Electrical Power Supplies (FEPS)	57.87	2002	*	No
45 Signed deals	*2,359.47*			

Note:
* Where details of contract length are not held centrally for all projects, I will seek the information and write to the hon. Member when it becomes available.

Iraq

Mr. Laws: To ask the Secretary of State for Defence what preparatory work has been carried out within his Department to facilitate the deployment of the UK armed forces in the event of a war with Iraq; and if he will make a statement. [75717]

Mr. Hoon: No decision regarding the commitment of United Kingdom Armed Forces to any potential military operations in Iraq has been taken. Military action is neither imminent nor inevitable. The Government of Iraq is being given every chance to comply with its obligations under United Nations Security Council Resolutions.

However, as my right hon. Friend the Prime Minister has made clear, alongside the diplomacy, there must be genuine preparedness and planning to take action if diplomacy fails. We routinely take prudent steps to ensure that our armed forces are ready, fully trained and fully equipped for any actions that they may be called upon to undertake.

Watchkeeper

Mr. Keetch: To ask the Secretary of State for Defence whether the equipment and systems procured for Watchkeeper will conform to the proposed NATO STANAG 4586. [75844]

Dr. Moonie: The United Kingdom is contributing to the development of NATO STANAG 4586 that relates to the definition of Standard Interfaces of Unmanned Air Vehicle (UAV) Control Systems for NATO UAV interoperability. Whilst this has yet to go through the ratification process it is intended that the equipment and systems procured for Watchkeeper will conform to the principles of interoperability defined therein.

Mr. Keetch: To ask the Secretary of State for Defence when the successful bidders for the assessment phase of Watchkeeper will be announced. [75843]

Dr. Moonie: The bids for the Assessment phase of Watchkeeper are currently being assessed and it is hoped to announce the result shortly.

Tracer Programme User Trials

Mr. Hancock: To ask the Secretary of State for Defence how much the UK/US Tracer Programme user trials will cost; how long these trials will be; when the results are expected to be published; and if he will make a statement. [75997]

Dr. Moonie: Technology demonstrations for the TRACER programme took place during June and July 2002. The cost of these trials was included in the overall Assessment Phase contracts valued at some £90 million. Final reports have now been delivered and technology maturity data that they contain will inform decisions within the Department about how individual technologies might be applied to future equipment programmes. The results contain commercially sensitive proprietary information and there are no plans to publish them.

Armed Forces (Strength)

Mr. Keetch: To ask the Secretary of State for Defence what percentage of the *(a)* Royal Navy, *(b)* Army and *(c)* the Royal Air Force were aged (i) under 18, (ii) 18 to 19, (iii) 20 to 24, (iv) 25 to 29, (v) 30 to 34, (vi) 35 to 39, (vii) 40 to 44, (viii) 45 to 49 and (ix) 50 years and over on 1 April each year since 1997; and if he will make a statement. [76166]

Mr. Ingram: The percentage of the *(a)* Royal Navy, *(b)* Army and *(c)* the Royal Air Force by age categories are listed in the following tables:

(a) Royal Navy

			Navy Officers			
Months Age (yrs)	*April 2002*	*July 2001*	*July 2000*	*July 1999*	*July 1998*	*July 1997*
			Percentage			
Under 18	–	–	–	–	–	–
18 to 19	0.9	1.1	0.8	0.7	0.4	0.3
20 to 24	9.4	8.4	8.0	7.9	8.0	8.7
25 to 29	18.0	18.5	18.9	19.5	19.7	20.1
30 to 34	17.7	18.6	19.2	19.4	19.9	19.4
35 to 39	19.7	19.5	19.7	19.7	19.9	20.1
40 to 44	16.9	16.9	16.4	15.5	14.4	13.1
45 to 49	10.7	10.2	10.3	10.8	11.1	12.0
50 and over	6.7	6.8	6.6	6.6	6.7	6.3
Grand Total	100	100	100	100	100	100

			Navy Other Ranks			
Months Age (yrs)	*April 2002*	*July 2001*	*July 2000*	*July 1999*	*July 1998*	*July 1997*
			Percentage			
Under 18	2.8	2.3	2.6	2.6	2.5	1.8
18 to 19	7.9	7.9	8.0	7.5	6.0	3.9
20 to 24	24.3	22.7	2–	18.4	18.5	20.7
25 to 29	18.0	20.1	23.2	25.3	27.2	28.2
30 to 34	20.3	20.6	19.8	19.4	19.7	19.7
35 to 39	17.7	17.8	18.3	18.9	18.5	18.4
40 to 44	6.3	5.9	5.5	4.9	4.6	4.2
45 to 49	2.1	2.1	2.2	2.4	2.5	2.6
50 and over	0.5	0.6	0.5	0.5	0.5	0.4
Grand Total	100	100	100	100	100	100

(b) Army

			Army Officers			
Months Age (yrs)	*April 2002*	*July 2001*	*July 2000*	*July 1999*	*July 1998*	*July 1997*
			Percentage			
Under 18	–	–	0.1	–	–	–
18 to 19	1.3	1.1	1.2	1.1	1.0	0.9
20 to 24	11.2	11.1	11.1	10.1	12.0	11.8
25 to 29	20.5	21.0	21.7	22.1	21.5	21.2
30 to 34	14.4	13.9	13.8	14.5	14.5	14.7

Army Officers

Months Age (yrs)	April 2002	July 2001	July 2000	July 1999	July 1998	July 1997
			Percentage			
35 to 39	14.3	14.7	14.5	14.6	14.2	14.2
40 to 44	17.0	16.8	16.5	16.2	15.7	15.2
45 to 49	12.0	12.0	11.3	11.6	11.4	12.6
50 and over	9.3	9.4	9.9	9.8	9.8	9.4
Grand Total	100	100	100	100	100	100

Army Other Ranks

Months Age (yrs)	April 2002	July 2001	July 2000	July 1999	July 1998	July 1997
			Percentage			
Under 18	5.8	4.8	4.4	5.0	4.4	3.8
18 to 19	11.0	11.0	11.5	11.5	10.7	9.1
20 to 24	28.5	28.2	27.2	26.4	26.5	28.0
25 to 29	19.6	20.9	22.9	24.5	26.6	28.5
30 to 34	18.3	18.6	18.1	17.8	17.7	17.1
35 to 39	13.5	13.4	13.0	12.3	11.8	11.2
40 to 44	2.8	2.6	2.3	2.0	1.8	1.7
45 to 49	0.3	0.3	0.3	0.3	0.3	0.4
50 and over	0.2	0.2	0.3	0.3	0.3	0.2
Grand Total	100	100	100	100	100	100

(c) Royal Air Force

RAF Officers

Months Age (yrs)	April 2002	July 2001	July 2000	July 1999	July 1998	July 1997
			Percentage			
Under 18	–	–	–	–	–	–
18 to 19	0.4	0.4	0.4	0.3	0.2	0.1
20 to 24	8.1	7.8	7.1	6.2	5.7	6.0
25 to 29	14.1	14.8	15.7	16.3	17.4	17.9
30 to 34	20.8	21.1	21.6	22.5	22.8	22.4
35 to 39	21.5	20.9	20.1	19.4	19.0	18.3
40 to 44	13.7	13.3	13.0	13.1	12.8	13.0
45 to 49	10.5	10.4	10.3	10.4	10.8	11.4
50 and over	10.8	11.3	11.9	11.8	11.4	10.9
Grand Total	100	100	100	100	100	100

RAF Other Ranks

Months Age (yrs)	April 2002	July 2001	July 2000	July 1999	July 1998	July 1997
			Percentage			
Under 18	1.3	1.1	0.8	1.0	0.9	0.6
18 to 19	5.1	4.9	5.0	4.9	3.7	2.4
20 to 24	19.7	18.5	16.3	13.6	12.2	13.6
25 to 29	16.4	18.0	21.0	24.3	28.4	30.6
30 to 34	21.3	22.0	22.1	22.0	22.0	22.6
35 to 39	19.6	19.8	19.9	19.9	19.1	17.3
40 to 44	11.0	10.2	9.3	8.9	8.3	7.8
45 to 49	3.7	3.7	3.7	3.5	3.3	3.1
50 and over	1.8	1.9	1.9	2.0	2.0	2.1
Grand Total	100	100	100	100	100	100

Note:
– denotes 0

Civil Service Pay

Mr. Laws: To ask the Secretary of State for Defence what has been the average pay rise for civil servants in his Department over each of the last five years; and what pay rises have been approved for each of the years *(a)* 2002–03, *(b)* 2003–04, *(c)* 2004–05 and *(d)* 2005–06; and if he will make a statement. [75716]

Dr. Moonie: The percentage pay rise for industrial and non-industrial civil servants in the Ministry of Defence is set out in the table below. The figures exclude trading fund and other agencies which have responsibility for their own pay bargaining. They show the increases to the Ministry of Defence paybill over each of the last five years and the increases recently

agreed for the years *(a)* 2002–2003, *(b)* 2003–2004, *(c)* 2004–2005 and *(d)* 2005–2006. Up to 2001, there were separate pay systems for the two groups of staff, but these have been harmonised from 2002.

Year	*% increase to paybill of non-industrial staff*	*% increase to paybill of industrial staff*
1997	2.7	3.0
1998	2.5	3.3
1999	2.7	3.5
2000	2.6	3.5
2001	2.7	3.7
2002	3.2	
2003	3.1	
2004	3.1	
2005	3.1	

TRANSPORT

Departmental Websites

Dr. Cable: To ask the Secretary of State for Transport if he will list the website links associated with his Department, including sites now dormant or closed, and indicating whether they are live, dormant or closed; what the start up costs were for each site listed; what the operating costs were in each year since start up for each site; which company hosted each site; what assessment takes place for each site; which company does the assessment; if he will place the assessment reports in the Library; and if he will make a statement. [75576]

Mr. Jamieson: My Department has a number of web sites in addition to the Department for Transport web site (www.dft.gov.uk). It is not possible to state the start up costs as the site has been created out of the former DTLR (and before that, DETR) web site. The annual cost of running the web site is currently £85,000 (excluding staff costs). The web hosting company is EduServ, who are based in Bath. There has been no assessment of the DfT web site, as it has only existed since the creation of the Department earlier this year.

Because not all sites are managed centrally, information about every web site could only be provided at disproportionate cost. However, the following are primary sites listed on our main web site and are live unless specified:

Air Accident Investigation Branch	www.aaib.gov.uk
Airports consultation	www.airconsult.gov.uk
Bad Jobs (transport publicity spoof site)	www.badjobs.co.uk
Campaign for Integrated Transport	www.cfit.gov.uk
Civil Aviation Authority	www.caa.co.uk
Department for Transport, Local Government and the Regions (dormant)	www.dtlr.gov.uk
Disabled Persons Transport Advisory Committee	www.dptac.gov.uk
Driver and Vehicle Licensing Agency	www.dvla.gov.uk
Driving Standards Agency	www.dsa.gov.uk
Hedgehogs child road safety	www.hedgehogs.gov.uk
Highway Code	www.highwaycode.gov.uk
Highways Agency	www.highways.gov.uk
In Town Without My Car (dormant)	www.itwmc.gov.uk
Maritime Accident Investigation Branch	www.maib.gov.uk
Maritime and Coastguard Agency	www.mcagency.gov.uk
Northern Lighthouse Board	www.nlb.org.uk
Strategic Rail Authority	www.sra.gov.uk
THINK campaign	www.thinkroadsafety.gov.uk
Traffic Area Network	www.tan.gov.uk
Transport for London	www.londontransport.co.uk
Trinity House Lighthouse Service	www.trinityhouse.co.uk
Vehicle Certification Agency	www.vca.gov.uk
Vehicle Inspectorate	www.via.gov.uk

Public Bodies

Mr. Don Foster: To ask the Secretary of State for Transport how many people are employed by *(a)* the Health and Safety Commission, *(b)* the Disabled Persons Transport Advisory Council and *(c)* the Rail Passengers Council; what the annual budget of each has been for each year since 1997–98 and its projected budget for the next financial year; and if he will make a statement on the role and terms of reference of each. [75609]

Mr. Jamieson: The Disabled Persons Transport Advisory Committee (DPTAC) are statutory advisers to the Department for Transport on the transport and mobility needs of disabled people. The Committee was set up under S.125 of the Transport Act 1985 and it is also recognised in a number of other Acts including the Railways Act 1993 and the Transport Act 2000.

DPTAC does not employ staff direct. The Department for Transport supports the Secretariat and administrative functions of the Committee and staff from the Department are appointed to those posts. Until the 2000–01 Financial Year the Committee's costs were not separately identified, but the cost to the Department since then has been: £215K (00–01) and £265K (01–02). The budget for this year is £289K and this is likely to remain the same for the following Financial Year.

The Rail Passengers Council (RPC) was set up in its current form by the Railways Act 1993, with its powers and name amended by the Transport Act 2000. The Council along with the Rail Passengers Committees—whose work it co-ordinates—is the statutory watchdog protecting and promoting the interests of rail passengers. Its statutory duties are set out in sections 76 and 77 of the Railways Act 1993, as amended by the Transport Act 2000.

The Council is finalising a new mission statement and long-term goals, on which it will be consulting later in the year.

The Council's mission statement and aims are set out in its annual report. Copies of which are available in the House Libraries.

At present the Council employs 21 permanent and fixed term staff. It is currently sponsored by the Strategic Rail Authority (SRA) and the details of the overall annual budgets for the Council and Committees are as follows:

97–98—£1.6m
98–99—£1.8m
99–00—£2.25m
00–01—£2.9m
01–02—£5m
02–03—£6m

The budget for the next financial year has yet to be determined and is subject to discussions between the RPC and the SRA later in the year.

The Health and Safety Commission is sponsored by the Department of Work and Pensions.

Water-diesel Emulsion Fuels

Mr. Don Foster: To ask the Secretary of State for Transport what research has been conducted and is planned by and for his Department into the *(a)* environmental and *(b)* economic benefits of the use of water-diesel emulsion fuels in public transport vehicles; and if he will place copies in the Library. [75848]

Mr. Jamieson: Following discussions with a producer of water-diesel emulsion fuel, some limited testing of their fuel was carried out as part of a much wider particulate research programme commissioned by this Department in partnership with the Society of Motor Manufacturers and Traders (SMMT) and the Oil Companies European Organisation for Environmental Health and Safety (CONCAWE). The results of those tests are included in an Annex to the report on the Particulate Research Programme 1998–2001 which was published in May 2001. I am arranging for copies of the Summary Report, including the full report on CD, and the relevant Annex from the full report to be placed in the Libraries of the House.

Mr. Don Foster: To ask the Secretary of State for Transport what representations have been received from, and what discussions have been had with, *(a)* the bus industry, *(b)* local authorities, *(c)* Transport for London, *(d)* passenger transport executives and *(e)* the Treasury on the role of water-diesel emulsion fuels in public transport vehicles. [75608]

Mr. Jamieson: The Department has had discussions with Transport for London and has received enquiries from other bus operators about the use of water-diesel emulsion fuels in public transport vehicles. The Department is aware that diesel emulsions can deliver some environmental benefits, in particular through reduced NOx and emissions of particulate mass but there is evidence of increased hydrocarbons and ultra-fine particle emissions. There is an emerging view among medical experts that, potentially, ultra-fine particles may have a significant effect on human health. Therefore, until the health effects are clearer, the Department has some reservations about the wider use of these fuels.

Enterprise Bill

Mr. Don Foster: To ask the Secretary of State for Transport what assessment has been made by *(a)* his Department and *(b)* the Strategic Rail Authority of the likely effects of the forthcoming Enterprise Bill upon the railway industry; and what plans there are to respond to them. [75616]

Mr. Jamieson: I am not aware of any likely effects unique to the railway industry. The particular circumstances of the industry were taken into account in the preparation of the legislation. Both the Department and the Strategic Rail Authority have been consulted during the passage of the Bill.

Rail Passengers

Mr. Don Foster: To ask the Secretary of State for Transport what his Department projects the level of rail passenger *(a)* journeys, *(b)* kilometres and *(c)* passengers in the United Kingdom will be by 2004–05; and how these figures were calculated. [75602]

Mr. Jamieson: The targets for national rail set out in the Ten Year Plan include increasing rail use (measured in passenger kilometres) from 2000 levels by 50 per cent. by 2010. The latest official forecasts for rail passenger kilometres growth to 2010 were set out in the Ten Year Plan, with detail on the method of their calculation in "Transport 2010—The Background Analysis", copies of which are in the Library. There are no official forecasts to 2005.

Mr. Don Foster: To ask the Secretary of State for Transport what assessment has been made of the performance of the *(a)* Rail Passengers Council and *(b)* the Disabled Persons Transport Advisory Council; and what reports are published on their performance. [76523]

Mr. Jamieson: Sponsorship and external assessment of the work of the Rail Passengers Council are matters for the Strategic Rail Authority (SRA). The Council is finalising a new mission statement and long-term goals, on which it will be consulting later in the year.

The Council's mission statement and aims are set out in its annual report. Copies of which are available in the House Libraries.

The Disabled Persons Transport Advisory Committee produces an annual report covering the work they do and copies of those reports are placed in the Library. In addition, in accordance with Cabinet Office guidance on reviewing non-departmental public bodies, a formal review of the DPTAC is being carried out this autumn.

Mr. Don Foster: To ask the Secretary of State for Transport how many people are employed by *(a)* the Rail Passengers' committees and *(b)* the Traffic Commissioners; what their role and terms of reference are; what their annual budgets were for each year since 1997–98; and what their projected budgets are for 2003–04. [76201]

Mr. Jamieson: *(a)* The Rail Passengers Committees have 45 permanent and fixed term staff. The work of Rail Passengers Committees are co-ordinated by the Rail Passengers Council. The Council and Committees are the statutory watchdog protecting and promoting the interests of rail passengers. Their statutory duties are set out in sections 76 and 77 of the Railways Act 1993, as amended by the Transport Act 2000.

The Council and Committees mission statements and aims are set out in their annual reports. Copies of the annual reports for the Council and the Committees for Scotland and Wales are available in the House Libraries, as required by legislation. I will arrange for the annual reports of the remaining committees to henceforth also be made available through the House Libraries.

The Council is finalising a new mission statement and long-term goals for it and the Committees and will be consulting on them later in the year.

The costs of the Committees are not separately identified in the overall annual budgets set for the Rail Passengers Council. For the overall annual budget for the Council and Committees I refer the hon. Member to my reply of 22 October 2002 [75609].

(b) The Traffic Commissioners do not employ staff. The Secretary of State provides administrative support for them through the Traffic Area Network. Traffic Commissioners are licensing authorities for operators of heavy goods vehicles and public service vehicles under the Goods Vehicles (Licensing Operators) Act 1995 and the Public Passenger Vehicles Act 1981 respectively. Budgets were:

	(£000)
1997/98:	£9,400
1998/99:	£9,483
1999/00:	£10,184
2000/01:	£11,047
2001/02:	£12,533
2002/03:	£12,437

The budget for 2003/4 is not yet known.

Road Casualties (Herefordshire)

Mr. Wiggin: To ask the Secretary of State for Transport what action he is taking as a result of the increase in 2001 in the number of people killed and seriously injured on roads in Herefordshire. [75145]

Mr. Jamieson: There was a 2 per cent. reduction in the number of road deaths and serious injuries across Britain as a whole between 2000 and 2001. The number has now been cut by 15 per cent. from the baseline for the 40 per cent. target reduction that we want to achieve by 2010.

The Government remains firmly committed to that target and to delivering the national measures necessary to achieve it. However, local highway authorities are best placed to explain the likely reasons for any year to year changes in their area and to supply details of local measures that are being taken to reduce road accidents and casualties.

Air Passengers

Mr. Peter Ainsworth: To ask the Secretary of State for Transport if he will estimate this impact on the forecast for total United Kingdom air passengers in 2030 if the assumption in his consultation paper of a 1.5 per cent. annual fall in the cost of air travel were replaced by an assumed increase in the cost of 1 per cent. a year. [75035]

Mr. Jamieson *[holding answer 21 October 2002]:* The estimate of forecast total UK demand for air travel in 2030 is based on a 1 per cent. per annum reduction in air fares in real terms over the forecasting period, as noted in paragraph 5.9 of the consultation document "The Future Development of Air Transport in the United Kingdom: South East."

Aviation Fuel

Mr. Peter Ainsworth: To ask the Secretary of State for Transport if he will estimate the total United Kingdom air passenger demand in 2030 if a tax, equivalent to the current level of duty on unleaded petrol, were imposed on aviation fuel in 2015 and a sales tax of 17.5 per cent. were imposed on airline tickets for United Kingdom flight departures at the same date. [75034]

Mr. Jamieson *[holding answer 21 October 2002]:* The Government is committed to ensuring that the aviation industry meets its environmental costs. Since civil aviation is a international industry, the Government's approach is to support multilateral action through ICAO to end the exemption from tax for international aviation fuel. Unilateral action would create market distortions, such as "tankering" of extra fuel from aboard to avoid tax, and would have limited environmental benefits. The Government has given an undertaking not to remove zero rating for VAT purposes of international air (and sea) transport. In the consultation document, *The Future Development of Air Transport in the United Kingdom:South East*, it is estimated that policies to meet the contribution of aircraft emissions towards climate change would reduce demand by around 10 per cent.

Traffic Lights

Mr. Chope: To ask the Secretary of State for Transport if he will place in the Library a copy of the national guidelines on the phasing of traffic lights. [76126]

Mr. Jamieson *[holding answer 21 October 2002]:* My Department issues guidance to highway authorities on the general principles of control by traffic lights, including where pedestrian facilities are provided. Guidance is contained in Technical Advice Notes TA/15/81 and TA/16/81, which are part of the Highways Agency's Design Manual for Roads and Bridges. Copies of these Technical Advice Notes have been placed in the Libraries of the House.

It is for individual highway authority to decide on the phasing of traffic lights on their roads, depending on the circumstances at each site where they are used.

Transport Infrastructure

Jon Cruddas: To ask the Secretary of State for Transport what discussions he has had with *(a)* Transport for London, *(b)* the Mayor of London and *(c)* Office of the Deputy Prime Minister on transport infrastructure to support the regeneration of the London Riverside Thames Gateway Zone of Change. [76138]

Mr. Jamieson: My right hon. Friend the Secretary of State for Transport has discussions from time to time with ministerial colleagues and with the Mayor of London, who is chairman of Transport for London, on a wide range of issues of common interest.

School Transport

Mr. Don Foster: To ask the Secretary of State for Transport what assessment has been made of the potential of *(a)* amending existing regulations and *(b)* introducing new regulations to (i) reduce the cost of provision and (ii) increase the availability of school transport vehicles, including yellow school buses. [76189]

Mr. Jamieson: Regulations for buses provide minimum safety and accessibility standards for all passengers and in some circumstances dedicated transport for children requires additional features such as seat belts.

The current regime allows education authorities the flexibility to use the most appropriate means of transport for schoolchildren, whether on dedicated vehicles or by using existing services.

My Department has recently commissioned independent consultants to evaluate the American-style yellow school bus pilots which First is running. The objectives of the evaluation include comparing the daily cost per capita to local authorities of running a First pilot vehicle to that of running a traditional school contract vehicle. The study is expected to report in August 2003.

Mr. Don Foster: To ask the Secretary of State for Transport what *(a)* amendments to regulations and *(b)* new regulations (i) have been introduced and (ii) are planned relating to vehicle standards for school transport vehicles, including yellow school buses. [76477]

Mr. Jamieson: There is no specific category of School bus in regulations. Amendments to the Road Vehicle (Construction and Use) Regulations in 1996 require minibuses or coaches used for the transport of groups of more than three children on organised trips to be fitted with seat belts. In many cases this would include vehicles used for trips to and from schools. Further changes to these regulations require all new buses and coaches which are not certified to carry standing passengers to be fitted with seat belts from October 2001.

The Department has recently consulted on the reform of national regulations and approval schemes for the construction and use of minibuses, buses and coaches. The main purpose of these changes is to simplify the current regulatory structure and align our requirements with those common in the rest of Europe. Whilst these proposals do not differentiate between the uses to which buses and coaches are put they will effect all such vehicles including those used for school transport.

Road Signs

Mr. Don Foster: To ask the Secretary of State for Transport what recent assessment has been made of the impact of changes in the density of road signs on the road network upon *(a)* road traffic speed, *(b)* congestion and *(c)* pollution; and if he will place copies of related correspondence in the Library. [76480]

Mr. Jamieson: I am not aware of any such assessment, or of any work suggesting that density of signing might affect traffic speeds, congestion or pollution.

Transport Area Network

Mr. Don Foster: To ask the Secretary of State for Transport what changes are planned to the regulatory framework of the operating, licensing and compliance systems under the Transport Area Network; what consultation has taken place and is planned in relation to changes; and what discussions have taken place in relation to changes which *(a)* have taken place and *(b)* are planned. [76204]

Mr. Jamieson: The regulatory framework for operators of goods and passenger service vehicles is contained in the Goods Vehicle (Licensing of Operators) Act 1995 and the Public Passenger Vehicle Act 1981. In January 2001 Regulations were made to allow illegally operated heavy goods vehicles to be impounded. Following consultation, we are in the process of making regulations to increase fees relating to the licensing of operators and the registration of bus services. We are currently consulting on regulatory changes to facilitate the registration of flexibly routed bus services. We are planning to clarify and extend the categories of exemptions to goods O-licensing as soon as consultation has been completed. We continue to keep the systems under review with a view to improvement and the easing of the regulatory burden on industry.

Mr. Don Foster: To ask the Secretary of State for Transport (1) what changes have been made to the timetable for the development and introduction of the Transport Area Network; what the reasons have been for these changes; and what costs were incurred as a result; [76210]

(2) if he will make a statement on the new systems which *(a)* have been implemented and *(b)* are planned to be introduced as part of the Transport Area Network; [76193]

(3) when the new finance system for the transport industry under the auspices of the Transport Area Network was introduced; what changes there have been to the timetable for introduction and nature of this scheme; and what assessment *(a)* has been made and *(b)* is planned of its progress. [76209]

Mr. Jamieson: I refer the hon. Member to the answer I gave him on 21 October 2002, *Official Report*, c. 21W. The Traffic Area Network computer system (TAN21) contains a financial module, which was delivered in February 2002, 3 months later than originally planned. It is for internal business use and does not provide any access for the transport industry. The delays have been caused by procurement, infrastructure, software issues and extensive testing.

Mr. Don Foster: To ask the Secretary of State for Transport when the Transport Area Network is due to end its status as a part of the Department; and when he plans to make a decision on its future status. [76203]

Mr. Jamieson: The Traffic Area Network is not due to end its status as part of the Department for Transport. I refer the hon. Member to the reply I gave to my hon. Friend the Member for Waveney (Mr. Blizzard) on 23 July 2002, *Official Report*, columns 964–65W.

Mr. Don Foster: To ask the Secretary of State for Transport what research *(a)* has been conducted and *(b)* is planned by and for his Department on the progress of the Transport Area Network; and if he will place copies of completed research in the Library. [76208]

Mr. Jamieson: There has been no research and none is planned.

Community Railways

Mr. Don Foster: To ask the Secretary of State for Transport what discussions have taken place with the railway industry on the directives on *(a)* European Rail Agency Interoperability and Safety and *(b)* the Development of Community Railways being discussed within the European Parliament; and if he will place related documentation in the Library. [76191]

Mr. Jamieson: Many railway industry parties responded to my Department's consultation exercise on the 2nd railway package, which ran from May to 23 August 2002. Copies of the consultation document and the replies (excluding those from respondents who have requested confidentiality) are being placed in the libraries of the House. In addition, my officials have participated in a number of seminars on these proposals organised by the industry and have held discussions with individual parties.

Mr. Don Foster: To ask the Secretary of State for Transport what submissions have been made by his Department to the *(a)* European Commission and *(b)* European Parliament on the Directive on the Development of Community Railways being discussed within the European Parliament; and if he will place copies in the Library. [76192]

Mr. Jamieson: No written submissions have been made to the European Commission. However, Ministers and officials from my Department participate on a regular basis in Council meetings convened by the Presidency to discuss these elements of the Commission's proposed Second Rail Package. The European Commission is represented at those meetings

My officials provided written briefing to UK Members of the European Parliament on these proposals in April, July and September 2002. I will arrange for these sets of briefing to be placed in the libraries of the House.

Strategy and Work Programme

Mr. Don Foster: To ask the Secretary of State for Transport what steps have been taken to implement the DVO Blueprint Strategy and Work Programme; and what assessment has been made of its implementation. [76488]

Mr. Jamieson: We have begun a programme of work to take forward the DVO Blueprint Strategy. This programme includes around 40 IT projects which will help to meet the government's e-business targets for 2005 by providing drivers and operators with new electronic services such as, for example, the opportunity to re-license their vehicles using the phone or the internet. Progress on this programme of work is monitored and reported regularly. We will also be conducting extensive research with our customers to ensure that these new services continue to meet their requirements.

Transport Direct

Mr. Don Foster: To ask the Secretary of State for Transport when he expects to disseminate findings from market research to support Transport Direct. [76487]

Mr. Jamieson: The current programme of market research to support Transport Direct is being completed. The results of these will be published by the within 2 months and will be available on the department's website. (http://www.dft.gov.uk/itwp/transdirect/index.htm)

A further research project is planned which will look at usability aspects. The usability of a website can be judged by looking at whether the content is useful to the website user; and whether it is easy to use the website, in terms of how the content is presented and how the information is structured

Mr. Don Foster: To ask the Secretary of State for Transport if he will list the research projects which have been, are being, and are planned to be conducted by and for his Department related to Transport Direct. [75612]

Mr. Jamieson: There are two main themes to the research being carried out by Transport Direct, those that directly support the Transport Direct programme, and others where we provide a supporting role to other organisations, which will help provide the ambitions of Transport Direct.

We are currently undertaking a programme of market research to support Transport Direct. This will inform us on what features and specific characteristics the service should possess from the point of view of the public. The results of these will be published within the next 2 months and will be available on the department's website. A further research project is planned which will look at usability aspects. The usability of a website can be judged by looking at whether the content is useful to the website user; and whether it is easy to use the website, in terms of how the content is presented and how the information is structured

The results of previous research can be found on the Department's website http://www.dft.gov.uk/itwp/transdirect/index.htm. These include a review of existing traveller information system and a project looking at how cycling can be incorporated into journey planners.

The work on providing a business case for bus real-time is continuing, the business case will quantify the benefit of such systems. Recommendations for the business case are due for completion within the next 2 months.

Transport Direct also has research work to support traveline and Journey Solutions. Work done by these organisations will contribute towards the goals of Transport Direct.

Current Research

Traveline: Customer research into current and future service specifications

This research project is assessing issues that traveline may need to address to ensure effective delivery to the customer. This includes an assessment of extending the future minimum opening hours for traveline; identifying the requirements for existing traveline customers; and establishing the extent of information that needs to be given by traveline if we to encourage greater use of public transport, among public transport users and non-public transport users.

Planned Research

Standard of Trunk Journey Solutions provided by traveline and associated costs.

The Department for Transport wishes to assess the extent to which the national requirements placed on traveline for the provision of trunk service information (i.e. data about the national rail and coach network) have been achieved. The requirements state that the traveline system must provide answers that are consistent with the information provided by the respective national trunk service information providers (i.e. Go By Coach, Scottish Citylink and National Rail Enquiry Service).

PlusBus Integrated Ticketing

Train and bus companies have been working together (under the umbrella of an organisation called Journey Solutions) to deliver a national integrated rail/bus ticket, known as the Plusbus Scheme. The principal aim of the research will be to measure awareness of PlusBus; examine customer satisfaction with the product; critically review each step of the PlusBus journey; test effectiveness of promotional components; confirm target market; and measure impact on travel patterns. The work will contribute to the Department for Transport understanding about multi-modal ticketing—one of the Transport Direct strategic objectives.

Mr. Don Foster: To ask the Secretary of State for Transport what work has been undertaken on the Transport Direct business plan. [76198]

Mr. Jamieson: Sufficient background work on the travel information and retailing internet service Business Plan has been undertaken to enable preliminary discussions to be held with stakeholders, including transport providers, existing information providers and representative groups. These discussions are now underway.

Traveline

Mr. Don Foster: To ask the Secretary of State for Transport what steps have been taken with regard to contracting market research relating to the future direction of the Traveline service. [76200]

Mr. Jamieson: The Department for Transport is providing a supporting role to traveline and has agreed to fund and manage two research projects.

The first research project is underway and is assessing issues that traveline may need to address to ensure effective future delivery to the customer. This includes an assessment of extending the future minimum opening hours for traveline; identifying the requirements for existing traveline customers; and establishing the extent of information that needs to be given by traveline if we to encourage greater use of public transport, among public transport users and non-public transport users. Recommendations on changes to the future traveline service following research will be examined by traveline.

The second project is planning to look at the standard of trunk journey solutions provided by traveline and the associated costs. The Department for Transport wishes to assess the extent to which the national requirements placed on traveline for the provision of trunk service information (i.e. data about the national rail and coach network) have been achieved. The requirements state that the traveline system must provide answers that are consistent with the information provided by the respective national trunk service information providers (i.e. Go By Coach, Scottish Citylink and National Rail Enquiry Service). The traveline parties will address recommendations following research.

Mr. Don Foster: To ask the Secretary of State for Transport what changes and improvements have been made to the Traveline website during 2002; what additional changes are planned; and by what date changes are planned to be implemented. [76199]

Mr. Jamieson: Traveline regional journey planners for East Anglia, London and parts of the North West have been added to the traveline website during 2002.

It is expected that the traveline journey planners for the South East, East Midlands, South West, Scotland and Wales will be added to the traveline website by December 2002.

A journey planner for the West Midlands and a journey planner covering the remaining parts of the North West will be added in 2003.

A merger of the traveline website and a website that offers a comprehensive index to public transport information sites has been started during 2002 and will be completed in early 2003. The combined site will maintain the existing traveline web address and branding.

Road Hauliers

Mr. Don Foster: To ask the Secretary of State for Transport which suppliers provide the TAN21 self service online service for road hauliers to update operators' licences. [76205]

Mr. Jamieson: The suppliers are CMG Admiral plc.

European Directive 2001/16/EC

Mr. Don Foster: To ask the Secretary of State for Transport what plans he has to introduce regulations to give effect to European Directive 2001/16/EC. [76476]

Mr. Jamieson: We expect to make Regulations to implement the Directive next year.

Railway Industry

Mr. Don Foster: To ask the Secretary of State for Transport what representations have been made by *(a)* his Department and *(b)* the Strategic Rail Authority on the impact of the Enterprise Bill upon the railway industry. [76499]

Mr. Jamieson: I refer the hon. Member to the answer I have given him today [75616].

Bus Real-Time

Mr. Don Foster: To ask the Secretary of State for Transport if he will make a statement on the study being conducted into the business case for bus real-time information; when he expects to publish the findings of this research; what steps are being taken to act upon these findings; and when he expects to produce best practice advice. [76471]

Mr. Jamieson: The work on providing a business case for bus real-time is continuing, the business case will quantify the benefit of such systems. Recommendations for the business case are due for completion within the next 2 months. We are still at an early stage of reviewing the business case and we will consider what actions are warranted.

Fuel Duty

Mr. Don Foster: To ask the Secretary of State for Transport what discussions he has had with *(a)* the bus industry, *(b)* local authorities, *(c)* Transport for London, *(d)* passenger transport executives and *(e)* the Treasury on changes to the fuel duty rebate. [76188]

Mr. Jamieson: We are at present conducting a review of bus subsidies, including the future of fuel duty rebate (now known as Bus Service Operators grant). A consultation paper was issued on 6 August 2002 and we will take account of the responses of all interested parties. The review will report to Transport and Treasury Ministers in February 2003.

School Transport

Mr. Don Foster: To ask the Secretary of State for Transport (1) what research has been conducted for and by his Department on the effect of legislation covering school transport under the Education Act 1996 on *(a)* reducing congestion and *(b)* promoting social inclusion; and if he will place copies in the Library; [76197]

(2) what research has been conducted by his Department on the role of free home to school transport, on *(a)* reducing congestion and *(b)* promoting social inclusion. [76484]

Mr. Jamieson: In March 2001 DTLR commissioned W S Atkins to assess what the effects would be of increasing the current provision of home-to-school transport. The study, which reported at the end of 2001, identified considerable interest in using home-to-school transport amongst households that were currently not entitled to free home to school transport. It concluded that relaxing the eligibility criteria would have a noticeable impact on car use. Copies of the report—*Assessment of parental attitudes to and the potential take-up of additional home to school transport*—have been placed in the Libraries of the House.

The Social Exclusion Unit is currently carrying out a study into transport and social exclusion. The full report is expected later this year and is expected to include a chapter on access to learning.

Seat Restraints

Mr. Fallon: To ask the Secretary of State for Transport if he will set out the rules governing the wearing of seat restraints for children under four years old; and what figures he has collated for incidents involving such children in the last five years. [76232]

Mr. Jamieson: The law on the wearing of child restraints is summarised as follows:

	Front Seat	*Rear Seat*
Child under 3 years	Appropriate child restraint must be worn	Appropriate child restraint must be worn, if available
Child aged 3 to 11 (and under 150 cms in height)	Appropriate child restraint must be used if available. If not, an adult seat belt must be worn.	Appropriate child restraint must be used if available. If not, an adult seat belt must be worn if available.

If there is no seat belt available, then children may not travel in the front. Passengers in the rear seats of passenger carrying vehicles over 2.54 tonnes unladen weight are not required to use seat belts or child restraints.

Casualty figures for children 0–3 years are set out below. Information on the use of seat belts is not recorded in official casualty statistics, and therefore it is not possible to say whether these casualties were using child restraints or seat belts or not. The figures include casualties in buses or coaches where the passenger was injured whilst getting on or off—these are not disaggregated from the casualty figures.

Mr. Fallon: To ask the Secretary of State for Transport if he will set out the United Kingdom's position in the draft directive amending Directive 91/671 on seat belts; and if he will make a statement in the likely timetable for adoption and implementation into UK domestic law. [76233]

Mr. Jamieson: The Government has supported the general thrust of the Commission's proposals to update EU Directive 671/91 on seat belt wearing. The Directive has yet to receive the approval of the European Parliament but once it comes into force, probably early in 2003, the Government will consult on the necessary legislation to bring the provisions into domestic law. A timetable has not yet been established for that.

1997 to 2001. Child, 0–3 years, Passenger Casualties in Road Vehicles (cars, goods vehicles, buses and coaches)

	1997	*1998*	*1999*	*2000*	*2001*
Killed	14	17	18	10	15
Seriously Injured	201	222	165	149	143
Slightly injured	2,840	2,673	2,571	2,338	2,440
Total	3,055	2,912	2,754	2,497	2,598

Source:
Road Accidents Great Britain, published by the Department for Transport

First Railway Package

Mr. Don Foster: To ask the Secretary of State for Transport what discussions have taken place with the railway industry on progress with the implementation of the First Railway Package of the European Commission; and if he will place copies in the Library. [76186]

Mr. Jamieson: There have been a number of meetings sought by individual industry participants in connection with these directives which have included progress with implementation.

Performance Targets

Mr. Don Foster: To ask the Secretary of State for Transport what assessment has been made by and and for his Department of the performance of *(a)* the Commission for Integrated Transport and *(b)* Rail Passengers' Committees including performance targets; what reports have been published on their performance; and if he will place copies of such reports not readily available in the Library. [76207]

Mr. Jamieson: *(a)* There is a requirement for all Non Departmental Public Bodies (NDPBs) to be reviewed quinquennially. The Commission for Integrated Transport's first quinquennial review will take place in 2004. There is no requirement to carry out any additional performance reviews of the Commission, as they are only an Advisory NDPB. The Commission does however publish annual reports that give details of their performance; copies of their first 3 annual reports have been placed in the House Libraries.

(b) The work of Rail Passengers Committees are co-ordinated by the Rail Passengers Council. The Council and Committees are the statutory watchdog protecting and promoting the interests of rail passengers. Their statutory duties are set out in sections 76 and 77 of the Railways Act 1993, as amended by the Transport Act 2000. Sponsorship and external assessment of the work of the Council and Committees are matters for the Strategic Rail Authority.

The Council is finalising a new mission statement and long-term goals for it and the Committees and will be consulting on them later in the year.

The Council and Committees mission statements and aims are set out in their annual reports. Copies of the annual reports for the Council and the Committees for Scotland and Wales are available in the House Libraries, as required by legislation. I will arrange for the annual reports of the remaining committees to henceforth also be made available through the House Libraries.

Ten-year Plan

Mr. Don Foster: To ask the Secretary of State for Transport when each of the targets for Transport Direct outlined in the 10-year plan will be met. [76190]

Mr. Jamieson: The targets set out in the 10 year plan are that by 2003 Transport Direct will include:

real-time (that is, actual rather than recorded or timetabled) train operating information

real-time information on many local bus services

multi-modal travel information on the Internet, covering road journeys as well as all public transport modes at a single point of contact

booking of long-distance multi-modal journeys on the Internet

development of Internet-based maps, which allow travellers to examine public transport options both for visiting a specific venue and for general travel around an area they are considering visiting.

These targets are on course to be achieved during 2003.

Tram Schemes

Chris Grayling: To ask the Secretary of State for Transport if he will list the tram schemes *(a)* under construction, *(b)* being developed and *(c)* being considered for funding from his Department. [76470]

Mr. Jamieson: The information requested is listed below:

(a) Systems Under Construction

Nottingham Express Transit-Nottingham-Hucknall, 14km. Due to open in November 2003.

(b) Systems Being Developed

Manchester Metrolink Phase III: three new lines to Oldham/Rochdale, Ashton-under-Lyne, and Manchester Airport. Bids are under consideration.

Leeds Supertram—a 3 line 28km network linking the city centre to Headingley and Lawnswood; Seacroft and Whinmoor, and Tingley and Stourton Park and Ride. Detailed bids from the two short-listed consortia are due in October 2002.

South Hampshire Rapid Transit, linking Portsmouth, Gosport and Fareham. Detailed bids from three qualifying consortia to design, build, maintain, and operate the scheme are expected at the end of 2002.

Bristol and South Gloucestershire, linking Bristol and Almondsbury. Economic appraisal provisionally approved subject to confirmation of details of proposals. The promoters are now reviewing these.

(c) Systems Being Considered for Funding—Less Advanced Proposals

There are proposals for a new tram system in Merseyside (economic appraisal under consideration), an upgrade of the Blackpool Tramway (economic appraisal under consideration) and extensions to it. There are also longer-term plans for further extensions to the Midland Metro, Tyne and Wear Metro, Manchester Metrolink, South Yorkshire Supertram and Nottingham Express Transit and proposals in outline for new tram systems in Hull and Medway.

Lighthouse Depots

Mr. Carmichael: To ask the Secretary of State for Transport what discussions his Department has had with the Lighthouse Board over the possible closure of the Stromness Lighthouse Depot; and if he will make a statement. [75722]

Mr. Jamieson: The Department discussed strategies for support depots with the lighthouse authorities in July. The future of the Stromness depot was among the issues covered at my Department's annual bilateral meeting with the Northern Lighthouse Board on 18 October. The NLB is consulting widely on the possible closure of the depot, and the Commissioners are expected to consider their conclusions in December.

Mr. Carmichael: To ask the Secretary of State for Transport if the Department will publish the advice it gave the lighthouse authorities regarding maintenance of their depots. [75721]

Mr. Jamieson: The Department has discussed the overall requirements for aids to navigation support facilities with the lighthouse authorities. The Department has not given the authorities any specific advice on depot maintenance.

Mr. Carmichael: To ask the Secretary of State for Transport on what date *(a)* his Department and *(b)* the Marine Coastguard Agency were first contacted over the proposed closure of the Stromness Lighthouse Depot. [75723]

Mr. Jamieson: The Northern Lighthouse Board informed my Department in July of its intention to review the future of the Stromness depot. I understand from the Board that the Maritime and Coastguard Agency was included in its Consultation Exercise that began on 30 August.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Correspondence

Matthew Taylor: To ask the Secretary of State for Environment, Food and Rural Affairs when she will reply to the letter of 27 November 2001 from the hon. Member for Truro and St. Austell, regarding Cornwall's integrated waste system; and if she will make a statement. [30758]

Mr. Morley: A reply was sent on 15 July following a meeting the hon. Member had with my right hon. Friend the Minister for the Environment.

Mr. Andrew Turner: To ask the Secretary of State for Environment, Food and Rural Affairs when she will reply to the letters from the hon. Member for the Isle of Wight dated 22 May on the effect of nuclear processing. [72598]

Mr. Morley *[holding answer 23 July 2002]:* I am sorry, but we have no record of these letters in the Department.

Mr. Steen: To ask the Secretary of State for Environment, Food and Rural Affairs when she will reply to the letter from the hon. Member for Totnes of 17 June about access to inland waters for water-based sports. [71272]

Mr. Morley *[holding answer 25 July 2002]:* A reply was sent to the hon. Member on 14 July 2002.

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs when she will reply to the letter of 13 May, from the hon. Member for the Vale of York, on behalf of a constituent, Joan Cambage, regarding SI843. [71241]

Mr. Morley: A reply was sent to the hon. Member on 2 July 2002.

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs when she will reply to the letter of 12 March, from the hon. Member for the Vale of York, of a constituent County Councillor John Savage, regarding BSE in sheep. [71242]

Mr. Morley: The hon. Member's letter was transferred to the Food Standards Agency who take the lead on the issue raised. I understand that a Department of Health Minister will be replying shortly.

Consultants

Pete Wishart: To ask the Secretary of State for Environment, Food and Rural Affairs how much expenditure her Department has incurred in each year since 1997 on employing external consultants to deal with the press or public relations of her Department. [59674]

Mr. Morley: As DEFRA was set up in June 2001, retrospective information on expenditure before this date does not exist for the Department.

I refer the hon. Gentleman to the answer given to the hon. Member for Buckingham (Mr. Bercow) on 23 July 2002, *Official Report*, column 916W.

Foot and Mouth

Mr. Luff: To ask the Secretary of State for Environment, Food and Rural Affairs which livestock markets are identified as receiving animals infected with foot and mouth disease in 2001; how many other farms became infected as a result of the movement of *(a)* infected animals, *(b)* contaminated people and *(c)* contaminated vehicles from each of these markets; what the results were of the laboratory tests conducted on animals from such farms for each of the three possible sources of infection listed; and on how many such farms no laboratory tests were conducted. [62256]

Mr. Morley: This information is not available in the form requested. The following table shows the livestock markets which are believed to have received FMD infected animals in February 2001, and the answer to *(a)*—the number of farms directly infected by the movement of infected animals and the results of laboratory tests on animals from these farms. These farms seeded further spread in a number of locations.

Information on *(b)* and *(c)* has not been collated and is not available, but, for example, approximately 28 Infected Premises were directly connected with Longtown Market.

Market	*Movement of infected animals to:*				*Sampled—positive result returned*	*Sampled—negative result returned*
	Market	*Abattoir*	*Farm (includes dealers)*	*Total Infected Premises*		
Hexham	1	0	2	3	2 Farms	
Longtown	0	2	9	11	7 Farms	2 Farms
Hereford***	0	0	0	0		
Ross	0	0	1	1		1 Farm
Northampton	0	0	2	2	2 Farms	
Welshpool	0	1	2	3	2 Farms	

Notes:
*** Believed to have received infected animals
This information is based on data available in October 2001. Figures may change if further collation of field data is undertaken. It is unlikely that the markets identified as infected will change.

Dairy Industry

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what steps the Government are taking to encourage the stability of dairy farms and businesses. [69014]

Mr. Morley: Lord Whitty recently met senior representatives of the dairy industry—as part of DEFRA Ministers' wider follow-up to Don Curry's recent report—to discuss a range of supply chain issues. The Government will continue to promote a sustainable dairy sector through further engagement with the industry on the challenges it faces.

During forthcoming discussions on CAP reform, we will also be seeking an early and definite end date for milk quotas. This will enable businesses to plan ahead with certainty.

Illegally Logged Hardwood

Mr. Sheerman: To ask the Secretary of State for Environment, Food and Rural Affairs what recent steps she has taken to prevent the importation of illegally logged hardwood timber. [71674]

Mr. Morley: Customs can seize illegally logged timber only if the species concerned is covered by the Convention on International Trade in Endangered Species (CITES). New EU-wide legislation is needed to empower customs authorities to prevent entry of illegally logged non-CITES timber. The UK is working within the EU to identify what legislation is needed and how it can be introduced. The UK Government has also committed its own central departments and their agencies to procure timber from legal and sustainable sources.

In the meantime we are lobbying hard to ensure that the proposal to increase the protection afforded to big-leaf mahogany by uplisting it to Appendix II of CITES is approved at the Conference of CITES Parties in Santiago, Chile, in November. We will also work hard in the margins of the meeting to encourage more tropical timber producing countries to list more of their trees on Appendix III of CITES, which would bring these species under monitoring control.

Bovine TB

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what reasons underlie the change in bovine TB compensation expenditure in Great Britain from 2000–01. [72306]

Mr. Morley: Expenditure on TB compensation in GB fell from £7,307,797 in 2000 to £7,074,125 in 2001. The reduction was due to the diversion of resources during the Foot and Mouth Disease outbreak away from the testing of cattle for TB. Therefore the number of animals identified as TB reactors and slaughtered as a consequence, fell from 6,954 in 2000 to 5,903 in 2001.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what reasons underlie the change in expenditure on the bovine TB programme, excluding compensation, in Wales from 1999–2000 to 2000–01. [72305]

Mr. Morley: Pursuant to the answer given to the hon. Member on 10 July, *Official Report*, column 948W, expenditure on the State Veterinary Service Bovine TB programme in Wales fell from £1,472,469 in 1999–2000 to £1,240,032 in 2000–01.

SVS expenditure figures include the cost of dealing with reactor herds when new incidents of Bovine TB are identified. The reduction of expenditure between 1999–2000 and 2000–01 can be explained by a lower number of TB incidents in Wales in 2000.

Parliamentary Answers

Mr. Andrew Turner: To ask the Secretary of State for Environment, Food and Rural Affairs whether it is her policy to ensure that all documents referred to in parliamentary answers are available via her Department's website; and for how long she retains on her Department's website documents referred to in parliamentary answers. [72218]

Mr. Morley: The Department aims to be as helpful as possible in responding to hon. Members' Questions. Where it is helpful to refer hon. Members to other documents as part of the substantive reply, this may be done by making hard copies of documents available in the Libraries of the House, or by reference to material available on the Department's website.

Minimum requirements for the type of documents which should be published on Government websites are set out in guidance issued by the Office of the E-envoy, "Guidelines for UK Government Websites" (Illustrated Handbook for web management teams section 2.2 "What content should be on your website?" and section 2.3 "Cross-government requirements"). In addition to setting out guidelines on documents for inclusion, the guidance also explicitly requires Departments to ensure that the content of the site as a whole is up to date and current, and where it is necessary to update the content of individual documents, to show the latest date of amendment clearly on the document concerned. Section 1.2.7 deals with the issue of Records management and the OeE currently has a consultation paper out on Archiving websites. The purpose of this draft annex to the Illustrated handbook is to provide government website managers with a framework towards developing within their website management policy suitable procedures and systems to assist in the management, appraisal and preservation of electronic records. A copy of this draft is available online at http://www.e-envoy.gov.uk/webguidelines.htm. A copy of the Guidelines for UK Government websites is available at http://www.e-envoy.gov.uk/webguidelines.htm.

The Department's website carries all the categories of document identified by the Guidelines for UK Government websites, and displays the latest date of amendment clearly on each document. All documents are maintained on the website unless they become out of date or are superseded. We are taking account of the draft annex to the Illustrated handbook in developing our procedures and systems for maintenance of website material.

Composting

Mr. Sheerman: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what plans she has to offer support to establish new facilities for the composting of cooked food waste; [72813]

(2) when the guidance on the composting of food waste will be announced. [72819]

Mr. Morley: We are currently drawing up legislation to allow the treatment of catering waste in composting plants. We intend to consult on the draft legislation in the autumn.

There are no plans to offer financial support to establish new facilities for the composting of cooked food waste. However, the 2000 spending review provided substantial additional resources to help deliver the statutory performance standards on recycling and composting.

Guidance on the composting of food waste will be issued following the public consultation exercise.

Egg Laying Cages

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will undertake not to make a decision on the future of enriched egg laying cages until after the results of her Department's funded research have been published. [73121]

Mr. Morley: The public consultation exercise, which has now started, on the future of enriched cages, will form part of our evidence gathering process about the welfare benefits of these cages. We will also consider all available scientific evidence. The industry needs to make long term investment decisions.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will publish the scientific research which informed her decision to hold a full public consultation into the future of the enriched egg laying cage. [73113]

Mr. Morley: The public consultation exercise has been started at the earliest opportunity to allow the industry to make long term investment decisions.

Scientific research into enriched cages is on-going.

EU Committees

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to the answer of 1 July 2002, *Official Report*, column 70W, when members of the Scottish Executive have attended meetings of the EU management committees of the common organisations of agricultural markets for cereals; and if she will make a statement. [73289]

Mr. Morley: Further to my answer of 1 July 2002, I can confirm that, since the creation of DEFRA, members of the Scottish Executive have attended meetings of the EU Management Committee of the common organisation of the market for cereals on ten occasions.

EU Management Committee

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to the answer of 3 July 2002, *Official Report*, column 368W, when members of the Scottish Executive have attended meetings of the EU Management Committee of the common organisations of agricultural markets for natural fibres; and if she will make a statement. [73180]

Mr. Morley: Officials from the Scottish Executive have not attended the meetings of the Management Committee for Natural Fibres held over the last 12 months. The UK has been represented by officials from the Department. The devolved administrations are fully consulted and can attend as necessary.

Poultry Units

Mr. Steen: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the role small free range poultry units can play in reviving the agricultural sector; and if she will make a statement. [72518]

Mr. Morley *[holding answer 24 July 2002]:* DEFRA recognises the importance of free range egg systems in terms of consumer choice, but we have made no specific assessment of the role of small free range poultry units in reviving the agriculture sector as a whole. Individual producers will need to make decisions based on their own individual circumstances.

Sustainable Development

Tony Baldry: To ask the Secretary of State for Environment, Food and Rural Affairs what further action the Government will undertake to eliminate subsidies to the fishing industry to reduce capacity as agreed at the World Summit on Sustainable Development and by which year this pledge will need to be met to help achieve the 2015 millennium development goals. [74618]

Mr. Morley: The UK does not provide subsidies to the fishing industry for the construction of vessels or for their modernisation in ways which could increase fishing capacity. We support Commission proposals to end such subsidies as part of CFP reform.

Badgers

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had about the badger population in England. [75079]

Mr. Morley: The Department regularly receives representations on a wide range of issues including badgers.

English Nature advises there are likely to be in the region of 300,000 to 400,000 badgers in Great Britain.

Hedgehogs

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs what recent discussions she has had about the hedgehog population in England. [75077]

Mr. Morley: The Department regularly receives representations on a wide range of species issues including hedgehogs.

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs what evidence she has that the hedgehog population has declined disproportionately in certain regions of England. [75078]

Mr. Morley: The Government's scientific advisers, English Nature, consider that the hedgehog is under no conservation threat. The UK's total pre-breeding population stands at about 1,555,000; 1,100,000 in England, 310,000 in Scotland and 145,000 in Wales. English Nature is aware of a study into numbers of hedgehogs killed on roads by cars but advises that, as the study is not yet completed, it is too early to draw conclusions at this stage.

The Department has let a research contract to design and pilot a multi-species terrestrial mammal monitoring project. This is due to conclude in November 2003.

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs what evidence she has collated on a correlation between the growth of the badger population and a fall in hedgehog population in certain regions. [75081]

Mr. Morley: At present there is no comprehensive, standardised national monitoring of British mammals that embraces the full range of important species. Whilst a range of organisations undertake monitoring, not all mammals are included, surveys are often sporadic and the results distributed to only a limited extent.

DEFRA therefore let a GB wide research contract entitled "Design and pilot a multi-species terrestrial mammal monitoring project" in June 2001, to the British Trust for Ornithology and the Mammal Society. The overall aim will be to design and pilot, using a volunteer network, a winter monitoring project involving both visual recording of mammals and the recording of their signs. This is intended to form a building block for an integrated mammal-monitoring system.

The work will include an analysis of the results, including aspects such as accuracy, repeatability and the utility of the results, for monitoring mammal abundance and distribution and for the potential to assess long-term trends. The pilot scheme concludes in November 2003.

As yet no population comparisons have been undertaken of species such as hedgehog and badger.

Abandoned Cars

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs how many abandoned cars each local authority in England and Wales stated they had removed in their submissions to the Municipal Waste Survey 2000–01. [75174]

Mr. Meacher *[holding answer 21 October 2002]:* Figures from the 2000–01 Municipal Waste Management Survey show that 288 local authorities in England and Wales, out of a total of 376, responded to the number of abandoned vehicles question in the Municipal Waste Management Survey 2000–01 in England and Wales. The authorities and the numbers of abandoned vehicles removed and destroyed reported are listed below:

Local Authority	*Number of Abandoned vehicles*
Adur	793
Alnwick	54
Amber Valley	147
Arun	590
Ashford	612
Aylesbury Vale	507
Babergh	391
Barking and Dagenham	2,761
Barnet	3,287
Barnsley	248
Basildon	1,529
Basingstoke and Deane	780
Bassetlaw	92
Bath and NE Somerset	796
Bedford	876
Bexley	1,356
Birmingham	5,466

Local Authority	Number of Abandoned vehicles
Blaby	113
Blaenau Gwent	960
Blyth Valley	110
Bolsover	249
Boston	65
Bournemouth	878
Bracknell Forest	707
Bradford	2,600
Braintree	554
Breckland	238
Brent	3,471
Brentwood	400
Bridgnorth	37
Brighton and Hove	4,000
Bromley	3,895
Bromsgrove	119
Broxbourne	1,393
Broxtowe	171
Caerphilly	1,800
Calderdale	441
Cambridge	261
Camden	1,629
Cannock Chase	30
Canterbury	809
Caradon	108
Carmarthenshire	120
Carrick	174
Castle Point	450
Ceredigion	150
Charnwood	153
Chelmsford	800
Chesterfield	45
Chester-le-Street	18
Chichester	600
Chiltern	195
Christchurch	73
City of Bristol	2,590
City of Kingston-upon-Hull	717
City of London	0
Colchester	319
Conwy	250
Corby	504
Cotswold	67
County of Herefordshire	368
Craven	0
Crawley	1,145
Croydon	2,878
Dacorum	1,150
Darlington	98
Dartford	483
Daventry	388
Derby	579
Derbyshire Dales	40
Derwentside	15
Doncaster	410
Dover	469
Dudley	234
Durham City	39
Ealing	3,754
Easington	14
East Cambridgeshire	330
East Devon	288
East Dorset	279
East Hampshire	209
East Hertfordshire	355
East Lindsey	226
East Northamptonshire	191
East Riding of Yorkshire	227
East Staffordshire	164
Eastbourne	631
Eastleigh	200
Enfield	4,711
Epping Forest	1,838
Epsom and Ewell	360

Local Authority	Number of Abandoned vehicles
Erewash	270
Fenland	176
Flintshire	100
Forest Heath	145
Forest of Dean	186
Gateshead	149
Gloucester	700
Gosport	496
Gravesham	884
Great Yarmouth	255
Greenwich	3,120
Guildford	724
Gwynedd	619
Hackney	2,700
Hambleton	96
Hammersmith and Fulham	1,430
Harborough	550
Haringey	6,500
Harlow	1,240
Harrogate	143
Harrow	1,914
Hart	256
Hartlepool	55
Hastings	1,100
Havant	897
Havering	1,250
Hertsmere	534
High Peak	87
Hillingdon	2,286
Hinckley and Bosworth	353
Horsham	173
Hounslow	2,247
Ipswich	785
Isles of Scilly	0
Islington	2,619
Kennet	54
Kensington and Chelsea	195
Kerrier	232
Kettering	350
King's Lynn and West Norfolk	271
Kingston upon Thames	739
Kirklees	287
Lambeth	3,308
Leeds	877
Leicester	1,416
Lewes	470
Lewisham	5,000
Lichfield	271
Lincoln	136
Luton	2,403
Maidstone	1,015
Mansfield	650
Medway	1,157
Melton	30
Mendip	250
Merthyr Tydfil	482
Merton	1,683
Mid Bedfordshire	584
Mid Devon	376
Mid Suffolk	145
Mid Sussex	347
Mole Valley	621
Monmouthshire	244
New Forest	474
Newark and Sherwood	289
Newcastle-under-Lyme	150
Newham	6,704
Newport	789
North Cornwall	266
North Devon	33
North Dorset	60
North East Derbyshire	70
North East Lincolnshire	267
North Hertfordshire	332

Local Authority	Number of Abandoned vehicles
North Kesteven	101
North Lincolnshire	135
North Norfolk	66
North Somerset	570
North Tyneside	451
North Warwickshire	133
North West Leicestershire	267
Northampton	1,682
Norwich	351
Nottingham	586
Nuneaton and Bedworth	183
Oadby and Wigston	58
Oswestry	129
Oxford	1,455
Pembrokeshire	487
Plymouth	1,779
Poole	649
Portsmouth	826
Powys	606
Purbeck	89
Reading	1,090
Redbridge	1,562
Reigate and Banstead	718
Restormel	266
Richmond upon Thames	1,201
Richmondshire	9
Rother	336
Rotherham	150
Runnymede	609
Rushcliffe	181
Rushmoor	375
Rutland	100
Ryedale	45
Salisbury	354
Sandwell	6,639
Scarborough	543
Sedgefield	80
Sedgemoor	377
Selby	120
Sevenoaks	498
Sheffield	100
Shepway	733
Shrewsbury and Atcham	86
Slough	669
Solihull	275
South Bedfordshire	500
South Cambridgeshire	100
South Derbyshire	154
South Gloucestershire	987
South Kesteven	148
South Norfolk	116
South Northamptonshire	140
South Oxfordshire	418
South Shropshire	7
South Somerset	356
South Staffordshire	48
South Tyneside	415
Southampton	1,132
Southend-on-Sea	1,132
Southwark	1,934
Spelthorne	596
St. Albans	486
St. Edmundsbury	760
Stafford	37
Staffordshire Moorlands	26
Stevenage	598
Stockton-on-Tees	39
Stoke-on-Trent	250
Stratford-on-Avon	43
Stroud	51
Suffolk Coastal	165
Sunderland	197
Surrey Heath	226
Sutton	1,651
Swale	738
Swindon	440
Tamworth	60
Tandridge	500
Taunton Deane	248
Teesdale	17
Teignbridge	741
Telford and Wrekin	1,332
Tendring	835
Test Valley	406
Tewkesbury	115
Thanet	950
The Vale of Glamorgan	264
Three Rivers	351
Tonbridge and Malling	557
Torbay	354
Torfaen	668
Torridge	111
Tunbridge Wells	688
Tynedale	29
Uttlesford	250
Vale of White Horse	464
Walsall	976
Waltham Forest	2,716
Wandsworth	2,571
Warwick	137
Watford	822
Waveney	115
Waverley	343
Wealden	483
Wear Valley	40
Wellingborough	290
Welwyn Hatfield	1,000
West Berkshire	697
West Dorset	232
West Oxfordshire	290
West Somerset	64
West Wiltshire	113
Westminster	496
Weymouth and Portland	85
Winchester	263
Windsor and Maidenhead	488
Woking	352
Wolverhampton	381
Worcester	316
Worthing	310
Wrexham	231
Wychavon	90
Wycombe	1,155

Note:
A total of 238 thousand abandoned vehicles was estimated for England and Wales in 2000–01, which includes an estimation for the non-responding authorities.

Planning Applications

Chris Grayling: To ask the Secretary of State for Environment, Food and Rural Affairs how many areas of outstanding natural beauty or SSSIs have been the subject of planning applications in each of the past 10 years. [76466]

Alun Michael: This level of information is not collected and could be obtained only at disproportionate cost.

Agricultural Wages Board

Hugh Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs what economic assessment has been made of the cost of the recent

Agricultural Wages Board settlement on *(a)* agriculture, *(b)* horticulture, *(c)* the soft fruit sector and *(d)* the top fruit sector. [75915]

Alun Michael: Following the Agricultural Wages Board annual pay negotiations on 3/4 July, an assessment of the impact of the proposed changes to be included in the 2002 Wages Order was issued by the Board's Secretariat on 5 August 2002. Copies were sent to all the people who requested further information on the Board's proposals. This showed the increased cost to the agriculture industry in England and Wales over the period 1 October 2002 to 30 June 2003, resulting from the proposed changes, to be between £57 and £69 million. These costings were derived from the Ready Reckoner prepared annually by Defra for the Board to use during the pay negotiations. Cost estimates for individual sectors of the industry were not prepared.

Cost assessments were also prepared by the National Farmers Union and the Transport and General Workers Union. Defra statisticians also reviewed the results of the September 2001 Earnings and Hours Survey and submitted a paper to the Board showing how this would affect the Board's assessment of the impact of the 2002 proposals. In addition Defra economists prepared a paper for the Board, providing an update on the economic performance of each of the key sectors in the agriculture and horticulture industry. The Board's Secretariat has confirmed that all these papers were considered by a meeting of the Board's Working Party which took place on 27 August (immediately prior to the Board's Confirmation meeting on 29 August). This meeting was intended to ensure that both sides of the Board and the Independent members had a clear understanding of how the proposals would impact on both the employers' costs and workers' pay.

Countryside and Rights of Way Act

Andrew Bennett: To ask the Secretary of State for Environment, Food and Rural Affairs when section 63 of the Countryside and Rights of Way Act 2000 will be implemented; what the legal and financial implications of this will be for local authorities; what incentive it will provide for them to ensure that their rights of way networks are kept fully open; and if she will make a statement. [76250]

Alun Michael: Following our recent consultation on implementation of section 63 of the Countryside and Rights of Way Act 2000, we are now drafting regulations in the light of the 126 responses we received, with a view to commencing the provisions in early 2003.

Local highway authorities are already under a duty to protect the rights of the public to use rights of way. Under the new burdens procedure, highway authorities collectively are being funded for the additional requirements imposed by section 63. The procedures will provide a formal means for any person to draw to the authority's attention paths which are being obstructed and to take court action where they fail to act. The provisions will encourage authorities to be more proactive in their attempts to keep rights of way free from obstructions, leading to improved access and use of rights of way.

National Access Database

Paddy Tipping: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to her answer of 16 July 2002, *Official Report*, column 138W, on the National Access Database, when the results of the feasibility study into the National Access Database being conducted by the Countryside Agency will be published. [76214]

Alun Michael: The National Access Database feasibility study report has been received by the Agency. A research note outlining the findings of the feasibility study is now expected to be published in November 2002.

CULTURE, MEDIA AND SPORT

Sport Action Zones

Mr. Gerrard: To ask the Secretary of State for Culture, Media and Sport if she will list by region the *(a)* successful and *(b)* unsuccessful bids for sport action zones. [75396]

Mr. Caborn: *(a)* The successful bids for sport action zones:

East region—Luton;

Yorkshire region—Bradford, South Yorkshire;

West Midlands region—Birmingham;

South West region—Cornwall and Isles of Silly;

London region—North Lambeth/North Southwark;

East midlands region—North Nottinghamshire/North Derby, Braunstone;

North East region—Wear Valley;

North West region—Liverpool, East Manchester, West Cumbria and Barrow.

(b) The unsuccessful bids for sport action zones:

South West region—Weston;

South East region—North Kent, Milton Keynes, Reading, Southampton and Coastal Sport Action Zone (Thanet);

London region—North Lewisham, Tower Hamlets, Islington, North and East London;

Camden neighbourhood, SCORE (Leyton Orient Community Sports Programme);

North East region—Coalfields Sport and Leisure (Sunderland), Gateshead;

North West region—Wythenshawe, Blackburn with Darwen, Oldham, St. Helens, Pendle.

Sport England

Mr. Greenway: To ask the Secretary of State for Culture, Media and Sport what discussions she has had with the Chief Executive of Sport England about his decision to resign. [75194]

Mr. Caborn: My Department was in close contact with David Moffett prior to the announcement of his resignation, and will continue to work closely with him and his successor at Sport England.

National Lottery

Mr. Challen: To ask the Secretary of State for Culture, Media and Sport how much has been spent on lottery tickets, broken down by constituency, since 1999. [76326]

Mr. Caborn: Information about National Lottery ticket sales is not collected by constituency. But the National Lottery Commission is able to provide information about sales broken down by postcode area, and I shall write to my hon. Friend with it as soon as possible

HOUSE OF COMMONS COMMISSION

Members' Access

David Taylor: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, what improvements are planned for Members' access to Information and Communications Technology on the Parliamentary Estate. [73623]

Mr. Kirkwood: The Commission has adopted as a strategic objective the development and maintenance of an information infrastructure that is unified, consistent, seamless and accessible. There are a number of projects under way which will allow Members to derive greater benefits from Information and Communications Technology in their work.

The House Administration as a whole is considering the Information Committee's recent report, *Digital Technology: Working for Parliament and the public*, which looks at ways of using Information and Communications Technology to bring the House and the public closer together, something which I know is important to the hon. Gentleman.

Members' Guests

Kevin Brennan: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, if the Commission will take steps to ensure that hon. Members may invite musicians from their constituency to play music in the House. [73624]

Mr. Kirkwood: Permission for musical performances is granted on a case-by-case basis by the Speaker. I understand that the Speaker has agreed to occasional performances provided that meetings and events in adjoining areas are not disturbed. Hon. Members who wish to have music performed at a private function in a refreshment room should direct their request to the Catering Committee, which advises the Speaker.

PRESIDENT OF THE COUNCIL

Speakers Lists

Ian Lucas: To ask the President of the Council, if he will bring forward proposals to publish lists of speakers in debates. [73622]

Mr. Bradshaw: This proposal was discussed in the recent report from the Modernisation Committee, and the Committee has undertaken to keep the matter under review with the Speaker and his deputies.

PRIVY COUNCIL

Members' Allowances

Simon Hughes: To ask the President of the Council, what plans the Commission has to give hon. Members additional allowances for members' staff in order to cope with exceptionally heavy workloads. [73625]

Mr. Bradshaw: This is not a matter for the Commission. The Speaker's Advisory Panel has power to consider this and make recommendations if they consider it appropriate. However, allowances were increased last July by at least 50 per cent. in order to meet the needs of our constituents and it may be best to wait until the new system has bedded in before considering whether further increases are merited.

House of Lords Reform

Mr. Lyons: To ask the President of the Council, if he will make a statement on House of Lords reform. [73626]

Mr. Bradshaw: The Government's objective remains to complete the reform process on which it embarked in 1997. Whether progress is possible and how fast is now a matter for Parliament itself to influence in the light of the forthcoming report of the Joint Committee of both Houses. The Government has said it will not seek to influence the Joint Committee's deliberations. We will decide how best to proceed in the light of the Joint Committee's views and the opinions of both Houses as expressed in free votes on the options defined by the Joint Committee.

EU Institution Visits

Mr. Graham Allen: To ask the President of the Council, what he is doing to encourage Members to take up the facility to visit EU institutions. [73627]

Mr. Bradshaw: I refer my hon. Friend to the answer given by my right hon. Friend, the Leader of the House yesterday.

Mr. Allen: To ask the President of the Council, what percentage of hon. Members have used the facility of a visit to an EU institution in each of the years for which figures are available; and what steps he has taken to encourage greater take up of this facility. [73725]

Mr. Robin Cook: The number of hon. Members who have visited EU institutions under this scheme is as follows:

Year	*No of Members*	*Percentage (%)*
1998–9	65	9.9
1999–00	61	9.3
2000–1	72	10.9
2001–2	80	12.1
2002–3 (first six months)	76	11.5

The "quick guide" to members' allowances contains details of the entitlement. This was sent out to all Members in May, and further copies are available from the Department of Finance and Administration.

The House itself approved an amendment of the scheme on 9 May, to allow up to three visits each year to national parliaments of EU member states and those of candidate countries, in addition to EU institutions in Brussels, Strasbourg and Luxembourg.

I understand that Foreign and Commonwealth Office (FCO) officials are ready to assist Members using the allowance, and I am pleased my hon. Friend has given me the opportunity to remind Members of its existence.

Parliamentary Questions

James Purnell: To ask the President of the Council, when he plans to publish the Government's response to the Procedure Committee Report on Parliamentary Questions (HC622). [76748]

Mr. Robin Cook: I have today laid before the House a copy of the Government's response to the Procedure Committee Report on Parliamentary Questions (Cm 5628). Copies of the response are available in the Vote Office, Libraries of the House and on my department's website www.privycouncil.gov.uk

The House will debate the report of the Committee and the Government's response on 29 October.

INTERNATIONAL DEVELOPMENT

Rwanda

Dr. Tonge: To ask the Secretary of State for International Development if she will make a statement on the return of displaced persons to Rwanda. [74895]

Clare Short: By mid 1994, out of Rwanda's population of roughly 8 million at the beginning of the 1990's, some 2 million had become internally displaced and a further 2 million had fled as refugees to neighbouring countries. The Government of Rwanda's policy of national reconciliation and its success in establishing a peaceful and stable country have led to the return of the vast majority of these displaced persons and refugees to their communities.

There are three significant returns of displaced persons to Rwanda: of disarmed ex-FAR/Interahamwe soldiers and their families from the DRC; of Rwandan refugees from the eastern DRC, and; of Rwandan refugees from Tanzania.

The Government of Rwanda hopes that some 25,000 ex-FAR/Interhamwe will be repatriated as the Pretoria Agreement is implemented. The Rwanda Demobilisation and Reintegration Programme provides for the return of ex-combatants and their families to their communities, for the counselling of ex-combatants and the communities to which they are returning, and significant economic assistance to ease the reintegration of ex-combatants into society. Special packages of assistance are available for child, female and disabled ex-combatants. The Government hopes that their withdrawal from the DRC will serve to increase the flow of the ex-combatants into the Programme. We judge that the Programme is well designed and well established, and have committed US$5 million to support it. We have also committed US$25 million to the equivalent regional demobilisation programme.

UNHCR estimate that there were some 23,000 Rwanda refugees scattered through the Eastern DRC as at July 2002. UNHCR is assisting with the slow but steady return of these refugees to Rwanda. They advise that they have the structures and resources to continue to provide adequate food and shelter for this population.

Dr. Tonge: To ask the Secretary of State for International Development what assessment she has made of progress being made in Rwanda to achieve the 2015 targets for universal primary education. [74892]

Clare Short: Rwanda is largely on track to achieve the 2015 target for universal primary education and. in fact, has set a national target of achieving UPE by 2010. Primary enrolment has increased by over 50 per cent. since 1996, to nearly 1.5 million children in 2001. This represents a net enrolment ratio of around 75 per cent. for both boys and girls.

There are still serious concerns about the quality of education provision at primary level and repetition (32 per cent.) and dropout rates (14 per cent.) are high, even by regional standards. The government of Rwanda has committed itself to improving the quality of education at all levels and reducing the wastage caused by unnecessary repetition.

The UK government is providing a package of technical assistance worth approximately £13 million to support these efforts.

Dr. Tonge: To ask the Secretary of State for International Development what percentage of children she estimates are enrolled in *(a)* private education and *(b)* state funded education in Rwanda; and what efforts have been made to increase state funded education in Rwanda. [74889]

Clare Short: There were an estimated 1.5 million children enrolled in primary schools in Rwanda in 2001. Private schooling plays a minimal role, accounting for less than 0.8 per cent. of the pupils. In the secondary sector, approximately 45 per cent. of the 140,000 students attend schools in the private sector, including church and community schools.

The government of Rwanda has steadily increased its investment in the education sector over the past five years and in 2001 education made up over 25 per cent. of total government expenditure.

The government of Rwanda has committed itself to achieving Universal Primary Education by 2010 and the UK government, along with other partners, will continue to provide support to this effort (including £10M budget support in 2002 which was linked to the education sector).

Dr. Tonge: To ask the Secretary of State for International Development what assessments her Department has made regarding the adequacy of shelter and food supplies for the returning population in Rwanda. [74894]

Clare Short: There are three significant returns of displaced persons to Rwanda: of disarmed ex-FAR/ Interahamwe soldiers and their families from the DRC; of Rwandan refugees from the eastern DRC, and; of Rwandan refugees from Tanzania.

The Government of Rwanda hopes that some 25,000 ex-FAR/Interhamwe will be repatriated from the DRC as the Pretoria Agreement is implemented. The Rwanda Demobilisation and Reintegration Programme

provides support, including economic support, for the return and resettlement of these ex-combatants and their families into their communities. Tailored packages of assistance are available for child, female, chronically-ill and disabled ex-combatants. This, together with support from existing social and familial networks, should ensure that ex-combatants and their families are very well placed to meet their needs for food and shelter. My Department has provided £3.5 million for the Rwanda Demobilisation and Reintegration Programme and a further US $25 million to the equivalent regional Programme.

UNHCR estimate that there were some 23,000 Rwanda refugees scattered through the Eastern DRC as at July 2002. UNHCR is assisting with the slow but steady return of these refugees to Rwanda. They advise that they have the structures and resources to continue to provide adequate food and shelter for this population.

In October 2002, the Governments of Rwanda and Tanzania and the UNHCR signed the Tripartite Agreement allowing for the return of the 15,000–20,000 Rwanda refugees currently in Tanzania. UNHCR advise that they have the structures and resources to provide adequate food and shelter for this population.

My Department will continue to monitor these exercises closely.

Dr. Tonge: To ask the Secretary of State for International Development what guidance she has given concerning the repatriation and re-integration of soldiers and ex-fighters to Rwanda from the DRC. [74890]

Clare Short: I have congratulated President Kagame on his commitment to implementing the terms of the Pretoria Agreement with the Government of the Democratic Republic of the Congo by withdrawing Rwandan forces from the DRC. The UK has joined with the international community in condemning the renewed outbreak of hostilities by armed groups in the Eastern DRC following the Rwandan withdrawal, and calling upon all those directly involved or involved in supplying the armed groups to cease forthwith.

We strongly support Rwandan plans for the disarmament, demobilisation and reintegration of its own soldiers and those Rwandan rebels in Congo who choose to return to Rwanda. We have committed $25 million to the World Bank's Multi-Country Demobilisation and Reintegration Programme for the Great Lakes region, under which Rwanda and the DRC will benefit, and are contributing a further $5 million directly to the Rwandan National Demobilisation and Reintegration Programme. But it is essential that hostilities in the DRC cease immediately, and that the parties to the Inter Congolese Dialogue move rapidly to agreement on an inclusive transitional government, so that a comprehensive demobilisation and reintegration process can get under way.

Dr. Tonge: To ask the Secretary of State for International Development what discussions have taken place with the Government of Rwanda concerning access to food, water and shelter for refugees and internally displaced persons in Rwanda. [74893]

Clare Short: There are three groups of refugees or internally displaced persons in Rwanda: Congolese refugees based in camps at Kibuye and Byumba; Rwandan refugees returning from Tanzania, and; Rwandan refugees returning from the eastern DRC. UNHCR is responsible for assisting the return of all three groups.

My Department, acting through the local EU Presidency, has raised concerns with the Government of Rwanda over the intimidation of the Congolese refugees at Kibuye and Byumba, including through the closure of schools and the termination of supplies of firewood. We will continue to monitor the situation closely, drawing on UNHCR's advice.

In October 2002, the Governments of Rwanda and Tanzania and the UNHCR signed the Tripartite Agreement allowing for the return of the 15,000–20,000 Rwanda refugees currently in Tanzania. UNHCR advise that they have the structures and resources to provide adequate water, food and shelter for this population. DFID has made no representations to the Government of Rwanda on this exercise, but we will continue to monitor the situation carefully.

UNHCR estimate that there were some 23,000 Rwanda refugees scattered through the Eastern DRC as at July 2002. UNHCR is assisting with the slow but steady return of these refugees to Rwanda. They advise that they have the structures and resources to continue to provide adequate water, food and shelter for this population. DFID has made no representations to the Government of Rwanda on this exercise, but we will continue to monitor the situation carefully.

Southern Africa

John Barrett: To ask the Secretary of State for International Development what steps are being taken to ensure that short term food aid in southern Africa does not damage local food markets. [75056]

Clare Short: Humanitarian food aid into southern Africa will only meet 30 per cent. of the estimated 4 million tonne cereal deficit faced by the region. The commercial sector and governments are expected to import and distribute the bulk of the food requirements. Although some Governments are subsidising maize prices to keep them stable, prices are at historical highs throughout the region. As imports will be insufficient to build up stocks prices will remain high until the next harvest expected from April 2003. Local food prices next year will be determined by the size of the harvest.

John Barrett: To ask the Secretary of State for International Development if she will make a statement on progress towards the diversification of farming in southern Africa. [75058]

Clare Short: Uncertainties and interference by governments in maize pricing and input supplies have resulted in many farmers planting a wider range of crops. Although most smallholders still plant maize, more are moving into cash crops that provide higher returns. DFID supports recovery programmes in southern Africa which are supplying seeds and planting materials for a range of crops including maize that will reduce the reliance on a single staple and ensure a wider and more varied diet.

John Barrett: To ask the Secretary of State for International Development what representations she has made to *(a)* European Union countries and *(b)* other foreign donors calling for increased funding for the United Nations Consolidated Appeal for the Southern African famine. [75054]

Clare Short: My officials have been in regular touch with representatives of donor agencies at country level to encourage adequate responses and I have had informal discussions with Ministers from the European Union and beyond.

Malawi

Dr. Tonge: To ask the Secretary of State for International Development what discussions her Department has had with the *(a)* IMF and *(b)* World Bank regarding the curtailment of a starter pack scheme for smallholder farmers in Malawi. [74883]

Clare Short: The Starter Pack Scheme has been replaced by the Targeted Inputs Programme financed by my Department and the Norwegian Government. The IMF and World Bank are fully aware of Malawi TIP arrangements, and that in 2002, the number of beneficiary poor farmer households, has been doubled to 2 million.

Nepal

Dr. Cable: To ask the Secretary of State for International Development whether the food insecurity in Nepal has improved in recent months; whether she expects a humanitarian crisis in the mid and far west regions of Nepal to materialise; and if she will make a statement. [75111]

Clare Short: It is extremely difficult at present to obtain accurate information on the food situation in the hill districts of the Mid and Far West of Nepal, which have traditionally been areas of food insecurity. Recent reports suggest that food supply in those parts of the country has been affected by the poor monsoon this year, the migration of young men from conflict affected areas, and restrictions on movements and on the supply of food by Maoist and Government security forces. For example, in some mountain districts we estimate the millet crop will be only 80per cent. of normal levels.

It is too early to say that there will be a humanitarian crisis in the Mid and Far West of the country. The greatest need at present is for more reliable information. DFID is monitoring the situation closely. DFID recently provided £115,000 to increase the capacity of the World Food Programme's Vulnerability and Monitoring Unit. We are also closely in touch with other organisations monitoring the situation including the UNDP, the International Nepal Fellowship and the International Committee of the Red Cross.

In September I wrote, on behalf of Utstein ministers, to the Prime Minister of Nepal expressing concern over the situation and urging the Government to relax restrictions on the supply of food and medicines to conflict affected districts. The recent meeting of the international community in Kathmandu hosted by the PUSS FCO on 11 October also urged the removal of these restrictions.

Poverty Relief

John Barrett: To ask the Secretary of State for International Development what financial aid has been given to the national Governments of *(a)* Mozambique and *(b)* Botswana from (i) her Department, (ii) the European Union and (iii) the World Bank, in each year since 1999; and what efforts are being made to ensure that such aid is used effectively for the benefit of those in extreme poverty. [75070]

Clare Short: DFID's country programme expenditure was as follows:

				£000'S
	1998–99	*1999–00*	*2000–01*	*2001–02*
Mozambique	26,281	43,893	41,281	41,022
of which financial aid	20,107	25,150	20,426	30,891
Botswana	3,275	3,045	2,481	2,002
of which financial aid	54	51	49	46

Latest available figures for European Commission and World Bank expenditure are:

				£000,000's
	1999		*2000*	
	EC	*World Bank*	*EC*	*World Bank*
Mozambique	55.1	48.2	52.1	62.1
Botswana	10.8	−0.3	2.9	−0.3

DFID's funds are spent in accordance with country strategies which focus on key poverty reduction priorities. Our strategy for Mozambique is now closely aligned with Mozambique's own poverty reduction plan, agreed last year. Our strategy for Botswana has recently been incorporated within a broader regional strategy for the middle-income countries of Southern Africa.

John Barrett: To ask the Secretary of State for International Development what financial aid has been given to the national Government of Namibia from *(a)* her Department, *(b)* the European Union and *(c)* the World Bank every year since 1999, and what efforts are being made to ensure that such aid is used effectively for the benefit of those in extreme poverty. [75052]

Clare Short: DFID's expenditure in Namibia was as follows:

				£000's
	1998–99	*1999–00*	*2000–01*	*2001–02*
	3,861	3,571	2,712	2,017
of which financial aid	0	0	0	0

Latest available figures for the European Commission are:

		£000,000's
1999	*2000*	
28.7	29.9	

There has been no significant World Bank financial aid since 1999.

DFID's funds are spent in accordance with country strategies which focus on key poverty reduction priorities. DFID's strategy for Namibia has recently been incorporated within a broader regional strategy for the middle-income countries of Southern Africa.

Mrs. Helen Clark: To ask the Secretary of State for International Development when her Department's study of the linkages between wildlife and poverty will be completed; and what the terms of reference of the study are. [74877]

Clare Short: The Final Report of the Wildlife and Poverty Study, funded by my Department, should be available to DFID within the next fortnight, and for wider consultation thereafter. The Terms of Reference for Phase 2 of the Study will be placed in the Library of the House.

World Food Programme

Dr. Tonge: To ask the Secretary of State for International Development if she will list, by donor country, the contributions made to *(a)* the World Food Programme and *(b)* the UNHCR donor appeals for Afghanistan. [74878]

Clare Short: The general funding situation for humanitarian appeals are currently relatively well-funded—between 75 per cent. and 90 per cent. for the larger UN agencies I have placed in the library of the House of Commons details of the contributions made to WFP and UNHCR by donor countries.

Flight Budgets

Dr. Tonge: To ask the Secretary of State for International Development (1) what percentage of each division's budget has been spent on flights in each year since 1999; [74900]

(2) what her Department's budget has been for flights, broken down by division, in each year since 1999. [74901]

Clare Short: Information in the format requested is not held centrally and could be provided only at disproportionate cost. Information on flight spend held centrally by my Department's contracted travel agent is as follows:

1999/2000: £7,189,382

2000/2001: £8,526,819

2001/2002: £8,748,097

These figures do not include travel costs incurred by overseas offices booked through an overseas travel agent.

Dr. Tonge: To ask the Secretary of State for International Development what advice is given to her Department's staff when booking flights with regard to *(a)* price and *(b)* budget. [74899]

Clare Short: In accordance with my Department's policy, staff will book the most efficient and economical means of travel, taking into account the full range of costs involved, to meet business needs.

DFID's travel agent is contracted to provide a value for money service to staff including, where available, a choice of flights and costs. The travel agent also provides staff with advice on centrally negotiated government airfares.

All official travel is authorised at appropriate levels to check for compliance with policy and budget.

Food Requirements (Africa)

John Barrett: To ask the Secretary of State for International Development if she will make a statement on the latest food aid requirements of *(a)* Zimbabwe, *(b)* Malawi, *(c)* Zambia, *(d)* Angola, *(e)* Mozambique, *(f)* Lesotho, *(g)* Swaziland and *(f)* Nambia. [75057]

Clare Short: The Food, Agriculture and Natural Resources Vulnerability Assessment Committee of the Southern Africa Development Community recently estimated the following emergency cereal food requirements to the end of March 2003:

Zimbabwe	486,000 MT
Malawi	237,000 MT
Zambia	224,000 MT
Mozambique	48,000 MT
Lesotho	36,000 MT
Swaziland	20,000 MT

In respect of Angola, the WFP appealed for funding to provide 305,598 MT to the end of 2003.

In respect of Namibia, the preliminary findings of a World Food Programme drought assessment indicate a high cereal deficit in the north of the country through to the end of April 2003. The Government of Namibia estimates that relief assistance of both food and non-food items will be required for 340,000 vulnerable people, and expects to be able to meet US$ 9.5 million of the estimated US$ 14 million cost from its own resources.

Botswana

Dr. Tonge: To ask the Secretary of State for International Development what her Department's assessment is of the progress of reproductive health care in medical centres in Botswana. [74896]

Clare Short: Botswana has invested heavily in the delivery of basic services across the country, and is making significant progress in the provision of reproductive health care. The very high prevalence of HIV/AIDS will seriously affect progress towards all reproductive health goals. However, Botswana is making huge efforts to deliver good quality prevention programmes and medical care for those who are HIV+. This should help to strengthen reproductive health care systems more generally in the country's medical centres.

Dr. Tonge: To ask the Secretary of State for International Development what percentage of UK assistance is spent on *(a)* care workers, *(b)* nurses, *(c)* medical centres and *(d)* HIV/AIDS programmes in Botswana. [74898]

Clare Short: The UK provides no direct support for care workers, nurses and medical centres in Botswana. Botswana, along with Lesotho, Swaziland and

Namibia, benefits from a regional DFID HIV/AIDS programme worth over £7.5 million over five years. The programme has several strands, including strengthening the Ministry of Health's response in each country.

Developing Countries

John Barrett: To ask the Secretary of State for International Development what discussions she has had with the *(a)* Serious Fraud Office, *(b)* National Criminal Intelligence Service and *(c)* Financial Services Authority regarding a sharing of expertise in the development of institutions to tackle corruption and money laundering within developing countries. [75075]

Clare Short: My Department is funding a dedicated post within the National Criminal Intelligence Service (NCIS) to provide technical assistance to developing countries, and countries in transition, for strengthening financial intelligence systems to combat money laundering. The post became operational in September 2002 and will be supported initially for three years. One responsibility of the post will be to develop training materials appropriate for use in developing countries.

DFID is also providing the necessary funds to enable NCIS to serve as the Secretariat for the Egmont Group, the international network of Financial Intelligence Units (FIUs). This support is for two years and commenced in October 2001. The Egmont Group plays a critical role in developing international collaboration in financial intelligence related to money laundering, including helping to establish new FIUs.

In May 2002, DFID organised a conference for representatives from 14 developing countries to provide advice on how they can seek assistance from the United Kingdom in investigating, freezing and confiscating assets of criminal origin that are believed to be located in this country. The Serious Fraud Office contributed significantly to this event.

John Barrett: To ask the Secretary of State for International Development what progress is being made towards the creation of a universal representative set of indicators for the determination of good governance in developing countries. [75071]

Clare Short: There is no universally agreed set of governance indicators. The Government is promoting the use of governance indicators where that will serve the objective of improving the quality of government in developing countries. We have supported the development of the governance assessments that will form part of the peer reviews of African countries in the New Partnership for Africa's Development (NEPAD). We have urged developing countries to improve the quality of their public expenditure and financial management, most recently at the annual meetings of the Washington institutions, and proposed the wider use of expenditure tracking indicators to measure their progress. These objectives and indicators are included in DFID's Service Delivery Agreement of its Public Service Agreement.

Nepal

Dr. Cable: To ask the Secretary of State for International Development what funding the UK Government are providing to Nepalese authorities for a HIV/Aids strategy; and if she will make a statement. [75110]

Clare Short: Since January 2001 DFID has contributed £1.7 million to a short-term targeted response to stabilise and contain the concentrated HIV/AIDS epidemic among female sex workers, their clients and injecting drug users.

Part of this support has been used to assist with the development of the Government's national HIV/AIDS strategy which will set out priorities for actions over the next five years. The national HIV/AIDs strategy is expected to issue in the December 2002. I anticipate that DFID support to the strategy will amount to £15 million over 5 years or approximately 25 per cent. of the total cost of the national strategy.

Malawi

Dr. Tonge: To ask the Secretary of State for International Development what plans are in place to ensue that smallholder farmers in Malawi have access to adequate seed and fertiliser for the 2002–03 agricultural season. [74882]

Clare Short: The 2002–03 Targeted Inputs programme is supplying inputs to two million smallholder farmers across Malawi. This follows a 2002 winter input programme, which benefited 300,000 households. These programmes provide seed and fertiliser for maize and major legume crops. My Department is working with Government, other donors and civil society organisations to ensure co-ordination of these activities and additional programmes for inputs to crop diversification, tools for cultivation and irrigation.

Dr. Tonge: To ask the Secretary of State for International Development what discussions she has had with the Government of Malawi regarding plans about the decision to scale down the Universal Starter Pack programme. [74884]

Clare Short: The Starter Pack Scheme began in 1998–99 with universal provision of seeds and fertilisers to Malawian farmers. My Department agreed with the Government of Malawi that a Targeted Inputs Programme (TIP) should replace the Starter Pack Scheme from 2000/2001 to concentrate benefits on the poorest farmers. In 2002 the TIP has been doubled to provide for 2 million farming families as part of the co-ordinated response to the current food crisis. The number will be reviewed annually as part of a long-term National Food Security Strategy currently being developed by Government, donors and Civil Society.

Dr. Tonge: To ask the Secretary of State for International Development what her assessment is of the effectiveness of Food for Work programme in Malawi; and how many beneficiaries she estimates this has reached, since January 2002. [74879]

Clare Short: Programmes providing Food or Cash for work for the poor in Malawi are being supported by a number of agencies. Financial support is provided by the Malawi Government, donors and Civil Society Organisations. My Department plays a leading role in

helping to ensure these programmes are effectively co-ordinated within a National Safety Nets Strategy. During 2002 DFID has supported a large number of government led initiatives aimed at the poorest members of rural communities, representing over 4 million days of employment.

Afghanistan

Mr. Burstow: To ask the Secretary of State for International Development if she will set out the allocation of development money allocated to the reconstruction of Afghanistan *(a)* in 2001–02, and *(b)* for each of the next three years; and if she will set out the total amount that has been spent for (i) 2001–02 and (ii) 2002–03. [75708]

Clare Short: At Tokyo in January we pledged £200 million over 5 years to Afghanistan, we did not divide this in to specific amounts for separate financial years. So far in the current financial year we have disbursed over £33 million of our budget of £55 million. In 2001–02 we gave approximately £60 million to Afghanistan for immediate humanitarian relief activities, including food aid and support for returning refugees. International support for such appeals has already provided some essential building blocks for longer term reconstruction: for example a polio vaccination programme has reached 6 million children and 3 million children are now back at school.

Bushmeat Trade

Mr. Gummer: To ask the Secretary of State for International Development what direct assistance is given to customs officers in *(a)* South American and *(b)* West African countries to prevent the illegal trade in bushmeat. [7[illegible]

Clare Short: DFID is not giving direct assistance to customs officers in South America or West Africa to prevent the illegal trade in bushmeat. DEFRA and HMCE ensure that importation to the UK complies with CITES controls on endangered species. DEFRA is carrying out an awareness-raising campaign in these regions aimed at reducing the illegal trade of meat into the UK. My Department's primary role is to support poverty reduction, which we see as key to ensuring the sustainable management of natural resources, including wildlife, in poor countries.

Mr. Gummer: To ask the Secretary of State for International Development how many endangered wild animal species are classified as bushmeat. [75024]

Clare Short: There is no formal classification of which endangered species constitute bushmeat within the Convention on International Trade in Endangered Species. However, a recent review of commercially valuable bushmeat species in Africa (CITES Document 11.44) concluded that of forty-two primary species caught and traded, eight species are "endangered" (i.e. listed on CITES Appendix 1) and one species (elephant) has some "endangered" populations. The 8 "endangered" species are Leopard, Chimpanzee, Bonobo, Gorilla, Mandrill, Drill, Diana guenon/monkey and Jentink's duiker.

Famine (Africa)

Norman Lamb: To ask the Secretary of State for International Development if she will make a statement on the impact that the spread of HIV/AIDS is having on the famine in Africa. [76102]

Clare Short: The HIV/AIDS epidemic poses a major threat to food security in Sub Saharan Africa, and has served to contribute to, and greatly exacerbate southern Africa's growing famine.

HIV/AIDS is hitting agricultural productivity hard. In just two decades AIDS has killed seven million farmers in Africa and in some countries, households and villages are losing from 10–50 per cent. of agricultural productivity due to the disease.

HIV/AIDS impacts on reduced food availability as workers become too ill to work the land, care for livestock and maintain essential machinery. At a family level food production has fallen by as much as 80 per cent. when the main producer is affected. This is especially true in areas such as Southern Africa, which uses labour-intensive farming methods.

Goals to eradicate hunger and poverty must therefore include plans to combat the spread and the impact of the HIV epidemic through multi-sectoral HIV/AIDS prevention and care interventions.

Norman Lamb: To ask the Secretary of State for International Development whether the Government intends to make additional resources available to support the prevention and treatment of HIV/AIDS in the light of its contribution to the current famine in Africa. [76099]

Clare Short: DFID's overall programme in Africa is set to increase from 640 million pounds sterling this year to one billion pounds sterling by 2006 and HIV/AIDS will remain one of our highest priorities in the region. We will be focusing efforts on mainstreaming our response to HIV/AIDS across sectors, such as agriculture, education, health etc, to ensure that the impact of HIV/AIDS is better addressed.

DFID spent over 55 million pounds in Africa on HIV/AIDS programmes and related health systems strengthening in the financial year 2000–2001. Reflecting our increased commitment to addressing HIV/AIDS, so far this year (2001–2002), we have committed an additional 180 million pounds to tackle HIV/AIDS in Africa. A further $200 million dollars (£140 million pounds approximately) has been pledged by the UK to the Global Fund to fight AIDS, TB and Malaria.

FOREIGN AND COMMONWEALTH AFFAIRS

Ilois People

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what expenditure BIOT has undertaken on democratic representation of the Ilois people; and what is the current level of welfare spending. [74656]

Mike O'Brien: Although there has been no specific expenditure on welfare and democratic representation of the Chagossians (Ilois), the BIOT Government has funded the various stages of the recent feasibility study into the resettlement of the Chagos Archipelago, and had estimated £300,000 expenditure this year for the visit to the outer islands of the archipelago by the Chagossians in October 2002 which fell through due to the withdrawal of the vessel by the shipping company.

Indonesia

Mr. Wray: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) pursuant to his answer of 21 June 2002, *Official Report*, column 633W, on Malcolm Rennie and Brian Peters, when the families of Brian Peters and Malcolm Rennie were informed of the report by HM Vice-Consul in Jakarta on the men's funeral service; [73422]

(2) pursuant to his answer of 21 June, 2002, *Official Report*, column 633W, on Malcolm Rennie and Brian Peters, whether information from interviews conducted by James Dunn in 1977 regarding the deaths of Malcolm Rennie and Brian Peters has been passed to the families. [73421]

Mike O'Brien: Foreign Office consular files are handled differently to other FCO records. Because of the transient nature of consular cases, papers on them are usually only kept for 7 years. Unlike most other Foreign Office papers, they are not part of the public record, and so are then destroyed.

We therefore cannot confirm whether the information from the interviews conducted by James Dunn was passed to the families at the time. Nor are we able to confirm when the families were first informed of the report by the Vice Consul in Jakarta on the men's funeral service. Copies of the 1975 and 1976 political files on this subject hove now been passed to the families. The 1977 political files will be released under normal terms of the thirty year rule in 2008.

Platon Obukhov

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made in the case of Platon Obukhov, arrested in Russia in 1996 on charges of spying for Britain; what recent representations he has made for his release; and if he will make a statement. [74920]

Mike O'Brien: The Foreign and Commonwealth Office has followed the case of Mr. Obukhov from a humanitarian point of view. Following his re-trial, on 17 May 2002 the Moscow City Court reaffirmed his conviction, but ruled that he could not be held criminally responsible for his actions, and that he should be sent to a psychiatric hospital for treatment.

Istanbul

John Barrett: To ask the Secretary of State for Foreign and Commonwealth Affairs how many telephone lines are dedicated to dealing with queries from the general public in the British Consulate-General in Istanbul. [75049]

Mike O'Brien: There are two telephone lines. One is dedicated to the visa section only and the other deals with visa enquiries as well as all other enquiries to the British Consulate General.

John Barrett: To ask the Secretary of State for Foreign and Commonwealth Affairs what checks are made on the response times of the Consultate-General in Istanbul to queries left through the visa inquiry line. [75048]

Mike O'Brien: The Visa Section managers monitor this regularly to ensure that all telephone calls are answered quickly and helpfully. In accordance with UKvisas best practice guidelines, and with the published Service Standards for Central Government and its agencies.

John Barrett: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations his Department has received regarding poor response times from queries left with the Consultate-General in Istanbul through the visa inquiry line. [75051]

Mike O'Brien: I am advised that this Department has not received any representations recently regarding poor response times.

John Barrett: To ask the Secretary of State for Foreign and Commonwealth Affairs what the average response time of the Consultate-General in Istanbul for messages left by members of the public through the visa inquiry line was in the most recent available year. [75050]

Mike O'Brien: All telephone enquiries are responded to in accordance with Best Practice guidelines. The facilities available do not enable the average response time to be measured.

Lebanon

Mr. Gibb: To ask the Secretary of State for Foreign and Commonwealth Affairs which nation's troops were stationed in the UN base in the Lebanon on the border with Israel near Mount Dov on 7 October 2000 near to the site of the kidnap of Benny Avraham, Adi Avitan and Umar Souad. [74875]

Mike O'Brien: An Indian battalion, assigned to the United Nations Interim Force in Lebanon, was stationed there at that time.

Kidnaps

Mr. Gibb: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what measures he has undertaken in respect of the kidnap of Elchanan Tenenbium; [74874]

(2) what discussions he has had with *(a)* the Syrian Government, *(b)* the Syrian Ambassador in London, *(c)* the Head of Hizbullah in respect of the kidnap of Elchanan Tenenbium; and what was the outcome of these discussions. [74873]

Mike O'Brien: HMG has made a number of representations to governments in the Middle East about the fate of Elchanan Tannenbaum and missing Israeli soldiers, and will continue to do so. Most recently

our Ambassadors in Beirut and Damascus raised them with their host governments on 3 October 2002 and 19 September 2002, respectively. They took note of our interest. Also on 12 December 2001, our Ambassador in Beirut raised hostage taking in general terms with Hizballah. On each occasion we emphasised that hostage taking was wrong and that those holding hostages should free them at once.

Our Ambassador in Tel Aviv met families of the missing men, including Mr. Tannenbaum's son, on 9 September 2002.

Mr. Gibb: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will obtain a copy of the two video tapes in the possession of Taria Larsen of the UN showing the kidnap of Benny Avraham, Adi Avitan and Umar Souad on 7 October 2000. [74872]

Mike O'Brien: There are no videotapes or photographs of the abduction of the soldiers in the UN's possession: the United Nations Interim Force in Lebanon (UNIFIL) did not witness or film the kidnapping. The UN has two related videotapes, which it has shared with the families of the abducted soldiers. These two videos are not available for release.

The first tape—filmed by the Indian battalion assigned to UNIFIL on 8 October 2000—is of the attempted recovery of two UN vehicles. The UN did recover items from within them. But during the operation Hizbollah returned and claimed the vehicles. The second tape—filmed by an unknown person—showed the shelling of Israel Defence Forces positions along the Blue Line. Neither tape gives any indication about the fate of the kidnapped soldiers.

Dr. Lesley McCulloch

Mr. Alan Reid: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to secure the release of Dr. Lesley McCulloch from detention in Indonesia; and if he will make a statement. [75679]

Mike O'Brien: We have raised Lesley McCulloch's case with the Indonesian authorities a number of times and at high levels. We have urged the Indonesian authorities to process Ms McCulloch's case expeditiously. Our consular staff have visited Ms McCulloch and continue to give her all the assistance they properly can.

Mr. Alan Reid: To ask the Secretary of State for Foreign and Commonwealth Affairs when he will reply to the letter from the hon. Member for Argyll and Bute, dated 20 September, regarding Dr. Lesley McCulloch. [75680]

Mike O'Brien: My noble Friend, Baroness Amos, Minister responsible for Consular matters, replied to the hon. Member for Argyll and Bute on 17 October.

Diego Garcia

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the Government have taken in response to the High Court judgment in 2000 upholding the special military status of Diego Garcia. [75105]

Mike O'Brien: Following the High Court judgment, the BIOT Immigration Ordinance 1971 was replaced by the Immigration (Amendment) Ordinance 2000 which exempts Chagossians from the requirement to obtain a permit to return and reside in any part of the Territory except (for defence reasons) Diego Garcia. All other persons still require a permit to enter any part of the Territory.

Saddam Hussein

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the meetings held between Saddam Hussein and British Ministers since July 1979. [75685]

Mike O'Brien: Since July 1979, the following Ministers have held meetings with Saddam Hussein:

July 1979 Lord Carrington (Foreign Secretary)
July 1980 Douglas Hurd (Minister of State, FCO)
November 1981 John Biffen (Trade Secretary)
March 1983 Douglas Hurd (Foreign Secretary)
November 1984 Richard Luce (Minister of State, FCO)
February 1988 David Mellor (Minister of State, FCO)

Mordechai Vanunu

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with *(a)* his United States counterpart and *(b)* his counterparts in the European Union in respect of seeking early release of Mordechai Vanunu. [75452]

Mike O'Brien: We have not discussed Mr. Vanunu's detention with US or EU colleagues. But we have raised it with the Israeli authorities, most recently on 17 October when our Embassy in Tel Aviv did so with the Israeli Ministry of Foreign Affairs. They took note of our interest and agreed to keep the Embassy informed of developments. The Embassy in Tel Aviv will monitor Mr. Vanunu's parole hearing, which is expected to start on 29 October.

Asylum Seekers

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs how many times he has overturned a decision by an ECO to refuse admission to the UK of an applicant. [75655]

Mike O'Brien: My right hon. Friend the Foreign Secretary has not overturned any entry clearance decisions. As Minister responsible for entry clearance, I have overturned one decision since my appointment as Parliamentary Under Secretary of State for Foreign and Commonwealth Affairs in May 2002.

Entry Clearance

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs how many entry clearance operations he has visited since June 2001. [75656]

Mike O'Brien: When travelling overseas, my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs makes every effort to meet staff—both UK based and locally engaged—working in all sections of our overseas missions, including in the entry clearance sections.

Uganda

Mr. Waterson: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Ugandan Government in respect of their closure of the Monitor newspaper. [75008]

Mr. MacShane: On 14 October the EU Presidency in Kampala, on behalf of the United Kingdom and other EU member states, raised our concerns about the closure of the Monitor newspaper with the Ugandan Minister of State for Information. The Presidency also underlined the importance the EU attaches to freedom of expression and the independence of the media. The Minister reassured the EU Presidency that the Monitor would reopen shortly.

The Monitor reopened on 17 October.

PRIME MINISTER

Nuclear Weapons (Russia)

Llew Smith: To ask the Prime Minister what matters in respect of United Kingdom support for the dismantling and clear-up of Russia's nuclear weapons, and the management of surplus former military fissile material, were discussed during his meetings in Russia on 10 October. [75874]

The Prime Minister: In our meeting and in the context of the G8 Global Partnership against the Proliferation of Weapons and Materials of Mass Destruction I impressed upon President Putin the need to conclude the necessary legal framework agreement quickly, in particular resolution of the issue of third party liability. As I confirmed to Parliament in July, the UK is prepared to commit up to $750m over ten years as part of the G8 Global Partnership initiative.

Officials plan a further early meeting with the Russian authorities to try to conclude the UK/Russia bilateral agreement and the Multilateral Nuclear Environmental Programme for the Russian Federation (MNEPR) agreement.

Winning the Generation Game

Mr. Willetts: To ask the Prime Minister, what progress has been made on each of the 75 conclusions in the Performance and Innovation Unit report, Winning the Generation Game: Improving Opportunities for People Aged 50–65 in Work and Community Activity, published in April 2002. [74730]

Mr. McCartney: I have been asked to reply.

Progress report on the implementation of the Performance and Innovation Unit's report Winning the Generation Game has been placed in the library. It is also available on the internet at http://www.cabinet-office.gov.uk/innovation/about/impacts.shtml#WINNING.

The Government will continue to report regularly on the implementation of policies affecting older people.

EDUCATION AND SKILLS

Human Rights

Mr. Clifton-Brown: To ask the Secretary of State for Education and Skills if she will make a statement on the Court of Appeal decisions in *(a)* R. *v.* Brent London Borough Council and others and *(b)* R *v.* Oxfordshire County Council's Exclusion Panel and Another on the necessity for Government guidance notes to be compliant with statute and the Human Rights Act 1998; and what future role she envisages for guidance notes. [75212]

Mr. Stephen Twigg: The key point of the Court of Appeal's judgment in these consolidated cases, as far as my Department is concerned, is that the legislation enabling the Secretary of State to give guidance to headteachers, local education authorities and appeal panels in relation to the exclusion of pupils from school complies with the *Human Rights Act 1998*, and in particular with Article 6 of the *European Convention on Human Rights* (the right to a fair hearing). So far as the guidance applicable to these cases was concerned, the Court went on to hold that neither its content nor the fact that the exclusion appeal panels had a statutory duty to have regard to it in determining the appellant pupils' appeals compromised the pupils' right to a fair hearing before an independent and impartial tribunal. However, the Secretary of State is mindful of the observations which the Court made with regard to using her powers to issue guidance and will bear them in mind when issuing revised guidance.

As to the future, I envisage that the Secretary of State will continue to use her statutory powers to give guidance for the purposes of promoting fairness and consistency in decision-making.

Educational Needs

Mr. Watts: To ask the Secretary of State for Education and Skills on what basis the ethnicity factor in the additional educational needs allocates extra resources to all ethnic groups; if she will publish the evidence that her Department has used to assess need under the AEN factor; how many children receive increased funding from the ethnicity factor with the AEN; how much funding was distributed under the ethnicity factor to local councils in the years 2000–01 and 2001–02; and what her Department's estimate is for next year. [74957]

Mr. Stephen Twigg: Under the current system of Education Standard Spending Assessments (SSA), extra resources are allocated to LEAs in recognition of the additional educational needs of children in minority ethnic groups on the basis of country of birth data taken from the 1991 national census. The number of children covered is 12 per cent. of the total population of children under the age of 16. The amount of funding distributed using this factor was £434 million in 2000–01 and £448 million in 2001–02. The amount of funding to be distributed for Additional Educational Needs for 2003–04 will depend on decisions yet to be taken about the new formula for LEA funding to be introduced from April 2003. Those decisions will be informed by research undertaken by PricewaterhouseCoopers, a copy of

whose report has been placed in the House Library, and by responses to the consultation on Local Government Finance, which ran from 8 July to 30 September.

Disruptive Pupils

Mr. Rosindell: To ask the Secretary of State for Education and Skills what measures will be taken over the next year to ensure that disruptive pupils are removed from classes in the run up to major exams. [75098]

Mr. Stephen Twigg: We believe that schools should be orderly and disciplined places of learning at all times. In that context it is right that teachers and headteachers should have the power to remove disruptive pupils from the classroom. This may mean excluding them from school, for a fixed period or permanently, while maintaining their education in alternative provision.

Since taking office the Government has devoted far greater resources than ever before to supporting teachers in dealing with disruptive behaviour in the classroom. There are now over 1,050 Learning Support Units in schools helping to tackle classroom disruption. Further expansion of our Excellence in Cities (EiC) and Excellence Clusters programmes will provide a further 140 Learning Support Units. The £66m package announced in the Budget will fund, among other things, more Learning Support Units, Behaviour and Education Support Teams and summer activities aimed at improving discipline.

Exclusions

Chris Grayling: To ask the Secretary of State for Education and Skills when she will introduce changes to the system of independent appeal panels. [75623]

Mr. Stephen Twigg: Section 52 of the *Education Act 2002* replaces the previous arrangements for exclusion appeal panels which have been in existence in various forms since being introduced by the *Education (No 2) Act 1986*.

The new arrangements will be set out in regulations under section 52 which we plan to lay before the House in time to come into force in January 2003.

Chris Grayling: To ask the Secretary of State for Education and Skills how many exclusions have been overturned on appeal in the last six months. [75624]

Mr. Stephen Twigg: Information on exclusion appeals is only collected on an annual basis. The latest figures available are for the 2000/01 school year, when 9,210 permanent exclusions gave rise to 983 appeals. 314 permanent exclusions were overturned on appeal—3 per cent. of the total number of permanent exclusions.

Chris Grayling: To ask the Secretary of State for Education and Skills what legal powers she has to overturn a decision by an independent appeal panel. [75622]

Mr. Stephen Twigg: The Secretary of State has no legal powers to overturn a decision by an independent appeal panel.

Chris Grayling: To ask the Secretary of State for Education and Skills what changes there have been to the monthly average of *(a)* exclusions, *(b)* appeals and *(c)* successful appeals since the publication of the 2001–02 Education Bill. [75625]

Mr. Stephen Twigg: This information is not held centrally. My Department collects data on permanent exclusions and exclusion appeals annually in relation to the school year as a whole. Provisional data for the last school year—2001–02—will be published in a Statistical First Release in May 2003.

Special Educational Needs

Mr. Liddell-Grainger: To ask the Secretary of State for Education and Skills what guidelines there are for local education authorities to allocate funds for special needs teaching in schools broken down by type of school. [76119]

Mr. Stephen Twigg: The allocation of funding to maintained schools by local education authorities is governed by regulations made under section 47 of the School Standards and Framework Act 1998. The current (2002) regulations give wide discretion to authorities in the factors and criteria to be used for the funding of special needs, both in mainstream schools and in special schools. In November 2001, the Department issued good practice guidance *The Distribution of Resources to Support Inclusion*, on approaches to the delegation and distribution of resources for meeting the needs of pupils with special educational needs and those with other additional needs in mainstream schools. From 2003 onwards the schools forums established under s.43 of the Education Act 2002 will advise local education authorities on their funding arrangements for special needs.

Disabled Students (Access)

Mr. Hancock: To ask the Secretary of State for Education and Skills what progress has been made by each local education authority in developing strategies to improve accessibility for disabled pupils; and if she will make a statement. [76002]

Mr. Stephen Twigg: This information is not collected centrally. The statutory duty on local education authorities to improve accessibility for disabled pupils came into effect from 1 September 2002 and requires them to publish their strategies on 1 April 2003. OfSTED will be monitoring the implementation of this new duty, including the quality of local education authorities' accessibility strategies.

The School Access Initiative was established in 1996 to help local education authorities improve the accessibility of their schools to disabled pupils. Over £174 million has been made available since that date, including some £70m in 2002–03. A further £300m will be available during 2003–04 to 2005–06.

Asylum Seekers' Accommodation Centres

Mr. Gerrard: To ask the Secretary of State for Education and Skills if she will list the subject areas in the national curriculum that will not be available to children taught in asylum seekers' accommodation centres. [76141]

Mr. Stephen Twigg *[holding answer 21 October]:* All the National Curriculum subjects will be taught in accommodation centres. Departmental officials are working with the Qualifications and Curriculum Authority (QCA) to agree how this commitment can be delivered to maximise the educational opportunities for children and young people who will be in these centres for a maximum of 9 months. There will also be intensive support provided to help them learn English.

Mr. Gerrard: To ask the Secretary of State for Education and Skills who will be responsible for identifying gifted and talented children in asylum seekers' accommodation centres. [76142]

Mr. Stephen Twigg *[holding answer 21 October]:* On arrival in an accommodation centre, children will receive an initial assessment, covering their previous educational experience, attainment and knowledge of English. It will be the responsibility of the education contractor to conduct these assessments and, by so doing, identify any gifted and talented children. After which appropriate provision will be made, if necessary, (but exceptionally) outside the accommodation centres.

Spell-It Research

Mr. Liddell-Grainger: To ask the Secretary of State for Education and Skills what plans she has to incorporate the Spell-It infant research into mainstream schools. [76120]

Mr. Stephen Twigg: We were pleased to support this research in partnership with the Dyslexia Institute, York University, the Community Fund, WH Smith and the Dyslexia Institute's Bursary Fund.

We will look carefully at the findings in the context of our interest in the role of early intervention in addressing special educational needs. Officials plan to meet with representatives of the Dyslexia Institute to discuss the findings and other issues associated with dyslexia and literacy.

Separate Education

Linda Gilroy: To ask the Secretary of State for Education and Skills what plans she has to educate *(a)* children seeking asylum and *(b)* other children recently arrived in the UK separately from other children. [76140]

Mr. Stephen Twigg *[holding answer 21 October]:* All recently arrived children, whatever their immigration status, are given the same opportunities as all other children to access education. The Department has no plans to provide separate education for unaccompanied asylum seeker children or for the vast majority of other children recently arrived in the UK.

A minority of children whose families seek asylum and are destitute may be educated in accommodation centres which will provide a complete support package for the family, including education. This education will be of the same breadth and quality as that delivered in schools and will be specifically tailored to meet their particular needs. There will be also be intensive support provided to help them learn English and the education provision will be inspected by Ofsted.

University Drop-out Rates

Mr. Laws: To ask the Secretary of State for Education and Skills what her estimate of the drop-out rate at each English university for the last year for which figures are available is; and if she will make a statement. [76161]

Margaret Hodge: The available information on non-completion rates, showing figures for each HE institution in the UK, is contained in "Performance Indicators in Higher Education", published by the Higher Education Funding Council for England (HEFCE). Copies of the latest edition, covering students who entered HE in 1998/99, are available in the House library.

The figures show an overall non-completion rate of 17 per cent., a figure which has stayed roughly constant since 1991–92. In 2000, the Organisation for Economic Co-operation and Development (OECD) published figures comparing estimates of non-completion in member countries, and these showed that the UK had the second lowest non-completion rate among OECD countries.

ADVOCATE-GENERAL

Human Rights Trials

Mr. Lazarowicz: To ask the Advocate-General what steps she is taking to seek clarification of the law in relation to undue delay in trial contrary to Article 6 of the European Convention on Human Rights. [73601]

The Advocate-General: I intervened in the case of *R v HMA* which is a leading case concerning pre-trial delay. I appeared personally in the case before the Appeal Court in Scotland on 12–14 March and before the Judicial Committee of the Privy Council on 15–16 October 2002. Given that the case was only heard last week, it will be some time before the Judicial Committee issues its opinion.

Devolution

Mr. Savidge: To ask the Advocate-General what devolution issues have been raised with her since 10 July under the Scotland Act 1998. [73600]

The Advocate-General: I refer my hon. Friend to my oral answer today, *Official Report*, c. 113.

SCOTLAND

Pensioners

Mr. Savidge: To ask the Secretary of State for Scotland if she will make a statement on Government policies designed to raise the living standards of Scottish pensioners. [73576]

Mrs. Liddell: We have introduced the Minimum Income Guarantee for poorer pensioners; Winter Fuel Payments for people aged 60 and over; free TV licences for the over 75s; and will introduce the new pension credit next year. This will mean that no single pensioner need live on less than £100 a week and no pensioner couple on less than £154 a week.

Common Agricultural Policy

Mr. Swayne: To ask the Secretary of State for Scotland, what discussions she has had with the Scottish Executive about reform of the CAP. [73577]

Mrs. Liddell: I have regular discussions with the Scottish Executive on a wide range of issues.

Friends of Scotland Scheme

Angus Robertson: To ask the Secretary of State for Scotland, how many volunteers have been signed up to the Friends of Scotland scheme. [73578]

Mrs. Liddell: The Scotland Office has to date recruited well over 100 people in 16 countries.

Regional Airports

Mr. Liddell-Grainger: To ask the Secretary of State for Scotland, if she will make a statement on regional airports in Scotland. [73579]

Mrs. Liddell: The Government's Consultation Document, "The Future Development of Air Transport in the United Kingdom: Scotland" seeks views on a number of important aspects of air services within Scotland including the future development of airports.

These views will help inform the Government's forthcoming Aviation White Paper which will set out the long term strategy to provide the policy and infrastructural framework for the development of air services for all of Scotland over the next 30 years.

Royal Navy Facilities

Miss McIntosh: To ask the Secretary of State for Scotland, what recent discussions she has had with Secretary of State for Defence on Royal Navy facilities in Scotland. [73580]

Mrs. Liddell: I have regular discussions with the Secretary of State for Defence on a range of defence matters including Navy facilities in Scotland.

HMNB Clyde represents one of, if not the, largest single site industrial employer in Scotland. The decision to base the Astute Class submarines at Faslane with an estimated service life of 20 years, alongside the existing Vanguard Class, will provide long term job security for many of the 5000 Naval Base employees.

Meat Imports

Mr. Weir: To ask the Secretary of State for Scotland, what discussions she has had with the Scottish Executive and DEFRA regarding French action in preventing imports of Scottish meat and its effects on the Scottish agriculture industry. [73581]

Mrs. McGuire: I have regular discussions with the Scottish Executive and DEFRA on a wide range of issues.

The French Government announced on 2 October that it had decided to lift the ban on British beef imports. Implementation of the decision is expected soon.

Defence Jobs

Mr. Russell Brown: To ask the Secretary of State for Scotland, what recent assessment she has made of the number of defence-related jobs in Scotland. [73582]

Mrs. McGuire: In 2000 (the latest year for which figures are available) the total deployment of defence personnel in Scotland was 24,400 of whom 15,100 were service personnel and 9,300 were civilian employees. This represents around 9.2per cent. of UK defence personnel deployment.

Benefits

Miss Begg: To ask the Secretary of State for Scotland, what steps she is taking to encourage the take-up of benefits by Scottish pensioners. [73583]

Mrs. McGuire: We are determined to improve take up. The Department for Work and Pensions have established their new Pension Service; we have revised and shortened the claim form for the Minimum Income Guarantee; and we are working with pensioner organisations and local authorities on a range of initiatives.

Rosyth Ferry Service

Mr. MacDougall: To ask the Secretary of State for Scotland, if she will make a statement on the introduction of the ferry service from Rosyth to Europe. [73585]

Mrs. Liddell: The commencement earlier this year of Scotland's new direct ferry link with mainland Europe is a great boost to Scotland's environment with the potential for thousands of miles of lorry trips to be taken off our roads. It is more than just that though; it also improves our competitive position as an exporting nation and as a tourist destination. Exporters now have the option of a direct, regular & reliable route to our key markets in the heart of Europe and I would encourage freight companies to think carefully about making best use of this.

The establishment of this historic new ferry service is yet another example of how effective co-operation between Scottish Ministers and the Government within the devolution settlement is delivering tangible benefits to Scottish people and businesses in their daily lives.

Pensions

Mr. Tynan: To ask the Secretary of State for Scotland, what action she is taking to consult Scottish business and trade union interests on macro-economic issues relating to pensions. [73586]

Mrs. McGuire: My right hon. Friend and I have frequent meetings with business and trade union interests. The Government will publish a pensions Green Paper later this year which will initiate a wide-ranging consultation process.

Universal Bank

Mr. Baron: To ask the Secretary of State for Scotland, what discussions she has had with the Department for Trade and Industry and the Department for Work and Pensions regarding the Universal Bank. [73587]

Mrs. McGuire: I have regular discussions with ministerial colleagues on a wide range of matters.

Mr. John Taylor: To ask the Secretary of State for Scotland, what discussions she has had with the Department for Trade and Industry and the Department for Work and Pensions regarding the Universal Bank. [73589]

Mrs. McGuire: I have regular discussions with ministerial colleagues on a wide range of matters.

Prisoner's Rights

Mr. Dalyell: To ask the Secretary of State for Scotland, what steps she is taking to ensure that the rights of prisoners under Scottish law are considered in the debate on the Future of Europe with reference to the Charter of Fundamental Rights. [73588]

Mrs. Liddell: The Government is committed to maintaining a policy towards the EU that focuses on a Union that is more transparent, accountable, effective, and better able to deliver on issues which matter to its citizens. This provides our focus to the Future of Europe debate.

In the context of the planned enlargement to 25 or more States, the framework for the debate on the Future of Europe amounts to a fundamental re-examination of the institutional architecture of the EU. The Government's priority is to make sure that any eventual changes are designed to make the EU better able to ensure, and more focussed upon, the delivery of results for the people of Europe.

The Government is in regular contact with the devolved administrations, which are involved in the debate on the Future of Europe in line with the terms of the Concordat on the Co-ordination of EU Policy Issues.

Drugs

Bob Spink: To ask the Secretary of State for Scotland, when she last met the Home Secretary to discuss changes in drug classification, and its implications for the Scottish legal framework. [73590]

Mrs. McGuire: My right hon. Friend has regular discussions with the Home Secretary on a range of issues.

The classification of drugs is a reserved matter and is governed by the Misuse of Drugs Act 1971, which applies across the United Kingdom. Any changes in classification will therefore apply in Scotland.

Mr. Lyons: To ask the Secretary of State for Scotland, what steps she is taking to intensify the campaign against drugs in Scotland. [73596]

Mrs. McGuire: We are continuing to work with Home Office and Scottish Executive colleagues to stress the anti-drugs message and highlight drug control initiatives. The new Proceeds of Crime Act 2002 extends to Scotland and will put in place an enhanced and effective system for seizing assets from drug related crime and other criminal activity.

National Minimum Wage

Mr. Tom Harris: To ask the Secretary of State for Scotland, what steps are being taken to ensure the enforcement of the national minimum wage in Scotland. [73591]

Mrs. McGuire: Inland Revenue has specialist enforcement teams based in Aberdeen and East Kilbride who are responsible for enforcing the national minimum wage in Scotland. The teams follow up complaints made by workers and third parties about non-compliance and use other Revenue risk based data to identify employers for enquiry. Since April 1999, the teams have conducted 1,910 inspections and recovered of over £660,000 in wage arrears for low paid workers in Scotland.

Scottish Parliament

Pete Wishart: To ask the Secretary of State for Scotland, when she plans to announce the results of the consultation process on the size of the Scottish Parliament. [73592]

Mrs. Liddell: I hope to be able to announce a decision on the future size of the Scottish Parliament before the end of the year.

Child Protection

Mr. James Wray: To ask the Secretary of State for Scotland, if she will create *(a)* a child-safeguarding board and *(b)* multi-agency child safeguarding teams in Scotland to increase the effectiveness of professionals in the field. [73593]

Mrs. McGuire: This is a devolved matter for the Scottish Executive.

Gaelic Broadcasting

Mr. Peter Duncan: To ask the Secretary of State for Scotland, what plans she has to encourage Gaelic broadcasting. [73594]

Mrs. Liddell: The Government set out its plans for a new body to oversee Gaelic broadcasting in the policy document that accompanied the draft Communications Bill published on 7 May. The new body would build on the strengths of the Gaelic Broadcasting Committee and have a broader representative base, including the main broadcaster interests and others responsible for the development of Gaelic language and culture. It would also have powers to develop a strategy for a Gaelic television and radio service to meet the aspirations of the Gaelic community.

Ship Building

Mr. Bill Wiggin: To ask the Secretary of State for Scotland, if she will make a statement on the Scotland Office's role in promoting the shipbuilding industry in Scotland. [73595]

Mrs. Liddell: Shipbuilding, as a modern, innovative and technology intensive industry, continues to make an important contribution to the Scottish economy and has

gained significant benefits from defence procurement. My Department and I will continue to ensure that the particular Scottish interests within UK shipbuilding are represented both at home and abroad. As such I was delighted to visit Scotstoun on 22 June to perform the launch ceremony for KDB Jerambak, the third Offshore Patrol Vessel on order from the Royal Brunei Navy.

TREASURY

Euro

Mr. Laws: To ask the Chancellor of the Exchequer (1) if his Department has completed the preliminary technical work relating to five economic tests for the euro and if he will make a statement; [75718]

(2) when he plans to start the assessment of the five economic tests for euro membership; and if he will make a statement. [75719]

Ruth Kelly: I refer the hon. Member to the answer I gave him on 15 October, *Official Report*, column 607W.

Mr. Laws: To ask the Chancellor of the Exchequer which staff within Her Majesty's Treasury will carry out the assessment of the five economic tests for membership of the euro; and if he will make a statement. [75840]

Ruth Kelly: I refer the hon. Member to the answer I gave to the hon. Member for Romford (Mr. Rosindell) on 20 May, *Official Report*, column 105W.

Mr. Laws: To ask the Chancellor of the Exchequer if he will make a statement on his assessment of how the monetary transmission mechanism of the UK economy differs from that of the euro area. [75841]

Ruth Kelly: The Government has said that it will complete an assessment of the five economic tests within two years of the start of this Parliament. The assessment has not yet started, but the necessary preliminary analysis—technical work that is necessary to allow us to undertake the assessment within two years as promised—is underway.

As we set out in "Paper for the Treasury Select Committee on the Treasury's Approach to the Preliminary and Technical Work" issued on 6 September: "*A number of supporting studies will be published encompassing the preliminary and technical work . . . When the assessment is complete, the detailed supporting studies will be published alongside, all to be subject to intensive public scrutiny and debate.*" More detail on the supporting studies is given in the Paper.

EU Growth and Stability Pact

Mr. Laws: To ask the Chancellor of the Exchequer if he will make a statement on progress in reforming the European Union Growth and Stability Pact. [75720]

Ruth Kelly: The Government has consistently said that it supports a prudent interpretation of the Stability Pact, which takes into account the impact of the economic cycle, sustainability and the important role of public investment. We continue to discuss this with our EU colleagues.

Indirect Taxation

Matthew Taylor: To ask the Chancellor of the Exchequer what improvements have been made to the collection of statistics published on 5 May 1998, *Official Report*, column 331; what plans he has to introduce new indices of indirect taxation; and if he will make a statement. [74556]

Dawn Primarolo: The statistics in question relate to "typical" families in the UK. The impact of indirect taxes on a typical family are imprecise as spending patterns vary widely between households with the same composition and income level. We have no plans to introduce new indices of indirect taxation.

National Insurance Contributions

Mr. Willetts: To ask the Chancellor of the Exchequer (1) how many married women paying the reduced rate of National Insurance contributions opted to pay the full rate in each year since 1977; [74723]

(2) how many married women who have paid reduced rate National Insurance contributions opted to buy back past years to increase their benefit entitlement, in each year since 1977. [74724]

Dawn Primarolo: The number of married women paying at the reduced rate of National Insurance contributions who opted to pay the full rate would only be available for the years requested at disproportionate cost. However, available estimates based on a 3 per cent. sample of the National Insurance Recording System (NIRS2) are in the table.

	Numbers of women opting to pay at the full rate after paying reduced rate contributions
1997–1998	12,100
1998–1999	14,900
1999–2000	11,600
2000–2001	7,200

Current legislation does not allow married women the option to buy back years covered by a reduced rate election to increase their benefit entitlement.

Mr. Webb: To ask the Chancellor of the Exchequer (1) if he will list the categories of people who had to pay reduced rate class 1 national insurance contributions; and, for each category, whether entitlement to contributory benefits was gained; [76114]

(2) if he will list the categories of people given the option to pay reduced rate class 1 national insurance contributions *(a)* before and *(b)* after 5 April 1977; and, for each category, whether entitlement to contributory benefits was gained. [76113]

Dawn Primarolo: Married women and widows married before 5 April 1977 could elect, if the election was made before 12 May 1977, to pay reduced rate National Insurance contributions. The reduced rate contributions they elected to pay only covered them for Industrial Injuries Benefits. They did not build up entitlement to other contributory benefits in their own right. However, these women may receive a basic state pension based on their husband's contribution record when he retires and claims his state retirement pension.

Plastic Bag Levy

Lynne Jones: To ask the Chancellor of the Exchequer what assessment he has carried out of the levy on plastic bags introduced in Ireland. [75596]

John Healey: The Government keeps under review developments and experience of relevant taxes in other countries. The Government currently has no plans to introduce a plastic bag tax.

Digital Hearing Aids

Chris Grayling: To ask the Chancellor of the Exchequer for what reason VAT is levied on digital hearing aids. [75626]

John Healey: There is no VAT on digital hearing aids supplied to patients by the NHS. The provision of a digital hearing aid by way of business involves two supplies for the purposes of VAT: hearing equipment, which is charged with VAT at the standard rate, and a dispensing service, which is exempt from VAT.

Long-standing formal agreements with our European partners mean that we are unable to change the existing VAT treatment for hearing aids.

Afghanistan

Mr. Malins: To ask the Chancellor of the Exchequer what steps he is taking to reduce the levels of smuggling of heroin from Afghanistan. [75419]

John Healey: The UK is pursuing a number of initiatives to reduce the levels of smuggling of heroin from Afghanistan, ranging from building the expertise of Afghan counter-narcotics officers to gathering and sharing intelligence with law enforcement partners about all aspects of the trade along the smuggling routes.

Mr. Malins: To ask the Chancellor of the Exchequer what discussions he has had with ministers concerning opium production in Afghanistan and its likely effect on the availability of heroin in Britain; and if he will make a statement. [75420]

John Healey: Regular meetings are held at both Ministerial and official level to discuss a range of issues concerning Afghanistan, including opium production, poverty relief, reconstruction and security sector reform.

Estate Sales

Mr. Andrew Turner: To ask the Chancellor of the Exchequer (1) what parts of the Customs and Excise estate have been sold, and to whom, since 1997; [75681]

(2) what parts of the Inland Revenue estate have been sold, and to whom, since 1997. [75683]

Dawn Primarolo: The bulk of both Departments' properties was sold to Mapeley STEPS Ltd in April 2001 as part of a contract for the provision of serviced accommodation over a 20 year period. The number of properties sold to Mapeley STEPS Ltd by the Inland Revenue was 101 with a total area of approximately 387,000 square metres. The corresponding figures for Customs and Excise were 35 properties and an area of approximately 92,000 square metres.

Other than the disposals in connection with the STEPS contract, no comprehensive central record of property disposals exists and one could only be reconstructed at disproportionate cost. But properties known to have been disposed of are:

Inland Revenue

Dundonald House, Bexhill on Sea sold to the Police Authority

Stuart House, Edinburgh sold to G.A. Properties Ltd

Montrose House, Glasgow sold to G.A. Properties Ltd

Highland House, Manchester sold to London Regional (Manchester) Properties Ltd

Holborn House, Stockport sold to London Regional (Manchester) Properties Ltd

St. Johns House, Bootle sold to Bootle PFI solutions 1998 (2) Ltd

Customs & Excise

Portcullis House, Hull

Custom House, Salcombe

Custom House, Fowey

Custom House, Stornoway

Mr. Andrew Turner: To ask the Chancellor of the Exchequer what part of HM Treasury estate have been sold, and to whom, since 1997. [75682]

Dawn Primarolo: None.

Online Tax Assessment

Mr. Simon Thomas: To ask the Chancellor of the Exchequer if he will list which *(a)* software and *(b)* hardware is not able to access the Inland Revenue's online assessment forms. [75163]

Dawn Primarolo: As to *(a)*, the Inland Revenue only has available information relating to the software that can be used. Customers can either use the Inland Revenue's own software "SA Online" or software provided by a third party supplier. A list of approved commercial software is available on the Inland Revenue Website.

The information sought under *(b)* is not available. The Inland Revenue is able only to advise what hardware is required to use the service. The service is compatible with the most popular hardware and software, and the Inland Revenue's requirements are in line with similar commercial products, such as Internet Banking.

Mr. Simon Thomas: To ask the Chancellor of the Exchequer what proportion of online assessment users failed to send their information due to *(a)* technical incompatability or *(b)* website failure. [75164]

Dawn Primarolo: The information requested is not available.

Insurance

Mr. Kirkwood: To ask the Chancellor of the Exchequer what plans he has to act as an insurer of last resort in relation to employers' liability insurance and public liability insurance. [75851]

Ruth Kelly: None.

Personal Pensions Sales

Mr. Tynan: To ask the Chancellor of the Exchequer how many of the cases reviewed under the FSA Review

of personal pensions sales have indicated a financial loss necessitating compensation; and of these, in how many cases the reviewing company has *(a)* recompensed that financial loss and *(b)* yet to recompense that financial loss. [76321]

Ruth Kelly: The FSA Review indicated financial loss in 1,099,907 cases. Of these 1,006,173 cases have been recompensed, leaving 93,734 yet to be recompensed.

Mr. Tynan: To ask the Chancellor of the Exchequer how many cases were reviewed and how many cases remain to be reviewed under *(a)* the Financial Services Authority Review of Personal Pensions Sales and *(b)* the FSA Review of Free Standing Additional Voluntary Contribution Sales. [76320]

Ruth Kelly: The latest information from the FSA is as follows:

Number of Cases	*Personal Pensions*	*Free Standing Additional Voluntary Contributions*
Reviewed	1,570,079	99,314
To be reviewed	41,028	5,644

Pension Annuities

Lynne Jones: To ask the Chancellor of the Exchequer how many respondents to the consultation document on annuities put forward the suggestion for a money back guarantee on the purchase of pension annuities; and in what way the views of these respondents were reflected in the analysis of the responses to the consultation. [76340]

Ruth Kelly: Out of a total of 601 responses, 29 included comments on the idea of a money back guarantee. The summary of responses published on 18 July gave a broad picture of the consultation feedback. The complete set of responses was placed in the Library on the same date.

As indicated in the reply given on 18 July 2002 to the hon. Member for Bridgwater (Mr. Liddell-Grainger), Official Report, column 467W, any reforms to annuities will need to dovetail with simplification and other reforms being considered in the pensions Green Paper this autumn.

Income Tax

Mr. Laws: To ask the Chancellor of the Exchequer what his estimate is of the proportion of *(a)* total income tax and *(b)* all taxes paid by the top 10 per cent. of income tax payers by income for each year since 1980–81. [76294]

Dawn Primarolo: It would only be possible to provide a reliable answer at disproportionate cost. Some of the information is, however, available in table 2.4 of Inland Revenue Statistics which is available on Inland Revenue's website www.inlandrevenue.gov.uk. Estimates for some earlier years are also available in table 2.3 of the 1993 edition of Inland Revenue Statistics which is available in the Library of the House.

ECOFIN Council

Mrs. Lawrence: To ask the Chancellor of the Exchequer what the outcome was of the ECOFIN Council held on 8 October; what the Government's stance was on the issues discussed, including its voting record; and if he will make a statement. [76605]

Mr. Gordon Brown: I attended the ECOFIN meeting on 8 October.

The Presidency and Commission gave an oral progress report on negotiations with third countries on the draft EU Directive on Savings. It was decided that the Commission should continue negotiations on the basis of its current mandate.

ECOFIN had an orientation discussion on the Presidency's proposed guidelines for an energy tax directive. The UK supported the Presidency's draft guidelines. ECOFIN will further consider the outstanding issues at its meeting on 5 November.

On streamlining of economic reform processes and the review of the Employment Strategy, it was agreed that ECOFIN would have a full discussion in November, on the basis of a joint report by the Economic and Financial Committee (EFC) and Economic Policy Committee (EPC).

Council held an orientation debate on the budgetary and financial aspects of enlargement ahead of the Brussels European Council on 24–25 October. Along with other Member States, the UK stressed the importance of enlargement taking place on a sustainable financial basis and the need for parallel progress on reform of the Common Agricultural Policy, including degressivity of direct payments.

ECOFIN endorsed the Economic and Financial Committee's proposals on new arrangements for financial stability, supervision and integration. The proposals will now go for consultation with the European Parliament as well as industry and consumer organisations before adoption by ECOFIN in December.

Council adopted conclusions on Macro-Financial Assistance and approved an updated Common understanding on economic issues for Russia.

The Commission stated its intention to end the state aid exemption for aviation insurance from 31 October, and set out criteria for possible participation in a mutual insurance fund. The Presidency noted that any member state that wished to continue their state guarantee scheme beyond 31 October would have to apply for general state aid clearance in the normal way. The EFC will continue discussions on mutual insurance funds to inform future ECOFIN consideration.

At the UK's request, the Commission was asked to produce clarification for EU Ambassadors in COREPER on the scope for an EDF (European Development Fund) contribution to financing the shortfall in the Highly Indebted Poor Countries initiative.

No votes were taken at the meeting.

Mortality Rates

Mr. Barker: To ask the Secretary of State for Health, what the death rate is for *(a)* lung, *(b)* breast, *(c)* prostate, *(d)* ovarian and *(e)* leukaemia cancer patients within the NHS; and what the figures were for each year since 1997. [75785]

Ruth Kelly: The answer requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from John Pullinger to Mr. Gregory Barker, dated 22 October 2002:

The National Statistician has been asked to reply to your question asking what the death rate is for *(a)* lung, *(b)* breast, *(c)* prostate, *(d)* ovarian and *(e)* leukaemia cancer patients within the NHS; and what the figures were for each year since 1997. I am replying in his absence. (75785)

The information that is available on deaths from cancer is given in the attached table, and relates to all those occurring in England and Wales in each year. It is likely that the vast majority of these will have had some contact with the NHS during their treatment, but it is not possible to state which were NHS patients.

Age-standardised death rates[1] per million: selected cancers, by sex England and Wales 1997–2000

	Trachea, bronchus and lung (162)	*Breast* (174)*	*Ovary and other uterine adnexa (183)*	*Prostate (185)*	*eukaemia (204–208)*
Calendar year[3]					
Males					
1997	649	—	—	277	66
1998	641	—	—	274	66
1999	609	—	—	270	66
2000	590	—	—	257	66
Females					
1997	285	336	115	—	43
1998	291	327	117	—	40
1999	289	318	112	—	44
2000	285	310	110	—	39

[1] Directly age-standardised to the European standard population.

[2] Cause of death was defined using the International Classification of Diseases, Ninth Revision (ICD-9) codes given in brackets in the table

[3] Figures are for deaths occurring in each calendar year

Cm 5570

Mr. Laws: To ask the Chancellor of the Exchequer when Her Majesty's Treasury published the correction note to Cm 5570; for what reason it was necessary to make changes to the original document; what action has been taken to avoid such errors in future; and if he will make a statement. [76162]

Mr. Boateng: The note was published on 9 September 2002 to correct a number of typographical errors in the document. The Treasury makes every effort to ensure that published documents are fully accurate and will continue to do so. However, where minor errors are identified after publication, it is right that these are corrected publicly.

National Insurance

Mr. Webb: To ask the Chancellor of the Exchequer what estimate he has made of the number of people using an incorrect national insurance number. [76182]

Dawn Primarolo: The Inland Revenue as part of its normal business checks that people are using the right National Insurance numbers. When an error has occurred, we seek to correct it and inform the individual. It is not possible, except at disproportionate cost, to estimate the number of people who use an incorrect number.

Mr. Webb: To ask the Chancellor of the Exchequer how many letters have been sent in the last five years to inform people that they have been using an incorrect national insurance number; and if he will make a statement. [76181]

Dawn Primarolo: It is not possible to establish the number of letters sent in the last five years about incorrect National Insurance numbers except at disproportionate cost.

CR74 Computer System

Mr. Webb: To ask the Chancellor of the Exchequer what the estimated cost is of the CR74 computer system. [76183]

Dawn Primarolo: The Inland Revenue does not have an IT system called CR74. This is the internal name for a series of activities to enable Inland Revenue to manage its records better.

Biofuels

Mr. Boris Johnson: To ask the Chancellor of the Exchequer what plans he has to increase the rebate on biofuels; and if he will make a statement. [75947]

John Healey: The Government's taxation plans are announced in the Chancellor's annual Budget statement.

VAT

Mr. Gordon Marsden: To ask the Chancellor of the Exchequer how many businesses *(a)* registered for VAT and *(b)* de-registered for VAT there were per 10,000 resident adult population in (i) the UK, (ii) the North West and (iii) Blackpool in each of the last five years for which figures are available. [75977]

John Healey: Customs currently maintain this data on VAT registration and deregistration on a national basis.

The numbers of businesses registered and deregistered for VAT per 10,000 resident adult population in the UK in each of the last five years were:

Year Ended 30 June	Registered	Deregistered
1997	41	35
1998	43	34
1999	42	36
2000	41	38
2001	40	35

Travel Insurance

Mr. Key: To ask the Chancellor of the Exchequer if he will make a statement on the impact on the travel insurance industry of recent events in Bali. [74961]

Ruth Kelly: I am not aware of any changes to the position of UK travel insurers following the recent tragedy in Bali.

Equity Release Schemes

Mr. Waterson: To ask the Chancellor of the Exchequer what action he proposes to protect retired people in respect of equity release schemes. [75156]

Ruth Kelly: The Treasury is giving the Financial Services Authority (FSA) responsibility for regulating mortgage business, including mortgage based equity release arrangements. In August, the FSA published CP 146 which sets out its approach to regulating mortgage sales including lifetime mortgages (the FSA's term for regulated equity release mortgages). It is expected that regulation of lifetime and other mortgages will come into force in October 2004.

Departmental Websites

Dr. Cable: To ask the Chancellor of the Exchequer if he will list the website links associated with his Department, including sites now dormant or closed, and indicating whether they are live, dormant or closed; what the start up costs were for each site listed; what the operating costs were in each year since start up for each site; which company hosted each site; what assessment takes place for each site; which company does the assessment; if he will place the assessment reports in the Library; and if he will make a statement. [75579]

Ruth Kelly: As well as the main Treasury web site (www.hm-treasury.gov.uk), the Treasury is also responsible for the following sites:

Site name	Start up costs
www.addingitup.gov.uk	£23,000
www.euro.gov.uk	£9,602
The Government Economic Service's recruitment site (www.ges.gov.uk)	£4,310
Invest to Save web site (www.isb.gov.uk)	£13,098
Whole of Government accounts site (www.wga.gov.uk)	£500
The Commonwealth Finance Ministers Site (www.cfmm2002.org)	£4,175

Figures are exclusive of VAT unless otherwise indicated.

For information on the start up costs of the recently relaunched main Treasury site, I refer the Hon member to the reply I gave to the member for Arundel & South Downs (Mr. Howard Flight), 19 December 2001, *Official Report*, column 321W.

The Treasury was the first Government Department to have a web site and over the last eight years has developed and maintained a series of web sites. Complete start up and running costs for all Treasury related sites launched since 1994, including dormant and closed ones, could not be provided without incurring disproportionate cost.

The Treasury's websites are hosted by commercial companies whose contracts are subject to regular review. Anticipated costs on hosting services over the next twelve months will be approximately £40,000 with another £50,000 spent on technical management and support. Information relating to the individual companies hosting the site could not be disclosed under Exemption 7 (Effective Management and Operation of the Public Services) of the *Code of Conduct on Access to Government Information*. The Treasury has not, to date, commissioned external companies to provide reports on its web sites.

Penrose Inquiry

Mr. Clappison: To ask the Chancellor of the Exchequer when he expects to receive the report from Lord Penrose's inquiry into Equitable Life. [75397]

Ruth Kelly: I refer the hon. Member to the reply I gave to the hon. Member for Colchester (Mr. Russell) on 15 October, *Official Report*, column 608W.

Focus Group Research

Mr. Allen: To ask the Chancellor of the Exchequer what use he and his Department has made of focus group research since June 2001; if he will identify for each research project the topics covered, the person or organisation carrying out the research, and the total cost; and if he will publish the research on his Department's website. [74998]

Ruth Kelly: The information requested is not held centrally and could be obtained only at disproportionate cost.

Treasury Estate

Mr. Andrew Turner: To ask Chancellor of the Exchequer, what parts of HM Treasury estate have been sold, and to whom, since 1997. [75682]

Dawn Primarolo: None.

Suicides

Dr. Evan Harris: To ask the Secretary of State for Health, what the average age-standardised mortality rate from suicide per 100,000 working-age adults was in *(a)* 1998, *(b)* 1999 and *(c)* 2000. [75636]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from John Pullinger to Mr. Evan Harris, dated 22 October 2002:

The National Statistician has been asked to reply to your question asking what the average European age-standardised mortality rate from suicide per 100,000 working adults was in *(a)* 1998, *(b)* 1999 and *(c)* 2000. I am replying in his absence. (75636)

The figures requested are given in the table below. Figures for men and women are shown separately, as different age groups are used to classify working age depending on sex.

Age-standardised[1] mortality rate for suicide and injury undetermined whether accidentally or purposely inflicted[2] for adults of working age[3] by sex in England and Wales, 1998 to 2000

	rate per 100,000	
Calendar year[4]	*Men*	*Women*
1998	20.8	5.5
1999	20.4	5.7
2000	18.8	5.8

Sources:

[1] Directly age-standardised to the European standard population.

[2] Cause of death was defined using the International Classification of Diseases, Ninth Revision (ICD-9) codes E950-E959 and E980-E989 excluding E988.8.

[3] Adults of working age were classified as men aged between 16 and 64 and women aged between 16 and 59.

[4] Figures are for deaths occurring in each calendar year

Prostate Cancer

Mr. Barker: To ask the Secretary of state for Health, when figures for the incidence of prostrate cancer in the UK as whole will be available. [75806]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from John Pullinger to Mr. Gregory Barker, dated 22 October 2002:

The National Statistician has been asked to reply to your recent question concerning when figures for the incidence of prostate cancer in the UK as a whole will be available. (75806)

The numbers of newly diagnosed cases and directly age standardised rates for prostate cancer in the United Kingdom and its constituent countries for 1998 are available and are given in the table below.

Figures for the United Kingdom for 1999 are expected to be available early in 2003.

Number of newly diagnosed cases and directly age standardised registration rates per 100,000 males for prostate† cancer by country in the United Kingdom, 1998*

	Number	*Rate*
United Kingdom	22916	67.4
England	19335	67.6
Wales	1262	68.1
Scotland	1839	66.4
N Ireland	480	61.2

Notes:

* Using the European Standard Population

† International Classification of Disease Tenth Revision Code C61

HOME DEPARTMENT

Sex Offenders

Mr. Andrew Turner: To ask the Secretary of State for the Home Department (1) how many persons on the Sex Offenders Register are registered at addresses in Southampton, Portsmouth and Hampshire, and on the Isle of Wight; [23943]

(2) how many persons on the Sex Offenders Register, registered at addresses on the Isle of Wight, were *(a)* never convicted of a sex offence and *(b)* convicted of a sex offence (i) within the last two years, (ii) 3–5 years ago, (iii) 6–10 years ago, (iv) 11–20 years ago and (v) more than 20 years ago; [23944]

(3) how many persons on the Sex Offenders Register, registered at addresses on the Isle of Wight, were *(a)* never imprisoned as a result of a sex offence and *(b)* released from imprisonment for a sex offence (i) within the last two years, (ii) 3–5 years ago, (iii) 6–10 years ago, (iv) 11–20 years ago and (v) more than 20 years ago; [23945]

(4) what offences have been committed in the last 10 years by those persons on the Sex Offenders Register who are registered at addresses on the Isle of Wight. [23946]

Hilary Benn *[holding answer 19 December 2001]:* The Sex Offenders Act 1997 requires offenders cautioned for, convicted of, or found not guilty by reason of insanity of an offence specified in Schedule One to the Act since the date of its implementation to notify their local police of their names, addresses, dates of birth and intentions to travel abroad for eight days or longer. There is, however, no register of sex offenders, as such; nor are sex offenders subject to the requirements of the Sex Offenders Act separately identified as such in criminal statistics.

The Home Office has issued guidance to chief officers of police and probation in respect of their statutory duty under section 67 of the Criminal Justice and Court Services Act 2000 to make arrangements for the assessment and management of the risk posed by dangerous offenders. The guidance requires information about the number of registered sex offenders in each police area to be published. A copy of the relevant annual report, which reveals there are 713 registered sex offenders in Hampshire, translating to a rate of 40 per one hundred thousand of the population can be obtained from the Hampshire police or Probation Services. Detailed Information requested is not available centrally.

Traffic Policing

Mr. Paice: To ask the Secretary of State for the Home Department (1) if he will list the UK police forces which have a dedicated traffic enforcement division, how many officers there were in the divisions; and what these figures were as a percentage of the force strength; [73427]

(2) if he will list the UK police forces which have disbanded their dedicated traffic divisions in the last 10 years; [73428]

(3) what the budget for traffic enforcement was in each police force for the last 10 years; and what each figure was expressed as a percentage of the force budget. [73429]

Mr. Denham: The two tables give the information readily available. Table 1 sets out for each police force in England and Wales in 2001–02 the number of officers in traffic posts ("traffic police"). Traffic police are defined as "staff who are predominantly employed on

motorcycles or in patrol vehicles for the policing of traffic and motorway related duties". The definition does not include accident investigation, vehicle examination or radar duties. No records are kept centrally of which forces organise their traffic posts into dedicated traffic enforcement divisions or which forces have disbanded dedicated traffic enforcement divisions.

Table 2 sets out for each force in England and Wales the net cost of traffic and road safety for the past two years, showing each force's spend on these as a proportion of the force budget. The table shows that, over the two-year period, spend on traffic and road safety increased as a proportion of the force budget in a significant number of forces.

A thematic inspection report on road policing by Her Majesty's Inspectorate of Constabulary, published in 1998, identified an intelligence-led model for this activity, integrating traffic policing with other core activities and making more effective use of police resources. As forces increasingly adopt this approach, the number of dedicated traffic officers may reduce, but this does not necessarily reflect a lower level of enforcement. The increased use of cameras and other technology can allow a reduction in traffic officers whilst maintaining traffic targets/ enforcement levels. It also allows traffic officers to be appropriately targeted elsewhere. Reductions in the numbers of traffic officers, taken by themselves, can therefore be misleading.

Table 1: Numbers of traffic police in 2001–02

	No of Traffic Police	*Total Strength*	*Percentage of Force Strength*
Avon and Somerset	214	3,096	6.9
Bedfordshire	69	1,069	6.5
Cambridgeshire	78	1,362	5.7
Cheshire	194	2,059	9.4

Table 1: Numbers of traffic police in 2001–02

	No of Traffic Police	*Total Strength*	*Percentage of Force Strength*
City of London	25	764	3.3
Cleveland	67	1,461	4.6
Cumbria	108	1,100	9.8
Derbyshire	140	1,848	7.6
Devon and Cornwall	187	3,053	6.1
Dorset	81	1,381	5.9
Durham	113	1,614	7.0
Dyfed-Powys	75	1,132	6.6
Essex	254	2,946	8.6
Gloucestershire	64	1,183	5.4
Greater Manchester	421	7,217	5.8
Gwent	87	1,333	6.5
Hampshire	240	3,480	6.9
Hertfordshire	149	1,825	8.2
Humberside	136	2,058	6.6
Kent	104	3,355	3.1
Lancashire	220	3,304	6.7
Leicestershire	86	2,100	4.1
Lincolnshire	98	1,198	8.2
Merseyside	126	4,125	3.1
Metropolitan Police	602	26,223	2.3
Norfolk	114	1,468	7.8
Northamptonshire	61	1,214	5.0
Northumbria	178	3,929	4.5
North Wales	152	1,506	10.1
North Yorkshire	140	1,417	9.9
Nottinghamshire	111	2,330	4.8
South Wales	244	3,222	7.6
South Yorkshire	208	3,199	6.5
Staffordshire	34	2,133	1.6
Suffolk	68	1,203	5.7
Surrey	110	1,992	5.5
Sussex	174	2,893	6.0
Thames Valley	247	3,762	6.6
Warwickshire	95	969	9.8
West Mercia	325	2,018	16.1
West Midlands	385	7,681	5.0
West Yorkshire	336	4,889	6.9
Wiltshire	88	1,157	7.6

Table 2: Traffic and road safety net costs 2000–01 TO 2001–02 (only 2 years available)

	Net cost of traffic & road safety 2000–01	*Spend as proportion of net budget requirement 2000–01*	*Net cost of traffic & road safety 2001–02*	*Spend as proportion of net budget requirement 2001–02*
Avon & Somerset	£18,620,000	10.25%	£19,772,000	10.42%
Bedfordshire	£4,377,000	6.56%	£4,646,000	6.57%
Cambridgeshire	£6,173,000	7.76%	£8,054,000	9.57%
Cheshire	£5,535,000	4.81%	£5,420,000	4.45%
City Of London	£2,364,000	4.08%	£2,483,000	4.16%
Cleveland	£3,949,000	4.46%	£4,073,000	4.49%
Cumbria	£6,159,000	9.14%	£4,590,000	6.50%
Derbyshire	£12,632,000	11.37%	£12,581,000	10.76%
Devon & Cornwall	N/A	N/A	N/A	N/A
Dorset	£4,330,000	5.34%	£4,415,000	5.22%
Durham	£4,946,000	5.89%	£5,503,000	6.28%
Dyfed-Powys	£2,176,000	3.69%	£3,147,000	5.00%
Essex	£8,479,000	4.63%	£9,312,000	4.78%
Gloucestershire	£4,595,000	6.70%	£4,592,000	6.36%
Greater Manchester	£8,545,000	2.17%	£23,590,000	5.74%
Gwent	£4,637,000	6.09%	£4,717,000	5.85%
Hampshire	£20,241,000	9.89%	£21,443,000	9.92%
Hertfordshire	£12,424,900	10.02%	£10,679,000	8.25%
Humberside	£8,170,000	6.87%	£10,700,000	8.35%
Kent	£5,701,000	2.95%	£5,638,000	2.73%
Lancashire	£16,518,000	8.69%	£17,388,000	8.73%
Leicestershire	£5,420,000	4.92%	N/A	N/A
Lincolnshire	£4,200,000	5.79%	N/A	N/A
Merseyside	£13,772,000	5.43%	£16,317,000	6.16%
Metropolitan Police	N/A	N/A	N/A	N/A

Table 2: Traffic and road safety net costs 2000–01 TO 2001–02 (only 2 years available)

	Net cost of traffic & road safety 2000–01	*Spend as proportion of net budget requirement 2000–01*	*Net cost of traffic & road safety 2001–02*	*Spend as proportion of net budget requirement 2001–02*
No. folk	N/A	N/A	£6,081,000	6.18%
North Wales Police	£8,583,000	10.22%	£6,427,000	7.18%
North Yorkshire	£5,797,000	7.03%	£5,896,000	6.87%
Northamptonshire	£3,534,000	4.79%	£4,040,000	5.16%
Northumbria	N/A	N/A	N/A	N/A
Nottinghamshire	£2,227,000	1.66%	£7,431,000	5.30%
South Wales	£11,425,000	6.38%	£13,697,000	7.25%
South Yorkshire	N/A	N/A	N/A	N/A
Staffordshire	£8,755,000	6.89%	N/A	N/A
Suffolk	£4,005,000	5.46%	£4,094,000	5.27%
Surrey	£11,531,000	9.12%	£10,702,000	8.74%
Sussex	£9,522,000	5.46%	£9,247,000	5.03%
Thames Valley	£18,819,000	7.90%	£18,981,000	7.53%
Warwickshire	£5,221,000	8.84%	£5,502,000	8.82%
West Mercia	£13,910,000	11.07%	£15,861,000	11.91%
West Midlands	£15,886,000	4.02%	£21,722,000	5.29%
West Yorkshire	£17,936,000	5.95%	N/A	N/A
Wiltshire	£4,769,000	6.63%	£4,930,000	6.52%
All England And Wales	391,251,000	5.03%	£461,601,000	5.65%

Source:
Chartered Institute of Public Finance and Accountancy Police statistics 2000–01 Actuals and 2001–02 Estimates. Total cost is not available separately for five forces, but overall figure reflects sum for all forces.
Traffic and road safety includes traffic units; vehicle based armed response units; motorway patrol units; accident investigation units; road safety officers and speed management units.

Roadside Checks

Mr. Paice: To ask the Secretary of State for the Home Department how many roadside checks undertaken by the Vehicle Inspectorate have had to be cancelled over the last 12 months owing to lack of police resources, broken down by police force. [73431]

Mr. Denham: The table gives details for each force area in England and Wales of the number of roadside checks undertaken, total Vehicle Inspectorate (VI) staff hours worked, hours lost by the VI owing to the lack of a police officer, and total police hours worked. Hours lost by the VI cover circumstances such as where police officers were called away at the time of the check to deal with local emergencies or where officers did not attend as arranged. Numbers of roadside checks where the police gave more than 24 hours' notice of cancellation or where a force could not cover the desired number of checks because a senior police officer decided that the resources needed to go elsewhere are not recorded centrally.

Much of the increasing demand on the police is generated by the current provision that only an officer in uniform can stop vehicles for such purposes as roadworthiness and emissions tests. The police are not always in a position to supply officers to assist the VI in this way, and the Government recognise that police involvement in VI roadside checks may not be seen as the most effective use of police resources. Provisions in the Police Reform Act 2002 enable Community Support Officers and accredited persons to be given the power to stop and direct vehicles for specific purposes. These include for tests by the VI of vehicles' roadworthiness and compliance with construction and use regulations. The Act also removes the present restriction on traffic wardens' powers to stop, so that they can also undertake such functions. These measures will benefit the VI by enabling them to have a higher level of guaranteed service.

Area	*Police force*	*No.of checks*	*Total VI staff hrs*	*VI lost hrs*	*Total police hrs*
4	Cumbria	119	2581.5	0	1032
4	Lancashire	118	2334	9.5	991.5
5	Derbyshire	146	3545	18	860
5	Greater Manchester	181	4698	24.5	1075.5
5	Cheshire	75	1993	2.5	440.5
6	Cheshire	72	2001	20	479
6	Mersey Tunnel	43	716.5	10.5	199.5
6	Merseyside	84	2821	71	522
6	North Wales	54	1430.5	7.5	358
7	Staffs	57	1133	47.25	266.75
7	West Mercia	10	140	13	24.25
7	West Mids	19	267.5	0	112.75
7	CPMG	47	1128	59.33	194.5
8	Warwickshire	66	1320	0	500
8	West Mercia	72	1575	11	1151
8	West Mids	73	1389	22.5	1141
9	Dyfed	84	1055	27	654

Area	Police force	No.of checks	Total VI staff hrs	VI lost hrs	Total police hrs
9	Gwent	81	1295.5	23.5	658
9	South Wales	84	715.25	7.75	607.5
10	Avon & Somerset	141	2269	8	1260
10	Gloucester	85	928	0	546
10	Wiltshire	92	1175	14	870
11	Devon & Cornwall	168	3656	160.5	1812
11	Dorset	82	1300.5	46.5	1003.5
11	Avon & Somerset	36	833.25	17.5	509.75
11	British Transport	0	0	0	0
12	Hants	22	416.9	11	323
12	Thames Valley	44	742.75	57.5	440.25
12	Wiltshire	2	33	0	17
13	Metropolitan	16	378.5	46	76
13	Surrey	110	2815	37	647.55
13	Sussex	105	1882.1	21	604.17
14	Kent	166	3327.4	64.25	900.05
14	Sussex	69	1265.4	48.5	323.45
15	British Transport	4	55	60	20
15	Heathrow	14	275	2	65
15	Royal Parks	0	0	0	0
15	Metropolitan	165	3655	93.75	779.5
15	City of London	14	155	0	70
16	Metropolitan	0	0	0	0
16	Essex	65	1928.85	10.5	313.75
16	Herts	58	1449.5	120.25	742.5
17	Norfolk	74	1819	130.5	448.5
17	Suffolk	20	380.5	0	126
17	Lincs	0	0	0	0
18	Bedfordshire	7	159	4	33.5
18	Northants	19	504.5	69	154
18	Thames Valley	36	1177.75	131.5	223.25
18	Leicestershire	12	274.5	3	157.5
19	Cambridge	49	677.5	26.5	459.5
19	Lincs	142	2393.5	24.67	1480
20	Notts	81	2566	4	801.5
20	S Yorks	107	2552.5	12	846.5
20	W Yorks	0	0	0	0
21	Humberside	44	1330.5	54.17	239
22	N Yorks	72	1080.5	16.83	458.75
22	W Yorks	68	1431.5	35	745
23	Cleveland	81	1184	0	482
23	Northumbria	121	1879	2.5	704
23	N Yorks	73	1772	2	444
23	Durham	88	1170	30	516
	Total	4007	83032.65	1783.75	30891.22

Street Crime

Mr. Gareth Thomas: To ask the Secretary of State for the Home Department how the level of street crime changed in *(a)* Harrow and *(b)* London between January and the end of August. [74580]

Mr. Denham: The Home Office does not routinely publish monthly crime figures. Statistics collected by the Home Office and published on 14 October as part of the Street Crime Initiative show that street crime offences in the Metropolitan Police Area fell from 6,774 offences in the four weeks ending 30 January to 4,576 offences in the four weeks ending 28 August. This represents a reduction of 32 per cent. The definition of street crime is all robbery offences (commercial and personal) and snatch thefts.

The information on street crime figures at borough level is not published by the Home Office.

Illegal Parking

Mr. Wiggin: To ask the Secretary of State for the Home Department what guidance he has given, and what legislation is in place, regarding illegal parking. [73834]

Mr. Bob Ainsworth: Parking offences are contained in a number of Acts including the Highways Act 1980, the Road Traffic Regulation Act 1984, the Road Traffic Act 1988 and the Road Traffic Offenders Act 1988. Guidance about illegal parking is given in the Highway Code.

Enforcement of criminal parking offences is an operational matter for the police. The Road Traffic Act 1991 provided for the decriminalisation of most non-endorsable on-street parking offences and their enforcement by local authorities. Normally, where there is an infringement a local authority parking attendant would issue a Penalty Charge Notice (PCN) to the transgressor. It is a matter for the local authority to

ensure parking attendants are doing their jobs properly. Motorists can appeal to an independent parking adjudicator if they wish to dispute the issue of a PCN.

Terrorism

Mr. Wiggin: To ask the Secretary of State for the Home Department what assessment he has made of the co-ordination between organisations in response to any terrorist attack. [73849]

Mr. Blunkett: Since the attacks of 11 September, the Government has conducted a wide ranging review of the United Kingdom counter terrorist procedures and infrastructure, including physical and legislative measures to disrupt, deter and prevent terrorist activity. The Civil Contingencies Committee, which I chair, has led the review working systematically through all government departments, the emergency services, local authorities and the Devolved Administrations. In this way we are in a position to get advice on issues that require central leadership or facilitation. The arrangements are revised and tested through exercises to encourage continual improvement of our response arrangements.

The Government's progress report "The United Kingdom and the Campaign against International Terrorism" published on 9 September, and placed in the Library, provides a summary of action taken to strengthen counter-terrorism measures within the United Kingdom.

An external assessment by the House of Commons Defence Committee, detailed in their sixth report of session 2001–02 "Defence and Security in the United Kingdom", made further recommendations to which the Government are responding and which will help guide further work.

To further enhance the capacity at the centre of Government to co-ordinate security, intelligence and consequence management matters and deal with risks and major emergencies should they arise, Sir David Omand KCB was appointed as Security and Intelligence Co-ordinator and Permanent Secretary to the Cabinet Office in June this year.

Further information on the preparedness of the United Kingdom to respond to a major terrorist attack can be found on the website maintained by the Civil Contingencies Secretariat (CCS) at: http://www.ukresilience.infor/home.htm.

Prisons

Mr. Wiggin: To ask the Secretary of State for the Home Department what recent representations he has received regarding capacity in prisons; and what plans he has to increase prison capacity. [73768]

Hilary Benn: My right hon. Friend, the Secretary of State receives representations on a regular basis regarding capacity in prisons. These come from a wide variety of individuals and organisations.

Her Majesty's Prison Service has already started an emergency building programme to increase capacity by 2,320 places by March 2003. The programme includes building modular temporary units and ready to use units at existing prisons and the deferment of some wing refurbishment schemes. The first of these schemes is already in operation. The Home Secretary also announced on 14 October that an additional £60 million would be provided to the Prison Service in 2003–04 to build further places to open next year. Further additional accommodation will be delivered during 2002 and 2004 as part of the expansion programmes at Her Majesty's Prison Hull and Birmingham.

Airlines (Data Collection)

Miss McIntosh: To ask the Secretary of State for the Home Department what consultation there has been on the revised rules under Schedule 7 to the Terrorism Act 2000 (Information) Order 2002; and what estimate he has made of *(a)* the additional time it will take for airlines to collect the data from passengers and *(b)* the potential delays caused by this procedure. [74084]

Mr. Blunkett: Following the issue of a consultation document in March this year, two rounds of consultation meetings between Home Officials and representatives of the air and sea industries took place between April and July and in August. A third round is scheduled to run from 22 October to 14 November.

In addition, I met representatives of the industries on 11 July and my hon. Friend the Minister of State (Beverley Hughes) met them on 16 October, keeping our commitment to ensure that representatives of the industry have access to Ministers.

These meetings have considered all the issues relevant to implementation, including how best to keep potential costs and delays to a minimum, while ensuring we are doing everything possible to disrupt and deter potential terrorists.

Correspondence

Mr. Kaufman: To ask the Secretary of State for the Home Department (1) when he intends to reply to the letter to him dated 24 June from the right hon. Member for Manchester, Gorton, with regard to Amir Chaudhry; [74561]

(2) when he intends to reply to the letter to him dated 24 June from the right hon. Member for Manchester, Gorton with regard to Amir Chaudhry. [76237]

Mr. Blunkett: I wrote to my right hon. Friend on 18 October 2002.

Mr. Kaufman: To ask the Secretary of State for the Home Department when he intends to reply to the letter to him dated 5 August from the right hon. Member for Manchester, Gorton with regard to Mr. Amanat Vilah. [74566]

Mr. Blunkett: I wrote to my right hon. Friend on 18 October 2002.

Sir Michael Spicer: To ask the Secretary of State for the Home Department when the hon. Member for West Worcestershire will receive answers to his letters of 28 August and 24 June about Ms Jackie Neilson. [76013]

Beverley Hughes *[holding answer 21 October 2002]:* A reply to the hon. Member's letters of 24 June and 28 August is currently being prepared. I apologise for

the considerable delay in responding to the issues he has raised; however, I can confirm that the constituent on whose behalf he contacted me was informed of the outcome of her application for a work permit on 14 August.

Asylum Seekers

Mr. Malins: To ask the Secretary of State for the Home Department if he has considered the prospect of floating coastal accommodation centres for asylum seekers, and the cost and other implications thereof; and if he will make a statement. [75405]

Beverley Hughes: Site searching has continued as we said it would when we announced our shortlist for Accommodation Centre sites on 14 May. We have not ruled out the possibility of using floating accommodation centres for asylum seekers.

Mr. Malins: To ask the Secretary of State for the Home Department what progress is being made to establish a system enabling the Home Office to identify the whereabouts of every asylum seeker during the period from application to final determination. [75435]

Beverley Hughes: We are making improvements in contact management as detailed in the current Nationality, Immigration and Asylum Bill. This states that asylum seekers in the proposed Accommodation Centres may be required to report daily within the Centre. We will seek to maintain contact with those asylum seekers who are dispersed. Those who do not require the National Asylum Support Service (NASS) accommodation will also be required to report. During the induction process asylum seekers will be informed of their obligations to provide up to date address details and to report as required. Provision of support will be conditional on complying with these requirements.

The Immigration Service will manage the contact process actively. There are eight designated reporting centres which have been established throughout the country to assist in managing these reporting regimes. Contact management will be further enhanced by the use of a mobile reporting centre, by immigration staff using specified police stations for reporting and by visiting asylum seekers at their accommodation.

Mr. Malins: To ask the Secretary of State for the Home Department what the latest estimated cost is of *(a)* building and *(b)* staffing the proposed pilot accommodation centres for asylum seekers. [75431]

Beverley Hughes: I refer the hon. Member to the reply my hon. Friend the member for Wallasey (Angela Eagle) gave to the hon. Member for Mid Worcestershire (Peter Luff) on 8 March 2002, *Official Report*, column 595W.

Mr. Malins: To ask the Secretary of State for the Home Department how may applications for asylum from Iraq were received in the first two quarters of 2002; how many were rejected; how many are subject to appeal; and how many removals have taken place. [75412]

Beverley Hughes: The table shows the number of applications received in the United Kingdom, excluding dependants, and initial decisions[1,2,p] of Iraqi nationals for the first two quarters of 2002.

	Applications Received	*Total Initial Decisions*	*Recognised as a refugee and granted asylum*	*Not recognised as a refugee but granted exceptional leave*	*Refusals*
Quarter 1 2002	2,840	2,535	220	1,430	890
Quarter 2 2002	3,420	2,545	195	1,775	575

Notes:
[1] Figures rounded to the nearest five.
[2] Decision figures do not necessarily relate to applications received in the same period.
[p] Provisional figures

Data on initial decisions are independent of applications data, and do not all necessarily relate to applications lodged in the same period.

There are no data available on asylum appeals lodged by nationality. The requested information could be obtained only at disproportionate cost by examination of individual case records.

In the first quarter (January to March) of 2002, an estimated 35 Iraqi principal asylum applicants were removed. This includes persons departing "voluntarily" after enforcement action had been initiated against them and persons leaving under Assisted Voluntary Return Programmes run by the International organisation for migration (IOM), and excludes dependants.

Data on removals by nationality in the second quarter of 2002 are not yet available. This information will be published on 29 November on the Home Office Research, Development and Statistics Directorate website at http://www.homeoffice.gov.uk/rds/immigration1.html.

Mr. Malins: To ask the Secretary of State for the Home Department when he anticipates that the first pilot accommodation centre for asylum seekers will become operational. [75429]

Beverley Hughes: I refer the hon. Member to my reply to the hon. Member for Mid Worcestershire (Mr. Luff) of 18 June, *Official Report*, column 278W.

Mr. Malins: To ask the Secretary of State for the Home Department how many asylum seekers are being held in prison service accommodation; and if he will make a statement. [75423]

Beverley Hughes: The latest available information on the number of persons detained solely under Immigration Act powers relates to 29 June 2002. As at

that date, 105 persons (to the nearest five) were being detained in Prison Service accommodation who are recorded as having claimed asylum at some stage.

The routine use of Prison Service accommodation for immigration detainees ended at the beginning of this year, but it remains necessary to hold small numbers of detainees in prison for reasons of control and security. The figure of 105 may also include individuals who are held pending deportation on completion of custodial sentences.

Information on Immigration Act detainees as at 28 September 2002 will be published on 29 November 2002 on the Home Office Research, Development and Statistics Directorate website at http://www.homeoffice.gov.uk/rds/immigration1.html.

Mr. Malins: To ask the Secretary of State for the Home Department what efforts he has made to renegotiate the bilateral agreement with France relating to the return of illegal entrants to France; and if he will make a statement. [75415]

Beverley Hughes: A bilateral "Gentleman's Agreement" between the UK and France operated in relation to asylum seekers from 1995 to 1997 and is still in force in relation to other illegal entrants. The first clause of that agreement stated that its application to asylum seekers would be superseded by the Dublin Convention when that came into force.

We believe the most important thing is to stop the flow of clandestine immigrants from France to the UK in the first place. My right hon. Friend, the Home Secretary has developed a very constructive working relationship with his French counterpart, Mr. Sarkozy, and we are putting in place a broad range of measures which will drive this flow down. These include a commitment to closing the Sangatte centre, and tougher immigration controls and security measures.

Mr. Malins: To ask the Secretary of State for the Home Department if he will estimate the number of failed asylum seekers in the UK. [75416]

Beverley Hughes: The information requested is unavailable, partly because it is not possible to determine the number of unsuccessful asylum seekers who leave the United Kingdom voluntarily without informing the Immigration Service of their departure.

Information on asylum applications, decisions, appeals and removals is published regularly on the Home Office Research Development and Statistics Directorate web site at http://www.homeoffice.gov.uk/rds/immigration1.html.

Mr. Malins: To ask the Secretary of State for the Home Department what proportion of failed asylum seekers who were removed from the UK in the last 12 months were *(a)* in detention prior to removal and *(b)* at large prior to removal. [75413]

Beverley Hughes: The number of asylum seekers removed in the 12 months ending June 2002 is given in the table. More recent information is not yet available. Information on how many of these persons were in detention or at large prior to removal could be obtained only by examining individual case files at disproportionate cost.

	Asylum seekers removed[P,1]		
	Principal applicants removed	*Dependants removed*	*Total asylum seekers removed*
July 2001 to June 2002	9,890	2,030	11,920

Notes:
[P] Provisional data, rounded to the nearest five.
[1] Includes persons departing "voluntarily" after enforcement action had been initiated against them and persons leaving under Assisted Voluntary Return Programmes run by the International Organisation for Migration.

Information on the number of asylum seekers removed in the third quarter (July to September) of 2002 will be published on 29 November on the Home Office Research, Development and Statistics Directorate website at http://www.homeoffice.gov.uk/rds/immigration1.html.

Mr. Swayne: To ask the Secretary of State for the Home Department what opportunities are available to those claiming asylum to change *(a)* caseworkers and *(b)* counsel allocated to them. [75482]

Beverley Hughes: It is open to applicants to change their representatives or counsel at any time, as they are engaged by the applicant and not allocated by the Immigration and Nationality Directorate (IND). IND caseworkers are allocated according to the needs of the business, and it would not be open to the applicant to request a change, save in the most exceptional circumstances.

HOME DEPARTMENT

Asylum Seekers

Mr. Swayne: To ask the Secretary of State for the Home Department what assistance is afforded to asylum seekers to prepare their cases when they are unfamiliar with the English language; and if he will make a statement. [75483]

Beverley Hughes: Asylum applicants are provided with help in a language that they understand at all stages of the asylum process. Interpreters are available free of charge for all dealings with the Immigration and Nationality Directorate (IND).

When an asylum application is made at a port or in country at a Screening Unit, an interpreter will be provided to help the applicant through the screening process. Where an applicant is given a Statement of Evidence Form (SEF) to complete they are provided with explanatory notes both in English and one of 33 languages. The explanatory notes set out what is expected of the applicant and the possible consequences should they fail to comply with our requests. An interpreter will be provided for any substantive interview conducted with the applicant. The applicant will previously have been asked on the SEF or during the screening process to give details of the language and dialect in which they would prefer to be interviewed.

If an applicant is to be sent to the Oakington Reception Centre they will be given a leaflet, translated into 29 languages, which explains how their application will be considered. Interpreters are provided on site.

Applicants who are referred to an Induction Centre receive various briefings in a language that they understand about the asylum process and how to claim support and accommodation.

All the information supplied to the applicants includes details of how to find a representative to help with the application and details of organisations that provide assistance free of charge.

If an asylum applicant receives a negative decision and chooses to appeal against that decision, they will be provided with an interpreter at any appeal hearing.

Keith Vaz: To ask the Secretary of State for the Home Department how many persons have been forceably removed from the UK in *(a)* August, *(b)* September and *(c)* October. [75595]

Beverley Hughes: The latest available statistics on removals relate to 2001. These show that 48,155 persons (rounded to five) were removed from the United Kingdom under Immigration Act powers. This includes persons departing "voluntary" after being refused entry or after enforcement action had been initiated against them but excludes persons departing under the Assisted Voluntary Returns Programme run by the International Organisation for Migration.

I regret that data for the months requested are not currently available.

Mr. Gerrard: To ask the Secretary of State for the Home Department what percentage of asylum seekers making in-country applications have applied having been in the country *(a)* less than one month, *(b)* from one to three months, *(c)* from three to six months, *(d)* from six months to one year and *(e)* more than one year in the last three years. [76539]

Beverley Hughes: I regret that the information is not available.

Of the 20,400 applications lodged by principal applicants in the second quarter of 2002, 13,850 (68 per cent.) were lodged in-country. However, it is not possible to determine in what year these applicants first entered the United Kingdom, or whether they are currently living in the United Kingdom.

Information on asylum applications is published regularly on the Home Office Research Development and Statistics Directorate website at http://www.homeoffice.gov.uk/rds/immigration1.html.

Asylum Accommodation Centres

Mr. Luff: To ask the Secretary of State for the Home Department when he expects to submit a planning notification to Wychavon District Council in relation to the proposed asylum accommodation centre at Throckmorton. [76261]

Beverley Hughes: We are liaising closely with Wychavon District Council. A planning notification will be submitted in due course.

John Barrett: To ask the Secretary of State for the Home Department what progress has been made since June 2002 in the determination of the suitability of RAF Turnhouse for an asylum seeker accommodation centre. [75066]

Beverley Hughes: Those sites still under consideration, including RAF Turnhouse, are being evaluated under a wide range of criteria. We will reach a decision as soon as possible on the suitability of RAF Turnhouse. However, immediate priority is being given to the three sites for which it has been decided to submit planning notifications.

John Barrett: To ask the Secretary of State for the Home Department (1) what impact the "Future Development of Air Transport" consultation document has had on the consideration of RAF Turnhouse as an asylum seeker accommodation centre; [75065]

(2) what response his Department has made to the Department of Transport's "Future Development of Air Transport" consultation document regarding the options to expand Edinburgh Airport on land being considered for an asylum seeker accommodation centre. [75064]

Beverley Hughes: The Home Office and Department of Transport are aware of each others plans and are discussing the implications. We announced on May 14 that further work was required on the Edinburgh site before a decision could be taken on whether to submit a planning notification. An announcement will be made about our intentions in due course.

Clandestine Immigrants

Mr. Hancock: To ask the Secretary of State for the Home Department (1) if he has discussed with his French counterpart the proposal of placing British officials in French cross-channel ports to assist in detecting clandestine immigrants coming to the UK via France; and if he will make a statement; [75444]

(2) when he last met his French counterpart to discuss improving the situation concerning clandestine immigrants coming to the UK via Cherbourg, St. Malo, Caen and Le Havre; and if he will make a statement. [75445]

Beverley Hughes: My right hon. Friend the Home Secretary last met his French counterpart, Nicolas Sarkozy, on 26 September in Calais. Their discussions of measures to counter clandestine migration have concentrated for the most part on the Channel Tunnel and the port of Calais. However, the two Governments recognise that as the security of these two routes is tightened, clandestine illegal entrants may try to use other ports. On 26 September the two Ministers therefore discussed possibilities for extending UK Immigration Service presence to other French ports, as well as for posting of French officers to UK ports.

Political Asylum

Mr. Wilkinson: To ask the Secretary of State for the Home Department what proportion in percentage terms of applications for political asylum in the United Kingdom have met the criteria established in the Geneva Convention on refugees in the last five years. [74916]

Beverley Hughes: An estimated 19 per cent. of applications received in 2001 were granted refugee status, i.e. were successful in their application to be granted refugee status under the 1951 UN Convention. It is estimated that a further 23 per cent. were granted Exceptional Leave to Remain (ELR). These estimates include the outcomes of reconsidered cases and outcomes of appeals at the Immigration Appellate Authority. Of applications received in 2000, an estimated 19 per cent. were granted refugee status and a further 14 per cent. were granted ELR.

This analysis is unavailable for other periods. Tables 1 and 2, show initial decisions and adjudicator appeals made in the last five years. However, the initial decisions made in each period do not all necessarily relate to the applications lodged in the same period, and similarly the appeals determined do not all necessarily relate to initial decisions made in that period. These data exclude the outcomes of any reconsidered cases.

Table 1: Initial asylum decisions in the United Kingdom [1,2], 1997 to 2001

	Total Initial Decisions[3]	*Cases considered under normal procedures[4]*				*Number of principal applicants Backlog clearance exercise[5]*		
		Total	*Granted asylum %*	*Granted ELR %*	*Refused %*	*Total*	*Granted asylum or ELR %*	*Refused under backlog %*
1997	36,045	36,045	11	9	80	—	—	—
1998	31,570	31,570	17	12	71	—	—	—
1999	33,720	21,305	36	12	52	12,415	90	10
2000	109,205	97,545	11	12	78	11,660	89	11
2001[P]	119,015	119,015	9	17	74	—	—	—

Notes:
[1] Figures rounded to the nearest 5, with * = 1 or 2.
[2] Decision figures do not necessarily relate to applications received in the same period.
[3] Information is of initial decisions, excluding the outcome of appeals or other subsequent decisions.
[4] Cases considered under normal procedures may include some cases decided under the backlog criteria.
[5] Cases decided under measures aimed at reducing the pre 1996 asylum application backlog.
[6] Includes some cases where the application has been refused on substantive grounds.
[P] Figures for 2001 are provisional and subject to change.

Table 2: Outcome of Asylum Appeals determined by adjudicators of the Immigration Appellate Authority, 1997–2001[1,2]

Number of principal appellants

	Total determined	*Allowed %*	*Dismissed %*	*Withdrawn %*
1997	21,090	6	86	8
1998	25,320	9	84	7
1999	19,460	27	57	16
2000	19,395	17	80	2
2001[P]	43,415	19	79	2

Notes:
[1] Figures (other than percentages) rounded to the nearest 5.
[2] Appeals figures do not necessarily relate to initial decisions made in the same period.
[P] Figures for 2001 are provisional and subject to change.

Information on asylum applications, initial decisions and appeals is published regularly on the Home Office Research Development and Statistics Directorate web site at http://www.homeoffice.gov.uk/rds/immigration1.html.

Mr. Wilkinson: To ask the Secretary of State for the Home Department what percentage of appeals lodged in the United Kingdom against the refusal of an application for political asylum have been upheld in the last five years. [74917]

Beverley Hughes: The available information is given in the table.

Figures include appeals against grants of exceptional leave to enter and remain. Appeals at different tiers (Immigration Appellate Authority and the Immigration Appeals Tribunal) do not necessarily relate to one

another. The figures exclude subsequent appeals (court of appeal, judicial review and the House of Lords). When an asylum claim is certified under schedule 4 of the 1999 Act and the adjudicator agrees the certificate, there is no right to apply to the Tribunal for permission to appeal further. Only a minority of applications for leave to appeal to the Tribunal are granted.

Information on asylum appeals is published quarterly. The next publication will be available from 29 November 2002 on the Home Office Research Development and Statistics Directorate web site at http://www.homeoffice.gov.uk/rds/immigration1.html.

Appeals on Asylum Cases Determined by adjudicators of the IAA and outcomes, 1997–2001[1]

	Asylum Appeals Determined by the IAA[2]	*Number Allowed*[3]	*As % of Total Determined*	*Number Dismissed*[3]	*As % of Total Determined*	*Number Withdrawn*[3]	*As % of Total Determined*
1997	21,090	1,180	6	18,145	86	1,720	8
1998	25,320	2,355	9	21,195	84	1,770	7
1999	19,460	5,280	27	11,135	57	3,050	16
2000	19,395	3,340	17	15,580	80	475	2
2001[p]	43,415	8,155	19	34,440	79	825	2

Notes:
[1] Figures rounded to the nearest five.
[2] Based on information supplied by the Lord Chancellor's Department.
[3] Based on data supplied by the Presenting Officers Unit within the Home Office.
[p] Provisional Figures.

Appeals on Asylum Cases Determined by the IAT and outcomes, 1997–2001[1]

	Asylum Appeals Determined by the IAT[2,3]	*Appellant*[4]			*Secretary of State*[4]		
		Allowed	*Dismissed*	*Withdrawn*	*Allowed*	*Dismissed*	*Withdrawn*
1997	1,375	..	..	..	..	..	..
1998	1,090	..	..	..	..	..	..
1999	1,790	..	..	..	..	..	..
2000	2,635	650 (32%)	1,225 (59%)	185 (9%)	170 (46%)	165 (45%)	35 (10%)
2001[p]	3,190	315 (21%)	1,020 (70%)	125 (9%)	160 (53%)	120 (40%)	25 (8%)

Notes:
[1] Figures rounded to the nearest five.
[2] Includes cases remitted back to the IAA (not shown on this table).
[3] Based on information supplied by the Lord Chancellor's Department.
[4] Based on data supplied by the Presenting Officers Unit within the Home Office.
.. = not available.
[p] Provisional Figures.

Human Trafficking

Mr. Malins: To ask the Secretary of State for the Home Department what progress his Department has made in the last 12 months in breaking up and/or bringing criminal charges against members of organised gangs who smuggle people into the UK; and if he will make a statement. [75406]

Mr Bob Ainsworth: The UK Government are determined to tackle organised immigration crime, both the smuggling and the trafficking of human beings. Reflex, the multi-agency task force was set up in 2000 specifically as the enforcement arm of our comprehensive strategy to combat organised immigration crime.

Since April 2001, Reflex has launched 83 operations, disrupted or dismantled 15 organised crime groups involved in organised immigration crime, and arrested 135 facilitators of whom 40 have been charged and 35 convicted. Currently, Reflex has 47 proactive operations underway and a further 55 under development.

Reflex has posted a senior police officer and a chief immigration officer to Romania as part of a joint project with the Romanian authorities (Reflex Romania), to target organised immigration criminals involved in smuggling and trafficking through the region. It has also established a network of Immigration Liaison Officers (ILOs) who work with other Governments to encourage and support action to disrupt criminal gangs and create a joint intelligence structure. ILOs are already posted at nine key locations across Eastern Europe and the Balkans.

Prague Airport

Mr. Malins: To ask the Secretary of State for the Home Department if the pre-clearance checks programme operating at Prague airport will be extended to other airports in Europe or elsewhere; and if he will make a statement. [75425]

Beverley Hughes: There are no plans at this time to deploy pre-clearance operations at any airport other than Prague.

Czech Romanies

Mr. Malins: To ask the Secretary of State for the Home Department how many Czech Romanies have, in each of the last three years, *(a)* applied for asylum in the UK, *(b)* been granted asylum and *(c)* been removed having failed to achieve asylum status. [75407]

Beverley Hughes: It is not possible to say how many asylum applicants from the Czech Republic are of Romany origin. Data on the ethnic origin of asylum seekers are not collated centrally and are therefore not available; the number of those who applied would only be available by examination of individual case-files at disproportionate cost.

The tables show the number of applications, initial decisions and removals of nationals of the Czech Republic for the last three years.

Applications received for asylum in the United Kingdom, and initial decisions[1,2], 1999–2001 for nationals of the Czech Republic
Number of principal applicants

	Applications received[3]	*Initial Decisions[4]*	*Cases considered under normal procedures[5]*			*Backlog clearance exercise[6]*	
			Granted asylum	*Granted ELR*	*Refused*	*Granted asylum or ELR under backlog criteria*	*Refused under backlog criteria[7]*
1999	1,790	275	*	—	275	*	—
2000	1,200	1,800	10	10	1,775	*	—
2001[P]	880	895	—	5	890	—	—

Notes:
[1] Figures rounded to the nearest 5, with * = 1 or 2.
[2] Decision figures do not necessarily relate to applications received in the same period.
[3] May exclude some cases lodged at Local Enforcement Offices between January and March 2000.
[4] Information is of initial decisions, excluding the outcome of appeals or other subsequent decisions.
[5] Cases considered under normal procedures may include some cases decided under the backlog criteria.
[6] Cases decided under measures aimed at reducing the pre 1996 asylum application backlog.
[7] Includes some cases where the application has been refused on substantive grounds.
[P] Provisional figures

Czech principal asylum applicants removed[P,E,1,2]	
1999	n/a
2000	n/a
2001	800

Notes:
Figures rounded to the nearest five.
[P] Provisional data, subject to change.
[E] Data have been estimated due to data quality issues.
[1] Includes persons departing "voluntarily" after enforcement action had been initiated against them, and persons leaving under Assisted Voluntary Return Programmes run by the International Organisation for Migration.
[2] Nationality breakdown of dependants removed is not available.

Mr. Malins: To ask the Secretary of State for the Home Department if he will make a statement on his policy relating to Romanies from the Czech Republic seeking asylum. [75899]

Beverley Hughes: Applications for asylum made by Roma from the Czech Republic are considered on their individual merits, in accordance with our obligations under the 1951 UN Refugee Convention.

The objective country information about the situation for Roma in the Czech Republic shows that asylum claims based on discrimination against Roma are manifestly unfounded. The independent Immigration Appeal Tribunal have also reached this conclusion.

Brussels Station

Mr. Malins: To ask the Secretary of State for the Home Department if he has officials placed at Brussels station to ensure that passengers who wish to enter the UK have the correct documentation; and if he will make a statement. [75403]

Beverley Hughes: Discussions are under way to extend juxtaposed controls to the Brussels Eurostar service. In advance of this UK immigration officials arrived at the Gare du Midi in Brussels on 13 October to take part in a series of exercises. Whilst at the station they operate in an advisory capacity to assist and support Belgian officials in checking the documentation of Eurostar passengers travelling to the UK.

Sick Leave

Richard Ottaway: To ask the Secretary of State for the Home Department how many Home Office staff have taken *(a)* periods of sick leave of over one month and *(b)* early retirement because of work related stress and depression since 1992. [75205]

Beverley Hughes: The Home Office has not retained records on length of sick leave by staff from 1992. But for the period September 2001 to September 2002, records show that the Home Office had 694 staff out of a total of 11,666 on sick leave for more than one month, where one month is defined as 28 working days.

Records are not maintained by the Home Office which enable ill-health retirements to be separately identified as work related. Our records indicate that at 15 March 2001 for the previous 12 months, 327 early retirements were in the mental disorder category. But some mental disorders are not stress related and some stress related sickness manifests itself in a physical condition.

Capital Punishment

Mr. Rosindell: To ask the Secretary of State for the Home Department if he will undertake a review of his policy on capital punishment. [75101]

Hilary Benn: No.

Police Officers

Bob Spink: To ask the Secretary of State for the Home Department what action he is taking to increase the time police officers can spend on the streets rather than dealing with paperwork. [74926]

Mr. Denham: We are committed to tackling the administrative burdens and inefficient working practices that keep officers off the streets. My right hon. Friend the Home Secretary established a Taskforce, under the Chairmanship of Sir David O'Dowd, to identify ways in which forces can free up the time of front line officers. The Taskforce's report was published on 17 September and contained 52 recommendations to increase the presence of police in communities. This is a vital opportunity to change the culture of the police service and bring about a real difference to the everyday lives of officers on the front line.

We have now set up a Steering Group, co-chaired by the Association of Chief Police Officers and the Home Office, to take forward these recommendations. We are working with key stakeholders to reduce bureaucracy in police stations, on the streets and in court.

Rebka Fessenhale

Mr. Swayne: To ask the Secretary of State for the Home Department what representations he has received about the case of Rebka Fessenhale who is claiming asylum; and if he will make a statement. [75481]

Beverley Hughes: The Home Office received representations from sources including the hon. Member and Ms Fessenhale's representatives in relation to her case.

Ms Fessenhale's appeal hearing took place on 4 September 2002 and the determination was reserved by the Adjudicator. The outcome of the appeal is now awaited.

IND

Keith Vaz: To ask the Secretary of State for the Home Department what the backlog of asylum cases at the IND is. [75650]

Beverley Hughes: There were 35,300 asylum applications awaiting an initial decision on 30 June 2002, less than half the 87,800 on 31 December 2000. This figure relates to the number of cases i.e. the number of principal applicants.

Information on the number of cases awaiting an initial decision (including work in progress) is published quarterly on the Home Office website at http://www.homeoffice.gov.uk/rds/immigration1.htm.

Forensic Pathology Services

Margaret Moran: To ask the Secretary of State for the Home Department what plans the Government have for the provision of forensic pathology services in England and Wales. [76737]

Mr. Denham: Forensic pathologists play a crucial role in the criminal justice system. Their principle function is the conduct of post-mortem examinations in cases of suspicious or sudden deaths to determine the cause and time of death. This information is critical to homicide investigations.

I have now seen the report of the independent review of the provision of forensic pathology services, which I commissioned last year.

The review recommended that: the decline in numbers of forensic pathologists should be reversed through a sustained training programme; improved administrative arrangements should be put in place to monitoring service levels and ensure that standards are maintained; steps should be taken to ensure that there are improved facilities for the conduct of post-mortem examinations.

The Government are considering this report and will reach decisions after the review has been discussed by the Policy Advisory Board on Forensic Pathology.

Burglaries

Mr. Breed: To ask the Secretary of State for the Home Department how many burglaries were estimated to have been *(a)* reported and *(b)* unreported in (i) urban, (ii) rural and (iii) suburban areas for each year since 1979. [75183]

Mr. Denham *[holding answer 21 October 2002]:* The following tables show the numbers of burglaries per 10,000 households for urban, rural and suburban areas, as measured by the British Crime Survey. There is no commonly agreed definition of rural areas. Results here use the Office for National Statistics (ONS) District Level Classification in order to provide the urban, suburban and rural breakdown. The ONS classification of areas was revised for authorities in 1999. The revision produced a different hierarchical structure hence there is little direct comparability with the results of the original classification. Therefore, it is not possible to give the figures for the most recent sweep of the British Crime Survey (BCS).

Numbers of reported incidents per 10,000 households

	Urban	*Suburban*	*Rural*	*England and Wales*
1999	482	298	257	373
1997	664	298	289	478
1995	697	424	402	549
1993	855	398	243	580
1991	706	331	267	481
1987	523	254	241	388
1983	455	267	51	325

Notes:

1 British Crime Survey.

2 Note that estimates for 1995 to 1999 are not directly comparable with previous years due to new weighting of the data. Therefore, estimates from 1995 to 1999 may also vary from those previously published.

3 Results for 1983 to 1997 should be treated with caution due to small sample sizes.

Numbers of unreported incidents per 10,000 households

	Urban	*Suburban*	*Rural*	*England and Wales*
1999	305	152	127	216
1997	392	196	96	275
1995	415	158	193	286
1993	400	179	151	275
1991	299	133	91	197
1987	312	188	37	224
1983	207	154	72	167

Notes:
1 British Crime Survey.
2 Note that estimates for 1995 to 1999 are not directly comparable with previous weighting of the data. Therefore, estimates from 1995 to 1999 may also vary from those previously published.
3 Results for 1983 to 1997 should be treated with caution due to small sample sizes.

TRADE AND INDUSTRY

Greenhouse Gases

Dr. Cable: To ask the Secretary of State for Trade and Industry by what percentage *(a)* greenhouse gas and *(b)* CO_2 emissions in 2001 differed from those of 1990; and if she will make a statement. [75126]

Mr. Meacher: I have been asked to reply.

UK emissions data for the year 2001 will be finalised in March 2003 and submitted to the United Nations Framework Convention on Climate Change in April next year, as required by the UK's international reporting obligations. UK data to the year 2000 reported and published last March show that total greenhouse gas emissions decreased by some 12.8 per cent. over the period 1990 to 2000. Carbon dioxide fell by about 7.5 per cent.

Provisional carbon dioxide emissions estimates for 2001 are available. These indicate that emissions have reduced by about 6.1 per cent. between 1990 and 2001. The increase between 2000 and 2001 is attributed to outside temperature differences and an increase in coal consumption linked to an increase in gas prices relative to coal prices.

Electronic Trading

Dr. Cable: To ask the Secretary of State for Trade and Industry when she expects the study commissioned by the office of the e-Envoy and DTI on making the UK the best place to trade electronically by the end of the parliament to be published; and if she will make a statement. [75121]

Douglas Alexander: I have been asked to reply.

The study commissioned by the Office of the e-Envoy and DTI will be published in November and copies placed in the libraries of the House.

Equality

Mr. Hoyle: To ask the Secretary of State for Trade and Industry what the next steps are in implementing the equal treatment Directives 2000/43/EC and 2000/78/EC adopted in 2000 under Article 13 of the EC Treaty; and what progress has been made in taking forward the Government's review of the long-term arrangements for offering advice, support and guidance on equality matters announced on 15 May. [76735]

Ms Hewitt: My hon. Friend the Minister for Women in the Office of the Deputy Prime Minister, has today published a summary of our plans to change existing equality legislation and to introduce new legislation to take forward implementation of the Employment and Race Directives—*Equality and Diversity: The Way Ahead.* We intend to make equality legislation as coherent and easy to use as possible. We have produced draft regulations to achieve these changes and are asking for comments on our proposals.

This work builds on our current arrangements for tackling discrimination, and has been shaped by extensive consultation over the last two years. The key features will be:

new legislation prohibiting discrimination on the grounds of religion and belief and sexual orientation in the areas of employment and vocational training; and

important changes to the Race Relations Act 1976 and the Disability Discrimination Act 1995.

We intend to have new provisions on race, religion and belief and sexual orientation in place in 2003, and on disability in 2004. We also intend to make some modifications to the Equal Pay Act in 2003, following consultation in *Towards Equal Pay for Women.* We will consult separately on proposals for legislation to prohibit discrimination on grounds of age, as well as the new Equal Treatment Amendment Directive.

In addition, we are committed to getting the right framework to support equality legislation. We are, therefore, also publishing today a separate consultation paper—*Equality and Diversity: Making it Happen.* This considers the contribution of equality institutions to making equal opportunities a reality and to promoting equality and diversity across society, and sets out a range of options for future structures for these institutions, including a single equality commission. It considers a range of related issues, including the implications for Scotland and Wales and the regional and local dimension.

We have arranged for copies of these documents and the draft legislation to be placed in the Libraries of the House.

Mr. Hoyle: To ask the Secretary of State for Trade and Industry what progress has been made on Government action to help close the pay gap between men and women. [76736]

Ms Hewitt: On Thursday 17 October, I launched a consultation on the design of the equal pay questionnaire. The Employment Act 2002 provides a new power to introduce an equal pay questionnaire into the Equal Pay Act 1970. We are seeking views by 10 January 2003 on a draft questionnaire, with the aim of bringing it into effect, subject to Parliamentary approval, in April 2003. The questionnaire will help women who think they may not be receiving equal pay to request key information from their employers before deciding whether to bring a case. In some cases this could lead to resolving or settling a claim rather than taking the tribunal route.

The questionnaire is one of a raft of changes we are introducing to speed up and simplify equal pay cases; and it forms part of the Government's drive to close the pay gap between men and women. Also published on the Women and Equality Unit's website is a briefing paper "Equal Pay and Pay Gap—Update on Government Action". This provides an update on Government action to narrow the pay gap and progress made following the Government's response to Denise Kingsmill's report on Women's Employment and Pay (December 2001).

Exports (Iran)

Mr. Berry: To ask the Secretary of State for Trade and Industry how many licence applications for the export of beryllium to Iran have been made in each year since 1997; how many applications have been granted; what quantity and value of beryllium has been exported to Iran in each year; what undertakings were sought about end-use; and what end-use monitoring has been undertaken. [74740]

Nigel Griffiths: The number of Standard Individual Export Licence applications that have been received and granted in each year since 2 May 1997, for the proposed export of beryllium to Iran, is one in 2001.

Between 2 May 1997 and 17 September 2002, no Open Individual Export Licence applications were received or granted for the proposed export of beryllium to Iran.

The DTI issued a licence in January for the export of 10 grams—less than half an ounce of beryllium to the University of Science and Technology in Tehran. Written assurances were received in relation to the use of this.

End-use Monitoring is undertaken by the FCO.

Mr. Blunt: To ask the Secretary of State for Trade and Industry when she expects to grant an export licence to A. W. Plume Ltd in respect of their application of 20 August 2002 to export pneumatic and electrical components to Iran. [75859]

Nigel Griffiths: A decision has not yet been reached on the application from A. W. Plume Ltd in respect of the proposed export of pneumatic and electrical components to Iran, but will be taken as quickly as possible consistent with the need to give full consideration to the issues involved.

Departmental Websites

Dr. Cable: To ask the Secretary of State for Trade and Industry if she will list the website links associated with her Department, including sites now dormant or closed, and indicating whether they are live, dormant or closed; what the start up costs were for each site listed; what the operating costs were in each year since start up for each site; which company hosted each site; what assessment takes place for each site; which company does the assessment; if she will place the assessment reports in the Library; and if she will make a statement. [75580]

Stephen Timms: The Department does not keep this information centrally, and to gather all the information would incur disproportionate costs. The principal DTI web site is at http://www.dti.gov.uk, and this provides links to other web sites associated with the Department.

SMEs

Dr. Cable: To ask the Secretary of State for Trade and Industry, pursuant to her answer of 19 September 2002, *Official Report*, column 170W, on SMEs, when she expects the figures for 2001 to be made available; and if she will make a statement. [75216]

Nigel Griffiths: The 2001 figures are now available and include full-time and part-time employment.

Employment (thousands, start 2001)

Small (0–49 employees)	*Medium (50–249 employees)*	*Large (250+ employees)*	*Total*
9,809	2,720	10,092	22,622

Sources:
Small and Medium Enterprise (SME) Statistics for the United Kingdom 2001, Small Business Service.

Small businesses, accounted for over 99 per cent. of businesses, about 43 per cent. of non-government employment and 36 per cent. of turnover. In contrast the 7,000 largest businesses accounted for 45 per cent. of non-government employment and 49 per cent. of turnover.

During 2000, employment in small businesses saw a rise in numbers in line with the UK increase of 2 per cent. Employment in medium sized business saw a 7 per cent. increase during the year, and large businesses saw a 1 per cent. increase.

Small Business Service

Mr. Hoyle: To ask the Secretary of State for Trade and Industry what operational targets she has set for the Small Business Service for 2002–03. [76733]

Nigel Griffiths: The Small Business Service was established on 3 April 2000.

The vision of the SBS is for the UK, by 2005, to be the best place in the world to start and grow a business. Its purpose is to build an enterprise society in which small businesses thrive and achieve their potential.

The SBS will review its priorities regularly in response to the needs of small business. In line with the requirement for Executive Agencies to be given operational targets, I have set the following targets for the 2002–3 year:-

Publish by October 2002 a strategy for the SBS for the years 2003–4 to 2005–6.

10 per cent. increase in the number of people aged under 30 years participating in Enterprise Insight, Young Enterprise and STEP.

Implement the small firms litmus test across government by March 2003.

Reduce the gap in business start-up rates between the most and least disadvantaged local authority wards by 1 percentage point a year.

By end 2002–3, establish and implement an accreditation system for Community Development Finance Institutions to enable businesses to benefit from the community investment tax credit in the 2002 Budget.

Launch the "Bridges" Community Development Venture Fund (formerly known as the Community Development Venture Fund) by June 2002.

Publish an action plan in response to consultation on a national strategy for start-ups by October 2002.

Increase the market penetration and overall customer satisfaction level of the business Link operator network over 2001–2 levels.

Improve small business access to finance, through:

the 6 remaining Regional Venture Capital Funds to be launched by 31 December 2002;

6 Investment Readiness demonstration projects to be underway by September 2002;

Early Growth funds to invest in 200 small businesses by March 2003.

Achieve recognition as an Investor in People in 2002–3.

Improve on prompt payment performance from 2001–2 to achieve payment of 100 per cent. of valid invoices within 30 days.

Energywatch

Mr. Hoyle: To ask the Secretary of State for Trade and Industry when Energywatch's report and Account for November 2001 to March 2002 will be laid before Parliament. [76734]

Mr. Wilson: I laid a copy before each House of Parliament yesterday.

Export Licences

Norman Lamb: To ask the Secretary of State for Trade and Industry if she will list the countries identified as those where sustainable development is likely to be an issue in respect of applying criterion 8 in determining applications for export licences. [75226]

Nigel Griffiths *[holding answer 21 October 2002]:* I refer the hon. Member to the reply from my right hon. Friend the Secretary of State for Trade and Industry on 31 July 2002, *Official Report*, columns 309–12W.

Mobile Phone Operators

Mr. Oaten: To ask the Secretary of State for Trade and Industry when she expects to receive the Deloitte and Touche audit of the UK mobile phone operators' compliance and implementation of the voluntary code; and if she will make this public. [75979]

Stephen Timms *[holding answer 21 October 2002]:* The Federation of the Electronics Industry has commissioned an independent review by Deloitte and Touche of the implementation by the five mobile phone licensees of their "Ten Commitments" to best practice in consultation about the siting of mobile phone base stations. The FEI expects to be able to publish this by the end of 2002.

Broadband

Mr. Sanders: To ask the Secretary of State for Trade and Industry what percentage of households in the Torbay constituency have access to broadband lines; and if she will make a statement. [74859]

Stephen Timms: The Government do not compile figures for broadband connections broken down into individual constituencies. However, a map showing geographical availability broadband services can be found in the UK Online Annual Report (http://www.e-envoy.gov.uk/oee/oee.nsf/sections/reports-anrep2001-images/$file/fig01.pdf).

Mr. Steen: To ask the Secretary of State for Trade and Industry if she will make a statement about the role of her Department's broadband regional strategy; how many staff are employed by her Department to promote broadband; and what progress has been made in extending broadband to rural areas. [74934]

Stephen Timms: At a regional level, DTI is currently setting up a new regional broadband unit, whereby a broadband expert will be located in each of the English regions and the devolved administrations, with the aim of stimulating the take-up and availability of broadband across the UK. The work of this unit will therefore include looking at extending broadband to rural and remote areas. The Department has also provided the regions and devolved administrations with the £30 million Broadband Fund to develop innovative schemes and pilot projects to help extend broadband networks.

When current recruitment exercises have been completed, the number of people employed by the Department to promote our broadband strategy will be around 20, which includes the regional broadband unit. The Department's UK Online for Business and Digital Content and Publishing teams also contribute to our broadband work.

South West Regional Development Agency

Mr. Steen: To ask the Secretary of State for Trade and Industry how many officials are employed by the South West Regional Development Agency on ICT and related issues. [74936]

Alan Johnson: South West of England Regional Development Agency employs a regional ICT Strategy Manager who in turn employs 3 consultants to help with the RDA's ICT strategy development. Various staff in the RDA help support ICT development in the region, for example, the Innovation team of five, the Supply Solutions Team of six and a member of the RDA's skills team. There are also other staff members within the Enterprise and Innovation Directorate and the Development Directorate who contribute to the region's ICT development and related issues.

Community Development Venture Capital Fund

Mr. Don Foster: To ask the Secretary of State for Trade and Industry if she will list the private companies involved in the Community Development Venture Capital Fund. [75970]

Nigel Griffiths: I refer the hon. Member to the reply given on 2 July 2002, *Official Report*, column 287W, which listed the private companies investing in the fund.

LORD CHANCELLOR'S DEPT

Magistrates

Julian Brazier: To ask the Parliamentary Secretary, Lord Chancellor's Department, when she last met representatives of the Magistrates' Courts Central Council to discuss the future of magistrates' courts. [73608]

Yvette Cooper: I last met representatives of the Central Council of Magistrates' Courts Committees to discuss the future of magistrates' courts on 9 October 2002.

Land Registry

Mr. Hugh Bayley: To ask the Parliamentary Secretary, Lord Chancellor's Department, what plans the Government have to extend the powers of the Land Registry to adjudicate on cases of dispute of ownership on non-registered land in urban areas. [73609]

Yvette Cooper: The Government have no plans to extend the powers of the Land Registry to disputes relating to unregistered land. The Government's aim is to bring unregistered landowners within the scope of those powers by completing the land register for England and Wales.

Domestic Violence

Mr. Paul Clark: To ask the Parliamentary Secretary, Lord Chancellor's Department, what steps her Department is taking to alleviate the problems of victims of domestic violence. [73610]

Ms Rosie Winterton: The Government remain committed to tackling domestic violence.

An Inter-Ministerial Group set up last November is working across Government on five key areas for action. My Department is responsible for leading work on improving the interface between the criminal, civil and family law. We aim to identify ways to make the process less distressing for victims by working with stakeholders and voluntary organisations at local and national level to develop a more integrated approach that tackles the impacts of domestic violence as part of the justice process.

Mr. David Lepper: To ask the Parliamentary Secretary, Lord Chancellor's Department, what support her Department offers to voluntary organisations giving assistance to victims of domestic violence. [73611]

Ms Rosie Winterton: We work very closely with local and national organisations which support victims of domestic violence. I recently set up a new Advisory Group to help the Department to develop further its domestic violence policy and to understand better issues that concern survivors of domestic violence and those who support and represent them. We also work closely with a number of local initiatives, such as the Leeds Cluster Court Project and "Standing Together", offering advice and support and providing a link to the other Government Departments involved, such as the Home Office and the CPS.

Office for the Supervision of Solicitors

Mr. Jonathan Djanogly: To ask the Parliamentary Secretary, Lord Chancellor's Department, if she will make a statement on the Office for the Supervision of Solicitors. [73612]

Mr. Desmond Swayne: To ask the Parliamentary Secretary, Lord Chancellor's Department, if she will make a statement on the Office for the Supervision of Solicitors. [73614]

Ms Rosie Winterton: We have serious concerns about the performance of the Office for the Supervision of Solicitors (OSS), which is being monitored closely. The Lord Chancellor has warned the OSS that unless swift and substantive improvements are made across the board, he will not hesitate to implement his reserve powers which allow for the establishment of a Legal Services Complaints Commissioner.

Legal Aid

Mr Ian Lucas: To ask the Parliamentary Secretary, Lord Chancellor's Department, what steps she is taking to increase the number of advocates carrying out criminal and legal aid work. [73613]

Ms Rosie Winterton: None. The Government are not aware of any shortages or of any solicitors or defendants having difficulty in obtaining the services of an advocate. My Department and the Legal Services Commission continue to monitor the situation.

Andy Burnham: To ask the Parliamentary Secretary, Lord Chancellor's Department, if she will make a statement on measures his Department is taking to improve the provision of legal aid advice services. [73617]

Ms Rosie Winterton: The Lord Chancellor's Department has worked with the Legal Services Commission to establish the Community Legal Service, to improve access for all to good quality civil legal and advice services. Community Legal Service Partnerships, now covering nearly all areas of England and Wales, are central to this policy and are responsible for coordinating service delivery based on local priority needs. The Community Legal Service Fund, which replaced Legal Aid, provides funding for those services now being delivered under these new arrangements.

Dispute Resolution

David Cairns: To ask the Parliamentary Secretary, Lord Chancellor's Department, what role her Department plays in alternative means of dispute resolution [73615]

Ms Rosie Winterton: The introduction of the Civil Procedure Rules in 1999 imposed, for the first time, a duty on courts to encourage and facilitate the use of Alternative Dispute Resolution (ADR). The Rules also seek to influence the behaviour of parties in the pre-litigation period through pre-action protocols, which further encourage parties to settle their disputes by using ADR.

In March 2001 the Lord Chancellor announced that all Government Departments and their Agencies had pledged to consider and use ADR to resolve disputes involving them in all suitable cases, wherever the other party accepts it.

In addition, a number of courts in England and Wales have set up court based pilot mediation schemes, with the approval of the Lord Chancellor.

"Justice for All"

Mr. Peter Duncan: To ask the Parliamentary Secretary, Lord Chancellor's Department when she next expects to meet with members of the lay magistracy to discuss the administration of justice following the publication of the "Justice for All" White Paper. [73616]

Ms Yvette Cooper: Following the publication of the Criminal Justice White Paper, "Justice for All", I met a number of Magistrates' representative bodies to discuss the White Paper, and these meetings will continue as we develop our proposals. In addition a letter was sent to all Magistrates informing them of our proposals.

Correspondence

Mr. Allen: To ask the Parliamentary Secretary, Lord Chancellor's Department when the Lord Chancellor will reply to the letter of 17 September from the hon. Member for Nottingham, North on the legality of action on Iraq. [74983]

Ms Rosie Winterton: The letter of 17 September was sent to the right hon. Harriet Harman MP, the Solicitor General, at the Law Officers' Office, and not to the Lord Chancellor nor any minister in the Lord Chancellor's Department. The Solicitor General will reply to the letter shortly.

Transsexual People

Lynne Jones: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make it her policy to refer to transsexual people rather than transsexuals in Government documents and in material that will form parliamentary records. [75744]

Ms Rosie Winterton: My Department has already adopted this convention. In so far as I am able to ensure this, all official documents published in the future on this subject should refer to transsexual people or transsexual persons, rather than transsexuals.

Germany

Keith Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department when she next intends to visit Germany. [75653]

Ms Rosie Winterton: At present, neither I, my right hon. Friend the Lord Chancellor, nor my Ministerial colleagues have plans to visit Germany.

HEALTH

Mental Health Services

Mr. Heald: To ask the Secretary of State for Health how much money was allocated to *(a)* health authorities and *(b)* local authorities for spending on mental health services in each year since 1997; how much of that money was spent on mental health services; and how much was ring-fenced. [39786]

Jacqui Smith *[holding answer 1 March 2002]:* Health authorities receive general allocations and unless funds are ring-fenced, decisions are made locally as to the specific services these are allocated to. In addition to general allocations, additional allocations for mental health made to health authorities since 1997 are set out in the table below.

Allocations 'millions

	97–98	*98–99*	*99–00*	*00–01*	*01–02*	*02–03*
					12.35 rev	93.5 rev
Health Authority	10.7	0	68.5	66	64 cap	83 cap
Local Authorities	69	116	63	129	132	133

Allocations to local authorities for mental health services are made through the mental health grant. These funds are ring fenced and audited to ensure that expenditure is on mental health services.

Departmental Activities (Isle of Wight)

Mr. Andrew Turner: To ask the Secretary of State for Health if he will list the activities pursued by his Department that have had a particular impact on the Isle of Wight since 7 June 2001. [57674]

Ms Blears *[holding answer 10 June 2002]:* This information can only be provided at disproportionate cost.

The Departmental Report for the Department sets out the aims and objectives for the Department, and describes the main activities which support them. It covers different business areas for which the Department is responsible: public health, the National Health Service, social care and departmental management. It sets out resources committed to each, the results that are being achieved and the priorities for the future. The 2001 report can be found on the following website: hhtp://www.doh.gov.uk/dohreport/report 2001.

The 2002 Departmental Report will be published shortly.

EU Management Committees

Angus Robertson: To ask the Secretary of State for Health when the EU Committee of senior officials on public health is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [64826]

Mr. Lammy: The Committee of Senior Officials on Public Health (CSOPH) meets twice a year. This year's meetings are on 3 July and 4 December.

The Committee is made up of senior officials with responsibility for national health care systems. Each member state is entitled to nominate one representative and one alternate. The UK representative and his alternate represent all UK Health Departments.

No CSOPH representative has yet come from the Scottish Executive.

Patient Rights

Mr. Burstow: To ask the Secretary of State for Health how many residents with preserved rights were reassessed as being outside the scope of social services and entitled to free continuing care under the ruling in ex parte Coughlan for each strategic health authority in the last year. [64853]

Jacqui Smith: This information is not collected centrally.

Children's Hospices

Mr. Woodward: To ask the Secretary of State for Health how much the Government have invested in children's hospices in England and Wales in *(a)* 1997, *(b)* 1998, *(c)* 1999, *(d)* 2000 and *(e)* 2001; and what the projected level is in 2002. [66700]

Ms Blears: The information requested is not collected centrally.

Mr. Kolathuv Unni

Andrew Mackinlay: To ask the Secretary of State for Health if he will order a public inquiry into the case of Mr. Kolathuv Unni including *(a)* his recruitment back into the NHS and *(b)* the conduct of the General Medical Council: and if he will make a statement. [68747]

Mr. Hutton *[holding answer 11 July 2002]:* We have no current plans to hold a public inquiry. The Department has taken steps to strengthen recruitment procedures in the National Health Service to safeguard patients. Mr. Unni remains suspended from the medical register. The General Medical Council are considering further action following the decision to impose a prison sentence on Mr. Unni. The GMC is also consulting on proposals to reform its registration process.

NHS Walk-In Centres

Sandra Gidley: To ask the Secretary of State for Health when he will publish the usage rates of the NHS walk-in centres; and if he will make a statement. [74200]

Mr. Hutton: In aggregate, usage of National Health Service walk-in centres has increased from 0.575 million visits in 2000–01 to an estimated 1.4 million in 2002–03. As NHS walk-in centres are a pilot scheme we do not routinely publish performance data on individual centres. Monthly usage rates from March 2000 to August 2001 were, however, published in the independent national evaluation report by the University of Bristol. This is available on the University's website at www.epi.bris.ac.uk/wic/.

Health Protection Agency

Mr. Dismore: To ask the Secretary of State for Health how consultants in communicable disease control will be managed after completion of the work of the Health Protection Agency; and if he will make a statement. [74818]

Ms Blears: The strategy document *Getting Ahead of the Curve* proposed that consultants in communicable disease control should transfer to employment by the Health Protection Agency. They would continue to operate at local level, and would have new opportunities for training, career development and the acquisition of special knowledge in areas of health protection.

NHS Funding Formula

Mr. Oaten: To ask the Secretary of State for Health what consultations the Advisory Committee on Resource Allocation has made with regard to its review of the Your NHS Funding Formula. [75140]

Mr. Hutton: The advisory committee on resource allocation's (ACRA) terms of reference are to advise the Secretary of State for Health on the distribution of resources across primary and secondary care. ACRA is an expert body whose membership is made up of individuals with a wide range of relevant experience and expertise from within and outside the National Health Service. ACRA does not conduct formal consultations.

Mr. Watts: To ask the Secretary of State for Health (1) whether the new funding formula will take into account the number of people who have private medicine when assessing need; [74956]

(2) if he will make a statement on the reform of the funding system for the NHS and the options, method of consultation and timetable for the review; and whether the review will take into account the number of people who have access to private medical treatment. [76277]

Mr. Hutton: The existing formula used to allocate National Health Service resources has been reviewed by the advisory committee on resource allocation (ACRA). The intention is that reducing health inequalities will be a key criterion for allocating NHS resources to different parts of the country. We are currently considering ACRA's recommendations. ACRA does not conduct formal consultations. I cannot at this stage anticipate the outcome. Later this autumn when we announce the revenue allocations for the next three years we will explain changes to the formula.

NHS Patients (Out-of-area Treatment)

Mr. Andrew Turner: To ask the Secretary of State for Health if he will list the health authorities in England which indicate populated islands, showing the expenditure per person on those islands to assist with travel for treatment. [75201]

Mr. Hutton: Health authorities with populated islands are:

Essex
Hampshire and Isle of Wight
Kent and Medway
Northumberland, Tyne and Wear
South West Peninsula

Cumbria and North Lancashire

Information on expenditure per head to assist with travel for treatment is not collected centrally.

Mr. Andrew Turner: To ask the Secretary of State for Health what funding is made available to health authorities which include populated islands to recognise and assist with the costs of patients' travel for mainland treatment; and what the criteria are for the allocation of such funds. [75199]

Mr. Hutton: There is no specific adjustment for island populations in the formula used to allocate funding to health authorities and primary care trusts.

Foot Care

Mr. Hancock: To ask the Secretary of State for Health what assessment has been made of the results of the consultation on chiropody and podiatry services; and if he will make a statement. [76003]

Mr. Hutton: The Health Professions Council (HPC), which regulates chiropody and podiatry alongside eleven other health professions, concluded its consultation on 30 September. The HPC will analyse the feedback it has received and produce a document summarising the replies, which they aim to publish in November.

Acute Services Trusts

Nick Harvey: To ask the Secretary of State for Health if he will list those NHS acute services trusts which operate hospitals more than 50 miles apart, listing the number of beds in service at each such hospital. [76114]

Mr. Hutton: The only National Health Service trust that falls into the over 50-mile category is United Lincolnshire Hospitals NHS Trust. Information on the number of beds in service at each of the relevant hospitals is shown below:

Hospital	*Bed numbers and type*
Gainsborough	Nil
Spalding	28 healthcare and elderly
Skegness (in A&E Minor)	3 acute recovery
Grantham	190 acute
Lincoln	700 acute
Louth County	140 acute

National Service Framework for Older People

Mr. Burstow: To ask the Secretary of State for Health how many councils have reviewed their eligibility criteria for adult social care to ensure they do not discriminate on the basis of age as part of the milestones set out in the National Service Framework for Older People. [75702]

Jacqui Smith: Following publication of the *Fair access to care services* guidance in May 2002, councils are in the process of reviewing their eligibility criteria for adult social care. They should have completed their reviews and be ready to operate revised eligibility criteria by April 2003. By implementing the guidance councils will fulfil the first stage requirement of standard one of the national service framework for older people with respect to rooting out age discrimination.

Mr. Burstow: To ask the Secretary of State for Health (1) how many *(a)* specialist multi-disciplinary teams and *(b)* interfaces for care for older people throughout hospitals have been identified as part of the milestones set out in the National Service Framework for Older People; [75704]

(2) how many strategic and operational plans, including initial action to address identifed age discrimination, he *(a)* has received and *(b)* expects to receive as part of the milestones set out in the National Service Framework for Older People; [75706]

(3) how many of the intermediate care joint investment plans have been agreed, as set out in the National Service Framework for Older People milestones; [75700]

(4) which general hospitals have *(a)* submitted and *(b)* not submitted plans to introduce a specialised stroke unit by 2004 as part of the milestones set out in the National Service Framework for Older People. [75705]

Jacqui Smith: Information about progress against the April 2002 milestones set within the national service framework (NSF) for older people is currently being collected.

National Health Service organisations have not been asked to submit centrally their plans to tackle any age discrimination identified in their audits of age-related policies, their intermediate care investment plans, or their plans to introduce specialised stroke units. Monitoring against the NSF milestones will provide the information needed centrally about progress in these areas.

Mr. Burstow: To ask the Secretary of State for Health what consultation his Department has undertaken with housing and social services to ensure that the Better Care, Higher Standards charter is working, as set out in the milestones of the National Service Framework for Older People; and what areas of the charter have been found to have shortcomings. [75703]

Jacqui Smith: When the national Better Care, Higher Standards charter was published in December 1999, we undertook to carry out a review of its effectiveness after three years. We plan to complete this review by March 2003. This will include consultation with representatives of local councils.

Microbiologists

Mr. Burstow: To ask the Secretary of State for Health how many microbiologists were employed by the NHS; and what the vacancy rate for microbiologists was in each of the last five years, broken down by *(a)* region and *(b)* trust. [75707]

Mr. Hutton: The information requested is not collected centrally.

Emergency Readmissions

Mr. Burstow: To ask the Secretary of State for Health what target he has set to reduce emergency readmissions into hospital. [75712]

Jacqui Smith: The target set for 2002–3 is for no growth in emergency readmissions from the 2001–2 baseline of 5.4 per cent.

Child and Adolescent Mental Health Services

Mr. Burstow: To ask the Secretary of State for Health if he will set out the budget of Child and Adolescent Mental Health Services over each of the last three years; and what the budget for CAMHS will be for each of the next three years. [75713]

Jacqui Smith: In the three years to the end of March 2003 we will have invested an additional £105 million in child and adolescent mental health services (CAMHS) provided by health and social services. On 16 October my right hon. Friend, the Secretary of State for Health, announced that CAMHS would receive an additional investment of £140 million over the next three years through increased grants to social services.

In addition we have just set, in the priorities and performance framework, new capacity assumptions for health and social care which require a 10 per cent. per annum increase in CAMHS.

Bioterrorism

Mr. Martyn Jones: To ask the Secretary of State for Health if he will make a statement on the most recent assessment of the risk of a bioterrorist attack against the UK. [75191]

Mr. Hutton: There is no evidence of a specific threat. The Department has contingency plans to respond to the deliberate release of a biological agent and keeps these plans under constant review.

General Practitioners

Tim Loughton: To ask the Secretary of State for Health how many general practitioners in the south-east are operating a closed-list policy. [75503]

Ms. Blears *[holding answer 21 October 2002]:* The information requested is not collected centrally.

Tim Loughton: To ask the Secretary of State for Health how many GP surgeries in *(a)* London and *(b)* South East England have (i) opened and (ii) closed in each of the last five years. [75524]

Ms Blears *[holding answer 21 October 2002]:* The information requested is not collected centrally.

Adur, Arun and Worthing PCT

Tim Loughton: To ask the Secretary of State for Health what arrangements for profit-related pay and bonuses have been made for senior executives of the Adur, Arun and Worthing PCT. [75514]

Ms Blears *[holding answer 21 October 2002]:* I am advised by Surrey & Sussex Strategic Health Authority that no performance related pay or bonuses have been paid to senior executives at Adur, Arun and Worthing Primary Care Trust.

Tim Loughton: To ask the Secretary of State for Health how many general practitioners left their positions in the Adur, Arun and Worthing PCT area in the last year; and why. [75500]

Ms Blears *[holding answer 21 October 2002]:* The information requested is shown in the table.

Unrestricted Principals and Equivalents (UPEs)[1] Leavers in England and Adur, Arun & Worthing PCT: 2000–01

	Numbers
	Sept 2000–Sept 2001[2]
England	1313
of which:	
Adur, Arun & Worthing PCT	7

Notes:
[1] UPEs includes GMS Unrestricted Principals, PMS Contracted GPs and PMS Salaried.
[2] Leavers are defined as those UPEs reported in the Department of Health's annual GP census in one year but not in the following year.
Leavers will include both career breaks and wastage.
Data based on censuses as at 30 September 2000 & 2001
Source:
Department of Health General and Personal Medical Services Statistics.

Information on the reasons for leaving is not collected.

Tim Loughton: To ask the Secretary of State for Health how many general practitioners vacancies are open in the Adur, Arun and Worthing PCT area. [75501]

Ms Blears *[holding answer 21 October 2002]:* The information requested is not collected centrally.

NHS Overseas Nurses' Advice Line

Tim Loughton: To ask the Secretary of State for Health how much it cost to establish the NHS Overseas Nurses' Advice Line. [75560]

Mr. Hutton *[holding answer 21 October 2002]:* The cost of setting up and training staff for the National Health Service Overseas Nurses' Advice Line was £7,767.

Tim Loughton: To ask the Secretary of State for Health how many *(a)* nurses and *(b)* non-medical staff are employed on the NHS Overseas Nurses' Advice Line. [75561]

Mr. Hutton *[holding answer 21 October 2002]:* There is a pool of non-medical call operators who are employed on behalf of a number of clients that handles calls to the NHS Overseas Nurses' Advice Line. In addition, there is a dedicated team of staff with health careers expertise who are able to offer advice on supervised practice and National Health Service careers.

Hepatitis C

Tim Loughton: To ask the Secretary of State for Health what advice he has issued to NHS dentists treating sufferers of hepatitis C. [75496]

Ms Blears *[holding answer 21 October 2002]:* We have issued guidance to the National Health Service in 1998 on protecting clinical health care workers such as dentists from infection with blood-borne viruses, including hepatitis C.

The General Dental Council (GDC) has issued guidance to dentists which stresses the importance of taking appropriate measures to prevent cross-infection and of taking account of relevant guidance from the Department and the British Dental Association. The GDC has also advised dentists that it is unethical to refuse to treat a patient solely on the grounds that the person has a blood-borne virus or any other transmissible disease or infection.

Tim Loughton: To ask the Secretary of State for Health how many PCTs offer interferon combination drugs to hepatitis C sufferers. [75498]

Ms Blears *[holding answer on 21 October 2002]:* The Department does not hold information centrally on the number of primary care trusts (PCTs) that currently offer combination drug therapy for hepatitis C.

From 1 January 2002, PCTs are under a statutory obligation to provide appropriate funding for treatments or drugs which have been recommended by the National Institute for Clinical Excellence.

Tim Loughton: To ask the Secretary of State for Health what the average waiting times are for hepatitis C sufferers to see a liver specialist, broken down by strategic regional health authority area. [75536]

Ms Blears *[holding answer 21 October 2002]:* The Department does not hold information centrally on the average waiting times for patients with hepatitis C to see a specialist.

Patients diagnosed with hepatitis C are likely to be referred to physicians within the gastroenterology or infectious diseases specialities. Average outpatient waiting times for first appointment in these specialties in 2000–2001 by National Health Service region are shown in the table.

Outpatient waiting times 2001–02, speciality gastroenterology: Trust based data by Region—effective length of wait from receipt of general practitioner written referral to first outpatient attendance (weeks)

Region	*Average waiting time (median) weeks*
Northern & Yorkshire	8.1
Trent	6.9
West Midlands	8.4
North West	9.4
Eastern	7.4
London	8.3
South East	7.4
South West	10.3
England	8.1

Outpatient waiting times 2001–02, speciality infectious diseases: Trust based data by Region—effective length of wait from receipt of GP written referral to first outpatient attendance (weeks)

Region	*Average waiting time (median) weeks*
Northern & Yorkshire	4.3
Trent	6.3
West Midlands	5.6
North West	4.3
London	3.1
South East	3.2
South West	2.0

Outpatient waiting times 2001–02, speciality infectious diseases: Trust based data by Region—effective length of wait from receipt of GP written referral to first outpatient attendance (weeks)

Region	*Average waiting time (median) weeks*
England	3.4

Tim Loughton: To ask the Secretary of State for Health what plans he has to introduce screening for hepatitis C. [75495]

Ms Blears *[holding answer on 21 October 2002]:* Our consultation paper, *Hepatitis C Strategy for England*, which was published on 14 August 2002, proposes that individuals at increased risk of infection or with otherwise unexplained liver disease should be offered testing for hepatitis C.

The United Kingdom national screening committee has not recommended the introduction of antenatal screening for hepatitis C in the absence of a proven safe and effective intervention to prevent infant infection and limited evidence about the natural history and treatment of children infected with hepatitis C. This advice is in line with United States and European consensus statements. However, antenatal settings might provide an opportunity to offer hepatitis C testing to women at increased risk of infection.

Tim Loughton: To ask the Secretary of State for Health how much was spent on hepatitis C public awareness campaigns last year. [75563]

Ms Blears *[holding answer on 21 October 2002]:* Our consultation paper, *Hepatitis C Strategy for England*, which was published on 14 August 2002, identifies the need for a campaign to raise public awareness of hepatitis C. This campaign will be developed taking account of responses to the consultation exercise and meetings with stakeholders from the National Health Service and voluntary and community sectors.

In the last financial year, 2001–2002, we made £90,000 in section 64 grant funding available to the British Liver Trust and Mainliners for activities connected to the provision of information to professionals and the public on hepatitis C. We also produced a hepatitis C briefing pack for health professionals, which included a patient leaflet for use in consultations at a cost of approximately £130,000.

Tim Loughton: To ask the Secretary of State for Health what his Department's estimate is of the number of hepatitis C sufferers; and how many are receiving treatment in the NHS. [75742]

Ms Blears *[holding answer 21 October 2002]:* I refer the hon. Member to the reply I gave him on Thursday 2 May 2002, *Official Report* column 998W and the reply I gave him on Tuesday 14 May 2002, *Official Report*, column 630W.

Available Beds

Dr. Evan Harris: To ask the Secretary of State for Health (1) if he will list the average daily number of available beds in wards open overnight in all specialities in England in *(a)* 1979 and *(b)* 1990–91 to 1995–96; [75634]

(2) if he will list the average daily number of *(a)* general and acute, *(b)* acute, *(c)* day only, *(d)* mental illness, *(e)* learning disability and *(f)* maternity beds open overnight in England in (i) 1979 and (ii) 1990–91 to 1995–96. [75635]

Mr. Hutton: The average daily number of available beds in wards open overnight, by sector, for 1979 and 1990–91 to 1995–96 is given in the following table:

Year	*All specialities (exc. day only)*	*General & acute*	*Acute*	*Mental illness*	*Learning disability*	*Maternity*	*Day only*
1979	361,670	203,864	148,725	89,045	50,122	18,640	
1990–91	255,479	116,788	116,788	55,239	23,379	14,170	3,068
1991–92	242,677	115,140	115,140	50,278	21,383	13,770	3,399
1992–93	232,201	112,862	112,862	47,308	18,519	13,167	3,972
1993–94	219,476	109,713	109,713	43,532	16,269	12,521	4,908
1994–95	211,812	108,008	108,008	41,827	13,211	11,971	5,699
1995–96	206,136	108,296	108,296	39,477	12,676	11,358	6,541

Note:
Information on beds open day only were collected from 1987–88—no equivalent data are available for 1979.
Source:
Department of Health forms KH03, SH3

Nuclear Power Stations

Gregory Barker: To ask the Secretary of State for Health, what representations his Department has received concerning alleged correlation between instances of leukaemia clusters and nuclear power stations in the UK. [75794]

Ms Blears: The Black advisory group was commissioned in 1983, by the then Minister of Health, to investigate reports of a high incidence of leukaemia occurring in young people living in the vicinity of the Sellafield nuclear site. In their report, Black 1984, the advisory group confirmed that there was a higher incidence of leukaemia in young people resident in the area. They also concluded that the estimated radiation dose from the Sellafield discharges and other sources, received by the local population, could not account for the observed leukaemia incidence on the basis of knowledge available at that time. The uncertainties in the available data led the advisory group to make recommendations for further research and investigation.

The committee on medical aspects of radiation in the environment (COMARE) was established in November 1985 in response to the final recommendation of the report of the independent advisory group chaired by Sir Douglas Black. Its terms of reference are to

> "assess and advise Government and the Devolved Administrations on the health effects of natural and man-made radiation in the environment and to assess the adequacy of the available data and the need for further research".

COMARE has now published seven reports and has also published several statements into allegations of cancer clusters around nuclear installations. Details can be found on the committee's 'web site at www.open.gov.uk/doh/comare.htm

Obesity

Mr. Barry Gardiner: To ask the Secretary of State for Health, what plans his Department has to tackle obesity. [74056]

Ms Blears: The Government are committed to tackling the rising trend in obesity. The prevention and management of obesity are at the heart of many of the Government's priority areas, as highlighted in the NHS Plan and national service frameworks, particularly those outlining action on CHD and diabetes. The Department is taking an integrated approach with cross-Government work at national, regional and local levels, where action is focused on improving diet and increasing physical activity levels, and includes:

The Five-a-day programme to increase fruit and vegetable intakes, including the National School Fruit Scheme, and work with industry to increase provision and access.

Initiatives with the food industry (including manufacturers and caterers) to improve the overall balance of diet including salt, fat and sugar in food, working with the Food Standards Agency.

The Food in Schools and National Healthy Schools programmes, addressing food and nutrition in schools.

The Welfare Foods scheme is being reviewed, in line with the NHS Plan commitment to use the resources more effectively to ensure children in poverty have access to a healthy diet.

Increased support for breastfeeding, which is accepted as the best form of nutrition for infants to ensure a good start in life.

PE and sports programmes for young people and the community in general, together with the School Sport Co-ordinator programme.

A new programme for community physical activity pilots, led by primary care trusts.

Guidance issued by the National Institute of Clinical Excellence on anti-obesity drugs and surgery.

Local action to tackle obesity and physical inactivity, informed by advice from the Health Development Agency on what works.

Bob Russell: To ask the Secretary of State for Health what plans he has for newspaper, television and radio campaigns concerning obesity, weight loss and healthy living. [74462]

Ms Blears: We have no plans to run specific campaigns on obesity, weight loss and healthy living, although we will be extensively publicising the Five-a-day programme from the New Year. We have also funded the British Dietetic Association, as part of

their *Weight Wise* campaign, to undertake project work on consumer messages and communication methods relating to weight management.

The prevention and management of obesity are at the heart of many of the Government's priority areas, as highlighted in the NHS Plan and national service frameworks, particularly those outlining action on CHD and diabetes. Other commitments are also likely to have a positive impact on the prevention and management of obesity, including the infant feeding initiative, the national school fruit scheme, the food in schools programme and work with the food industry to address the sugar, fat and salt content of the diet. There is also substantial cross-government work to increase physical activity levels.

Food Labelling

Mr. Kidney: To ask the Secretary of State for Health what plans he has for the reform of labelling requirements for food products. [72343]

Ms Blears *[holding answer 17 October 2002]:* The Food Standards Agency (FSA) has adopted a wide-ranging action plan to tackle the issues consumers have identified as priorities for improving food labelling. The FSA is pressing for changes to European law and international standards and has established a number of working groups to explore the potential for voluntary improvements.

Non English-Speaking Medical Staff

Mr. Steen: To ask the Secretary of State for Health what estimate he has made of the number of NHS medical staff who are not English-speaking; and what provision is made for linguistic tuition for non-English speaking NHS medical staff. [74931]

Mr. Hutton *[holding answer 21 October 2002]:* All medical staff employed in the National Health Service are English-speaking. Doctors are not permitted to work in the NHS until they are able to demonstrate that they possess good English language skills. Medical staff from outside the European Economic Area are required to pass the international English language testing system examination before they are eligible for registration with the General Medical Council and work in the UK. European Economic Area nationals are not required to take the international English language testing system examination to register with the General Medical Council. They are required, however, to demonstrate their language competency to their employer. The procedures for this are set out in guidance for NHS employers: Health Service Circular 1999/137.

Training courses in English language are available throughout the UK at further education colleges. There are also special training courses to prepare doctors for the international English language testing system examination, most of which are provided free of charge to students.

Overseas Medical Staff

Mr. Steen: To ask the Secretary of State for Health what estimate he has made of the number of NHS consultants, doctors and nurses who will be employed from *(a)* the EU and *(b)* outside the EU over the next five years. [74932]

Mr. Hutton *[holding answer 21 October 2002]:* The following table shows the number of doctors, general practitioners (GPs) and consultants who qualified in the United Kingdom, within the rest of the European Economic Area and elsewhere.

All NHS Doctors by country of qualification

England at 30 September 2001[1]

numbers (headcount)

	All countries of qualification	United Kingdom	Rest of EEA	Elsewhere
All Doctors *of which*	100,320	69,950	4,870	25,500
GPs[2]	31,840	26,000	1,250	4,580

Notes:
[1] 2001 is the most recent data available which details all NHS doctors.
[2] All Practitioners includes GMS Unrestricted Principals, PMS Contracted GPs, PMS Salaried GPs, Restricted Principals, Assistants, GP Registrars, Salaried Doctors (para 52 SFA), PMS Other and GP Retainers.
[3] HCHS shows Hospital, Public Health medicine and Community Health Services (HCHS) staff excluding medical hospital practitioners and medical clinical assistants, most of whom are also GPs working part time in hospitals.
Figures are rounded to the nearest ten
Due to rounding, totals may not equal the sum of component parts
Sources:
Department of Health 2000 medical and dental workforce census
Department of Health General and Personal Medical Services Statistics

Delivering the NHS Plan, published in April 2002, provides the latest forecasts for growth in the National Health Service workforce. By 2008, we expect the NHS to have net increases over the September 2001 staff census of at least 15,000 consultants and GPs. We anticipate that international recruitment will contribute towards this figure and our international recruitment assumption for consultants and GPs is 1,000 by 2005.

We anticipate that by 2005, compared to 1999, up to 35,000 extra nurses may be working in the NHS, who have been trained overseas.

Tim Loughton: To ask the Secretary of State for Health how many doctors from abroad started work in the NHS in the last year; and how many of them have subsequently ceased working. [75516]

Mr. Hutton *[holding answer 21 October 2002]:* Information on the number of doctors from abroad who join and leave the National Health Service is not available.

Public Health Laboratory

Tim Loughton: To ask the Secretary of State for Health what representations he has received from health professionals regarding the transfer of the Public Health Laboratory to the NHS. [75506]

Ms Blears *[holding answer 21 October 2002]:* A number of representations were received, both welcoming the proposals and raising concerns, which we sought to address in the final decisions on which laboratories would transfer to the National Health Service. This was announced on 3 September 2002.

Doctor Training

Tim Loughton: To ask the Secretary of State for Health what proportion of medical training courses for doctors in the UK deals with ICT in the NHS. [75510]

Mr. Hutton *[holding answer 21 October 2002]:* Individual university medical schools determine their own undergraduate medical curriculum in the light of recommendations from the General Medical Council's (GMC) education committee, which has the statutory responsibility to determine the extent and knowledge and skill required for the granting of primary medical qualifications in the United Kingdom.

The education committee's most recent recommendations on undergraduate medical education are contained in *Tomorrow's Doctors*, which was published in July 2002.

The GMC's recommendations on general clinical training in the pre registration house officer (PRHO) year cover medical informatics, including how to use information storage and retrieval systems effectively. As part of their in-service training PRHOs are expected to become familiar with the information technology facilities of the hospital or health centre in which they are training.

The content and standard of postgraduate medical training is the responsibility of the UK competent authorities, the Specialist Training Authority for specialist medicine and for general practice, the Joint Committee on Postgraduate Training for General Practice. These bodies have a vested interest in ensuring that doctors are prepared for practice—both in hospital and in general practice—including proficiency in the use of information and communication technology in the National Health Service.

Eczema

Tim Loughton: To ask the Secretary of State for Health how many *(a)* children and *(b)* adults suffer from eczema; and what plans he has to tackle this. [75566]

Jacqui Smith *[holding answer 21 October 2002]:* Eczema is a very common condition, with prevalence estimated as eight to twenty per cent. for children and two to ten per cent. for adults: one to two and a half million and one to four million respectively in England and Wales. Most cases in children are of mild to moderate severity but eczema can, in some circumstances, cause severe morbidity in adults.

The action on dermatology programme (AoD) has been looking at how services are organised and the resources used and this should help in the management of eczema. It is expected that the dermatology guidance will be published soon. Around £35 million has been awarded for AoD capital projects.

Operation Costs

Tim Loughton: To ask the Secretary of State for Health what the average cost to the NHS is of *(a)* hip replacements, *(b)* knee replacements, *(c)* heart bypass surgery and *(d)* cataracts performed by the Worthing and Southlands Hospital Trust. [75741]

Ms Blears *[holding answer 21 October 2002]:* The information requested is shown in the table.

RPL: Worthing & Southland Hospitals NHS Trust

		Day Case	*Elective Inpatient*	*Non-Elective Inpatient*
HRG Code	HRG Label	Mean Average Unit Cost £	Mean Average Unit Cost £	Mean Average Unit Cost £
B02	Phakoemulsification cataract extraction with lens implant	939	1,086	1,687
B03	Other cataract extraction with lens implant	719	866	N/A
E04	Coronary bypass	N/A	N/A	N/A
H02	Primary hip replacement	N/A	4,457	6,577
H04	Primary knee replacement	N/A	4,989	6,474

Notes:

1 The following information was submitted by Worthing & Southlands Hospitals NHS Trust as part of their 2001 submission for reference costs. The figures relate to the financial year 2000–01.

2 Some procedures can be undertaken as a day case and / or inpatient, e.g. cataracts. Both have different costs, as shown above.

3 This Trust did not report any activity for coronary artery bypass grafts in 2000–01.

PCTs

Tim Loughton: To ask the Secretary of State for Health what arrangements for profit-related pay and bonuses have been made for PCT management in England and Wales. [75513]

Mr. Hutton *[holding answer 21 October 2002]:* Arrangements for performance-related pay and bonuses for primary care trust management is a matter for local determination. The Department has issued guidelines on pay but, in line with the Government's decision to decentralise the decision-making and control, it is for trusts locally to make and justify their own decisions. Copies of the guidelines have been placed in the Library.

Information in respect of the arrangements for Wales should be sought from the National Assembly for Wales.

Acute Beds and Managers

Tim Loughton: To ask the Secretary of State for Health how many *(a)* acute beds and *(b)* managers there are in the NHS; and what these figures are as a relative proportion. [75502]

Mr. Hutton *[holding answer 21 October 2002]:* The average daily number of acute beds in England for 2001 is 107,956. This represented an extra 700 beds since 2000—the first increase in general and acute beds in 30 years. This is one third of the way towards the NHS Plan target of 2,100 extra general and acute beds by April 2004.

There are 26,285 (whole time equivalent) senior managers and managers working within the administration and estates areas of the National Health Service in England as at September 2001. The Government made a commitment to save £1 billion from management costs over five years from 1997–98. We are on course to do so and will publish the results once final accounts have been cleared and data analysed.

Electronic Appointment Technology

Tim Loughton: To ask the Secretary of State for Health if he will publish the terms of his contract with EDS to supply electronic appointment technology to the NHS; and if he will list the other firms that were invited to tender for the contract to supply electronic appointment technology to the NHS. [75521]

Mr. Hutton *[holding answer 21 October 2002]:* No contract has been awarded to EDS to supply electronic appointment system technology to the National Health Service.

In line with the information technology procurement strategy proposed for the national programme for IT in the NHS, a selection process is underway using the NHScat managed services framework to identify and select a single "prime service partner" for electronic booking. The successful prime service partner will be contracted to provide and supply software products and planning and implementation services to local health communities jointly with potential systems and services suppliers.

All companies on the NHS national framework agreement (NHScat), who were successful in the managed services category, were invited to submit proposals to become the prime service partner for the electronic booking project. The selection process is ongoing. A detailed evaluation was held of the twelve companies listed to provide IT managed services within the NHScat framework. These are BT Health, Computer Science Corporation (CSC), EDS, Elonex, Fujitsu Services, Hewlett Packard, Integris, Specialist Computer Centres (SCC), SX3, Siemens, Unisys, and Viglen. Following that, EDS and BT Health have been invited to put forward detailed proposals as potential IT managed service prime service partners for electronic booking systems. Any award of contract will be subject to successful conclusion of negotiations and approval of a formal business case.

The selection process is being conducted under the supervision of the NHS Purchasing and Supplies Agency.

Correspondence

Mr. Allen: To ask the Secretary of State for Health when he expects to reply to the hon. Member for Nottingham North's letters of Friday 16 August and 8 August. [74869]

Jacqui Smith: A reply was sent to my hon. Friend on 14 October.

Mr. Wilshire: To ask the Secretary of State for Health when the hon. Member for Spelthorne will receive a reply to his letter dated 22 August in relation to correspondence with the Surrey and Sussex Health Authority dated 17 April about Mr. G. Smith, a constituent. [74802]

Ms Blears *[holding answer 15 October 2002]:* A reply was sent on 17 October.

DEPUTY PRIME MINISTER

Bed and Breakfast Accommodation

Sandra Gidley: To ask the Deputy Prime Minister how many families there are in bed and breakfast accommodation in the last three years for which figures are avilable, broken down by local authority. [74203]

Mr. McNulty: Showing available information reported by local authorities in England on the total number of households—including couples and single persons without children—accommodated in bed and breakfast units under statutory homelessness provisions at the end of March in each year since 1999 is avaiblable in the Library.

National and regional figures are presented in a quarterly Statistical Release, and an accompanying Supplementary Table also summarises reported information at local authority level. Both of these are also available in the House library and via the ODPM website.

Earlier this year the Government announced a new commitment to ensure that by March 2004 no family with children will be placed in B&B other than in an emergency, and even then for no more than 6 weeks. This was accompanied by changes in Housing Benefit subsidies to make leasing self-contained temporary accommodation more cost effective, and an additional £35 million to help local authorities find alternatives to B&B.

Local Government Finance

Dr. Cable: To ask the Deputy Prime Minister what the per capita central Government funding for local government expenditure has been for each London borough for the last 10 years; and if he will make a statement, [75109]

Mr. Raynsford: The information has been placed in the Library of the House.

Mrs. Anne Campbell: To ask the Deputy Prime Minister what level of rate support grant has been received by Cambridge City Council for the last five years at 2002 prices. [75907]

Mr. Raynsford: Cambridge City Council received the following revenue support grant and redistributed national non-domestic rates between 1998–99 and 2002–03.

Revenue Support Grant and Redistributed NNDR

£ Thousand

	1998–99	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Revenue Support Grant (cash terms)[1]	5,530	5,527	5,496	6,157	5,849
National Non-Domestic Rate (cash terms)[1]	3,743	4,063	4,595	4,615	5,231
Total (cash terms)	9,273	9,590	10,091	10,772	11,080
Total (real terms at 2001–02 prices)[2]	*9,917*	*10,013*	*10,308*	*10,772*	*10,810*

Notes:
[1] Source: Local Government Finance Settlements
[2] Real terms calculated using the GDP deflator

Dr. Starkey: To ask the Deputy Prime Minister what level of rate support grant has been received by Milton Keynes Unitary Authority in each of the last five years at 2002 prices *(a)* in total and *(b)* per head of population. [75911]

Mr. Raynsford: Milton Keynes Unitary Authority received the following revenue support grant and redistributed national non-domestic rates (NNDR) between 1998–99 and 2002–03 *(a)* in total and *(b)* per head of population.

Revenue Support Grant and Redistributed NNDR

£ Thousand

	1998–99	*1999–200*	*2000–01*	*2001–02*	*2002–03*
Revenue Support Grant (cash terms)[1]	71,942	74,490	72,924	80,691	73,976
National Non-Domestic Rate (cash terms)[1]	46,461	51,080	58,517	58,183	64,530
Total (cash terms)	118,403	125,570	131,441	138,874	138,506
Total (real terms at 2001–02 prices)[2]	*126,622*	*131,112*	*134,267*	*138,874*	*135,128*
Total (at 2001–02 prices) per head (£)[2,3]	*691*	*715*	*733*	*754*	*733*

Notes:
[1] Source: Local Government Finance Settlements
[2] Real terms calculated using GDP deflator
[3] Amounts per head have been calculated using mid-year population estimates for the appropriate year from the Office for National Statistics (ONS). Figures for 2001–02 and 2002–03 use the mid-2001 population estimates, which are based on the results of the 2001 census. Population estimates for earlier years are based on updating from the 1991 census, and these will be revised by ONS at a later date.

Mr. Swayne: To ask the Deputy Prime Minister what provision he will make to fire authorities spending above their SSAs when he revises the SSA formula for fire; and if he will make a statement. [73940]

Mr. Leslie: Statutory responsibility for the provision of fire services rests locally with the fire authority.

We invited comments on options for changes to the formulae for the distribution of revenue support grant for local authority services, including fire, in a consultation period which ran from 8 July to 30 September. Our proposals will be announced in the provisional local government finance settlement later this year.

The total provision for revenue funding for fire and other local authority services is considered in the spending reviews. Under Spending Review 2002, announced in July, the fire service share of Total Standard Spending in England will be increased by £61.6 million (4 per cent.) for 2003–04 and by increases of £70 million (4.4 per cent.) and £50 million (2.9 per cent.) in the following two years.

Fire Service

Mr. Laws: To ask the Deputy Prime Minister what action he plans to take to deploy additional military

resources to Somerset in the event of industrial action by the Fire Brigades Union; and if he will make a statement. [75632]

Mr. Raynsford: In the event of an industrial action by the Fire Brigades' Union, 5 Green Goddesses, 3 Breathing Apparatus Rescue Teams and 1 Regional Equipment Support Team will be based in Somerset. However resources are not tied to a particular authority and will be used flexibly to respond to incidents where the need is greatest.

Bob Spink: To ask the Deputy Prime Minister what contingency plans he has in the event of strikes in the Fire Service during the winter of 2002–03. [75476]

Mr. Leslie: In the event of a strike by the Fire Service basic fire cover will be provided by the armed services. Firefighting cover will be provided by military personnel operating 827 Green Goddesses. They will be supported by 331 Breathing Apparatus Rescue Teams reinforced by 59 Regional Equipment Support Teams. In all about 19,000 military personnel will be engaged in this exercise.

Mr. Wray: To ask the Deputy Prime Minister what measures are in place to ensure that the Fire Service has adequate resources and equipment. [73389]

Mr. Leslie: Statutory responsibility for the provision of fire services rests locally with the fire authority. However, a fire authority may not reduce its establishment without the approval of the Secretary of State under section 19 of the Fire Services Act 1947. Consent is only given when he is satisfied that the national standards of fire cover will be maintained. Fire authorities are inspected regularly by HM Fire Services Inspectorate as to the manner in which they are performing their functions.

Under Spending Review 2002 the fire service share of Total Standard Spending in England will be increased by £61.6 million (4 per cent.) for 2003–04 and by increases of £70 million (4.4 per cent.) and £50 million (2. per cent.) in the following two years.

There have also been substantial increases in fire service capital provision for England and Wales, with an increase of 67 per cent. in 2001–02. A further increase of 3.4 per cent. is planned for 2003–04 and this level of credits will be maintained for 2004–05 and 2005–06. An additional £200 million in PFI credit approvals has already been earmarked for the fire service, and a further £50 million in PFI credits will be made available to the service in both 2004–05 and 2005–06.

£43 million will be provided under the Capital Modernisation Fund for mass decontamination equipment, supported by an additional £13 million in revenue funding. We have said that we shall fully fund the new fire service radio replacement strategy. Among other funding initiatives, we are providing £15 million additional funding over three years from 2003–4 for community fire safety and arson reduction initiatives, targeting socially deprived areas.

Under the Central Local Partnership, we will continue to work closely with fire service stakeholders in England and Wales in the Fire Service Expenditure Forecasting Group to assess future funding pressures.

Mr. Wray: To ask the Deputy Prime Minister (1) if he plans to bring the firefighters working in the Retained and Volunteer Duty System up to the same standard of training and pay as their whole time counterparts; [73392]

(2) What the pay levels are of members of the Emergency Fire Control Staff; and what proposals he has to bring wages in line with firefighters of equivalent rank. [73391]

Mr. Raynsford: As announced on 5 September, an independent review of the Fire Service is being conducted by Professor Sir George Bain. The review will look at the future organisation and management of the fire service in the United Kingdom, including retained and voluntary firefighters. In that context it will look at pay and conditions of service. It would not be appropriate, therefore, for me to pre-empt the outcome of the review.

Mr. Wray: To ask the Deputy Prime Minister if he will make a statement on the recent discussions with the Fire Brigades Union; and what conclusions have been reached. [73393]

Mr. Leslie: Following discussions with the Fire Brigades Union and other interested parties, on the 5 September my right hon. Friend the Minister for Local Government and the Regions announced an independent review of the Fire Service. The review will be conducted by Professor Sir George Bain, who has an outstanding record in industrial relations and academia, including key roles at the London Business School, ACAS and the Low Pay Commission. He will be assisted by Sir Anthony Young, a past President of the TUC, and Sir Michael Lyons, who until recently was the Chief Executive of Birmingham City Council.

Housing

Mr. Sanders: To ask the Deputy Prime Minister (1) when *(a)* he and *(b)* other Ministers from his Department have attended meetings of the Affordable Housing Unit; [76283]

(2) when the Affordable Housing Unit will make a progress report on its remit to work with partners and stakeholders to increase significantly the supply of affordable housing in high demand areas; [76284]

(3) what progress has been made by the Affordable Housing Unit towards its remit to work with partners and stakeholders to increase significantly the supply of affordable housing in high demand areas. [76285]

Mr. McNulty: In his statement of 18 July, my right hon. Friend the Deputy Prime Minister set out the need for a step change in housing supply in order to provide decent, affordable homes for people wherever they live, and to do that by promoting sustainable communities, including a series of policy measures which will help increase the supply of housing including affordable housing. My right hon. Friend the Deputy Prime Minister has said that he will return to the House at the turn of the year with a major statement on how this programme will be taken forward.

Following my right hon. Friend the Deputy Prime Minister's statement the work of the Affordable Housing Unit has been extended to take account of this

wider remit and the unit has been renamed the Planning, Housing and Growth Unit to reflect this. Research, which the Unit has commissioned, on topics such as airspace development and financial incentives for affordable housing is published as part of the Office of the Deputy Prime Minister's research programme and Ministers meet with officials regularly as part of the process of policy development.

Mr. Sanders: To ask the Deputy Prime Minister what his estimate is of the amount of land required to accommodate the Government's housing targets by 2016. [74855]

Mr. McNulty: No such estimates are made. Annual rates of housebuilding for each region are set out in regional planning guidance. At the local level, we expect local authorities to plan to meet housing requirements in the most sustainable way. The policy is set out in Planning Policy Guidance note 3, *Housing*, which provides for better use of land by encouraging sustainable densities and consideration of previously-developed sites before greenfield land.

Jeremy Corbyn: To ask the Deputy Prime Minister when he expects to publish a review of London housing strategy. [76331]

Mr. McNulty: The Government Office for London and the Housing Corporation published the 2002 edition of the London Housing Statement in August 2002. The Government Office will be working with partners on the production of a London Housing Strategy by September 2003.

Ms Oona King: To ask the Deputy Prime Minister what the average length of time was between an application for rehousing under the Seaside and Country Homes Scheme and nomination to a property in the last 12 months. [74151]

Mr. McNulty: 276 days.

Ms Oona King: To ask the Deputy Prime Minister what has been the annual rate of reletting of council housing stock in each year since 1972. [74261]

Mr. McNulty: Centrally available information collected from local authorities annually since 1979–80 is presented below.

Local Authority Stock Lettings to New and Existing Tenants: England

	Total Lettings	*as a % of stock*
1979–80	411,800	8.6
1980–81	444,000	9.2
1981–82	414,700	8.6
1982–83	438,800	9.0
1983–84	429,100	9.1
1984–85	429,300	9.3
1985–86	437,000	9.6
1986–87	430,200	9.6
1987–88	425,800	9.6
1988–89	410,200	9.5
1989–90	390,300	9.3
1990–91	400,900	9.9
1991–92	406,500	10.4
1992–93	399,900	10.4
1993–94	404,900	10.8
1994–95	407,900	11.1
1995–96	415,200	11.6
1996–97	422,000	12.2
1997–98	403,900	11.9
1998–99	378,900	11.4
1999–2000	354,000	11.1
2000–01	326,600	10.8

Note:
Lettings include mutual exchanges and transfers of existing tenants, and lettings made to new tenants on either secure or non-secure tenancies.
Source:
DOE/DTLR/ODPM Housing Investment Programme returns (annual)

Mr. Gareth Thomas: To ask the Deputy Prime Minister what discussions he has had with local authorities about the Housing Mutual model to encourage housing transfer. [74515]

Mr. McNulty: Ministers have had no discussions with English local authorities about the Housing Mutual model to encourage housing transfer.

Mr. Wiggin: To ask the Deputy Prime Minister what the rate of change was in house prices in the past five years, broken down by region. [73964]

Mr. McNulty: The rate of change in house prices in the past five years, by region, is estimated to have been as follows:

Region	
North East	+33.7%
North West	+54.8%
Yorkshire and The Humber	+49.6%
East Midlands	+72.4%
West Midlands	+65.4%
East	+92.6%
London	+110.0%
South East	+94.6%
South West	+97.0%
England	+82.7%
Wales	+56.1%
Scotland	+27.5%
Northern Ireland	+66.1%
United Kingdom	+77.1%

Sources:
ODPM Survey of Mortgage Lenders
Increase in the regional house price indices between Q2 1997 and Q2 2002.

Mr. Wray: To ask the Deputy Prime Minister what recent action has been taken to address the Housing shortages in *(a)* Glasgow and *(b)* the UK. [74419]

Mr. McNulty: Following devolution, housing policy in Scotland, Wales and Northern Ireland is a matter for the relevant devolved administrations.

Regional Planning Guidance requires planning bodies to strategically examine housing need, including the need for affordable housing, across their areas. We also expect local authorities to plan to meet their housing needs.

However, we recognise the need for more affordable homes in England, and have substantially increased resources to address this. Funding for the Housing Corporation's Approved Development Programme

(ADP) for next year will be £1.2 billion, almost double the figure for 2000–2001. This should deliver 22,700 homes next year.

My right hon. Friend, the Deputy Prime Minister will return to the House at the turn of the year with a comprehensive long-term programme of action to tackle supply and demand issues, as promised in his statement of 18 July 2002, *Official Report*, Hansard, (col. 438).

Mr. Wray: To ask the Deputy Prime Minister what recent action has been taken to ensure that *(a)* the right to buy is not abused and *(b)* people are able to have the option of buying their homes. [74421]

Mr. McNulty: We are concerned about abuses of the Right to Buy scheme and we have commissioned research into their scope and extent. The results will be available by the end of this year. We are considering what can be done about such abuses, but we have no plans to end the Right to Buy scheme.

Under its devolved powers, the Scottish Parliament has passed legislation introducing a Modernised Right to Buy for new tenants in Scotland, to take effect from 30 September 2002.

Mr. Wray: To ask the Deputy Prime Minister what recent measures have been taken to improve the quality and conditions of social housing in *(a)* Glasgow and *(b)* the UK. [74420]

Mr. McNulty: Responsibility for housing in Scotland, Wales and Northern Ireland is a matter for the relevant devolved administrations.

For England we have set a Public Service Agreement target to bring all social housing up to a decent standard by 2010.

To help ensure delivery against this target we have set up a Delivery Unit to work with Government Offices and the Housing Corporation to ensure local authorities and housing associations quantify the level of non-decent housing in their stock and put in place a strategy for dealing with the problem, backed up by a very significant increase in resources since 1997.

The emphasis on delivery is paying dividends and we are on track to meet our interim target of bringing a third of the worst social housing up to a decent standard by 2004.

Ms Oona King: To ask the Deputy Prime Minister how many applicants are on the waiting list for a nomination to a property under the Seaside and Country Homes Scheme. [74150]

Mr. McNulty: On 30 September 2002 there were 564 applicants on the waiting list for a nomination to a property under the Seaside and Country Homes Scheme.

Ms Oona King: To ask the Deputy Prime Minister what research his Department has undertaken into the impact of relets of council housing of the introduction of the Right-to-Buy scheme. [74262]

Mr. McNulty: We have commissioned research into the scope and extent of abuses of the Right to Buy scheme. The results will be available by the end of this year.

Ms Oona King: To ask the Deputy Prime Minister (1) what assessment he has made of the impact of the Seaside and Country Homes Scheme on easing pressure on social housing in London; [74152]

(2) how many and what size of properties were released by nominees from London boroughs to the Seaside and Country Homes Scheme in each year since 1979, broken down by region. [74149]

Mr. McNulty: The number of London Lettings released by the operation of the scheme in recent years are listed in the table below. This represents a useful contribution to easing pressure on social housing in London.

The number of households rehoused under the Seaside and Country Homes Scheme by property size are as follows. Figures prior to 1996–97 are not held centrally and could only be provided at disproportionate cost. For 1999–00 (when the management of the Scheme was moved from North British Housing Association to HOMES) figures are not available by property size.

Local Authority	*1996–97*	*1997–98*	*1998–99*	*1999–00*	*2000–01*	*2001–02*
Barking and Dagenham	2 × 2 bed 3 × 3 bed	3 × 2 bed	4 × 2 bed 1 × 3 bed	4	1 × bedsit 1 × 1 bed 1 × 3 bed	1 × 1 bed 1 × 3 bed
Barnet	1 × 1 bed 3 × 2 bed 1 × 3 bed 1 × 4 bed	1 × 1 bed	1 × 1 bed 1 × 2 bed	0	2 × bedsit 1 × 1 bed 2 × 2 bed	2 × 1 bed
Bexley	1 × 1 bed	1 × 1 bed	1 × 1 bed	0		
Brent	1 × 3 bed	1 × 1 bed		0	1 × 3 bed	1 × 2 bed
Bromley	2 × 1 bed	1 × 1 bed 1 × 3 bed 1 × 5+ bed	2 × 1 bed 1 × 2 bed	0	1 × 1 bed 1 × 2 bed	3 × 1 bed
Camden	2 × bedsit 4 × 1 bed 3 × 2 bed 1 × 4 bed	1 × 1 bed 3 × 2 bed 1 × 3 bed	6 × 1 bed 3 × 2 bed 3 × 3 bed	7	3 × bedsit 6 × 1 bed 2 × 2 bed	1 × 1 bed 2 × 1 bed 1 × 3 bed 1 × 4 bed
City of London	1 × 1 bed	1 × 1 bed 1 × 2 bed	1 × bedsit 1 × 2 bed 1 × 3 bed	1		1 × bedsit 1 × 1 bed 1 × 2 bed 1 × 3 bed

Local Authority	1996–97	1997–98	1998–99	1999–00	2000–01	2001–02
Croydon	1 × 1 bed	1 × bedsit	4 × 1 bed	7	6 × 1 bed	3 × 1 bed
		2 × 1 bed	3 × 3 bed		3 × 2 bed	3 × 2 bed
		2 × 3 bed			1 × 3 bed	2 × 3 bed
						1 × 4 bed
Ealing	2 × 1 bed	1 × 1 bed	1 × 1 bed	4	1 × 2 bed	1 × 1 bed
	1 × 3 bed	1 × 2 bed			2 × 3 bed	1 × 4 bed
Enfield	5 × 1 bed	1 × bedsit	1 × 1 bed	5	1 × 2 bed	1 × 1 bed
	2 × 2 bed	1 × 1 bed	1 × 2 bed		1 × 3 bed	3 × 2 bed
	2 × 3 bed	4 × 2 bed	2 × 3 bed			1 × 3 bed
		1 × 3 bed				
Greenwich	1 × 3 bed	5 × 1 bed	9 × 2 bed	6	5 × 1 bed	3 × 1 bed
	3 × 2 bed	9 × 2 bed	2 × 3 bed		4 × 2 bed	3 × 2 bed
		2 × 3 bed			3 × 3 bed	3 × 3 bed
		3 × 4 bed				
Hackney	1 × bedsit	8 × 1 bed	3 × bedsit	13	1 × bedsit	1 × 1 bed
	6 × 2 bed	5 × 2 bed	3 × 1 bed		2 × 1 bed	2 × 2 bed
	6 × 3 bed	10 × 3 bed	9 × 2 bed		1 × 2 bed	2 × 3 bed
		1 × 5+ bed			6 × 3 bed	
					1 × 4 bed	
Hammersmith & Fulham	2 × 1 bed	3 × 1 bed	4 × 2 bed	1	2 × 2 bed	1 × bedsit
	3 × 2 bed	1 × 2 bed			1 × 3 bed	1 × 2 bed
	1 × 3 bed	1 × 3 bed			1 × 4 bed	
		1 × 4 bed				
Haringey	1 × 1 bed	2 × 1 bed	7 × 2 bed	13	2 × bedsit	2 × 1 bed
	3 × 2 bed	3 × 2 bed			1 × 2 bed	4 × 3 bed
	1 × 3 bed	5 × 3 bed			2 × 3 bed	
	1 × 4 bed					
Harrow	1 × 2 bed	2 × 1 bed	1 × 1 bed	0		1 × 1 bed
	1 × 3 bed					
Havering	4 × 1 bed	3 × 1 bed	1 × 1 bed	4	3 × 1 bed	
	3 × 2 bed	1 × 2 bed	4 × 2 bed		3 × 3 bed	
	2 × 3 bed					
Hillingdon	1 × 3 bed	1 × 2 bed		0	1 × 1 bed	1 × 3 bed
		1 × 3 bed			1 × 2 bed	
					2 × 3 bed	
Hounslow	1 × 1 bed	1 × 1 bed	1 × bedsit	6	1 × 2 bed	4 × 1 bed
	2 × 2 bed	1 × 2 bed	1 × 1 bed		4 × 3 bed	3 × 2 bed
			1 × 2 bed			1 × 3 bed
			2 × 3 bed			
Islington	4 × 1 bed	1 × bedsit	2 × 1 bed	12	5 × 1 bed	3 × 1 bed
	5 × 2 bed	2 × 1 bed	4 × 2 bed		3 × 2 bed	4 × 2 bed
	1 × 3 bed	5 × 2 bed	1 × 3 bed		1 × 3 bed	5 × 3 bed
		4 × 3 bed	1 × 4 bed		2 × 4 bed	2 × 4 bed
		1 × 4 bed				
Kensington and Chelsea	1 × 1 bed	1 × 1 bed	1 × bedsit	2	1 × bedsit	1 × bedsit
		2 × 2 bed	1 × 1 bed		1 × 3 bed	
			1 × 2 bed			
Kingston upon Thames	1 × 1 bed	1 × bedsit		1	1 × 3 bed	1 × 2 bed
		1 × 1 bed				
Lambeth	3 × 1 bed	1 × 1 bed	4 × bedsit	11	2 × 1 bed	1 × 1 bed
	9 × 2 bed	5 × 2 bed	2 × 1 bed		4 × 2 bed	1 × 2 bed
	3 × 3 bed	6 × 3 bed	1 × 2 bed		3 × 3 bed	3 × 3 bed
	1 × 4 bed	2 × 4 bed	4 × 3 bed		1 × 4 bed	3 × 4 bed
Lewisham	2 × 1 bed	3 × 1 bed	2 × 1 bed	6	2 × 1 bed	2 × 1 bed
	3 × 2 bed	9 × 2 bed	4 × 2 bed		1 × 2 bed	6 × 2 bed
	2 × 3 bed	6 × 3 bed	3 × 3 bed		5 × 3 bed	3 × 3 bed
		1 × 4 bed	1 × 4 bed			
Merton	1 × 1 bed	1 × 1 bed	1 × 2 bed	2	2 × 2 bed	1 × 1 bed
		1 × 2 bed	2 × 3 bed		1 × 3 bed	1 × 3 bed
		1 × 3 bed				
Newham	1 × bedsit	2 × 1 bed	2 × 1 bed	13	16 × 1 bed	2 × 1 bed
	6 × 1 bed	10 × 2 bed	10 × 2 bed		7 × 2 bed	10 × 2 bed
	12 × 2 bed	3 × 3 bed	5 × 3 bed		7 × 3 bed	10 × 3 bed
	4 × 3 bed	2 × 4 bed			3 × 4 bed	1 × 4 bed
	4 × 4 bed					
Redbridge	2 × 1 bed	2 × 2 bed	1 × 1 bed	0		2 × 1 bed
	1 × 2 bed		1 × 2 bed			
Richmond upon Thames	1 × 2 bed	1 × bedsit		0	1 × 1 bed	1 × 1 bed
					1 × 3 bed	
Southwark	4 × 1 bed	1 × bedsit	7 × 1 bed	14	4 × 1 bed	2 × 1 bed
	11 × 2 bed	6 × 1 bed	7 × 2 bed		5 × 2 bed	8 × 2 bed
	10 × 3 bed	8 × 2 bed	8 × 3 bed		12 × 3 bed	6 × 3 bed
	3 × 4 bed	5 × 3 bed	1 × 4 bed		1 × 4 bed	
		1 × 5+ bed				

Local Authority	*1996–97*	*1997–98*	*1998–99*	*1999–00*	*2000–01*	*2001–02*
Sutton	1 × 3 bed	1 × 2 bed	1 × 1 bed	3	1 × 2 bed	1 × 1 bed
		1 × 5+ bed	1 × 2 bed		1 × 3 bed	1 × 3 bed
			2 × 3 bed			
Tower Hamlets	2 × 1 bed	1 × bedsit	1 × bedsit	10	10 × 1 bed	4 × 1 bed
	4 × 2 bed	6 × 1 bed	1 × 1 bed		4 × 2 bed	2 × 2 bed
	4 × 3 bed	7 × 2 bed	3 × 2 bed		2 × 3 bed	3 × 3 bed
		3 × 3 bed	1 × 3 bed		1 × 4 bed	1 × 4 bed
			1 × 4 bed			
Waltham Forest	2 × 1 bed	1 × 1 bed	1 × 1 bed	8	2 × 1 bed	1 × 1 bed
	5 × 2 bed	1 × 2 bed	3 × 2 bed		2 × 2 bed	1 × 2 bed
	1 × 3 bed	1 × 3 bed	1 × 3 bed		1 × 3 bed	
Wandsworth	1 × 1 bed	2 × 1 bed	4 × 1 bed	3	2 × 2 bed	2 × 1 bed
	3 × 2 bed	2 × 2 bed	4 × 2 bed		2 × 3 bed	2 × 2 bed
	1 × 3 bed		2 × 3 bed			2 × 3 bed
Westminster	1 × bedsit	1 × bedsit	1 × 4 bed	2	1 × 1 bed	1 × bedsit
	3 × 1 bed	3 × 1 bed				1 × 1 bed
	1 × 4 bed					
Total	5 × bedsit	8 × bedsit	11 × bedsit		10 × bedsit	4 × bedsit
	58 × 1 bed	63 × 1 bed	46 × 1 bed		69 × 1 bed	47 × 1 bed
	85 × 2 bed	86 × 2 bed	85 × 2 bed		51 × 2 bed	54 × 2 bed
	47 × 3 bed	53 × 3 bed	43 × 3 bed		65 × 3 bed	51 × 3 bed
	12 × 4 bed	10 × 4 bed	5 × 4 bed		10 × 4 bed	10 × 4 bed
		4 × 5+ bed				
Moves from RSLs (location and property size not recorded)	—	—	9	8	9	25
Total	207	224	199	166	214	191

Ms Oona King: To ask the Deputy Prime Minister how many appeals against the valuation of a property being sold under the right-to-buy scheme have been submitted in London in each year since 1980; and how many of those appeals resulted in a reduction in the valuation. [74267]

Mr. McNulty: Figures for the number of appeals against right-to-buy valuations in London are only available from 1992 onwards, information prior to this date is not held centrally and could only be provided at disproportionate cost. They are as follows:

Year	*Appeals against valuations by local authorities*	*Appeals against valuations by Registered Social Landlords*
1992–93	2,311	27
1993–94	1,300	25
1994–95	757	18
1995–96	705	4
1996–97	715	2
1997–98	920	6
1998–99	1,041	4
1999–2000	1,615	39
2000–01	2,008	42
2000–02	1,758	80
Totals	*13,130*	*247*

Information on the number of appeals that resulted in a lower valuation is not held centrally, and could only be provided at disproportionate cost.

A review of the system for valuing properties for Right to Buy purposes is in progress. The results will be made publicly available when the project is completed.

Ms Oona King: To ask the Deputy Prime Minister what assessment he has made of the popularity of the Seaside and Country Homes Scheme among older tenants in London. [74153]

Mr. McNulty: No recent assessment has been made of the popularity of the Scheme.

Ms Oona King: To ask the Deputy Prime Minister what plans he has to require boroughs in London which have received above expected Approved Development Programme funding from the Housing Corporation to make a proportion of new lettings available to applicants from boroughs with lower than expected ADP funding. [74260]

Mr. McNulty: The Housing Corporation will be working closely with London boroughs to agree a framework across London for the pooling of nominations for new lettings on a sub-regional basis, similar to those in existence under the London Housing Partnership programme, to widen choice and promote cohesive communities.

Ms Oona King: To ask the Deputy Prime Minister what assessment he has made of the impact that the Rent Rebate Subsidy Limitation regulations have on a local authority's capacity to finance the revenue costs of concierge security schemes. [74148]

Mr. McNulty: Each local authority has a responsibility to balance its Housing Revenue Account, and to decide what services it can provide taking account of its income e.g. from rents and HRA subsidy.

Mr. Swayne: To ask the Deputy Prime Minister what plans he has to establish separate funding provision for *(a)* new social and affordable housing, *(b)* repair and regeneration of social sector stock, and *(c)* funding of housing market renewal; and if he will make a statement. [73944]

Mr. McNulty: The 2002 spending review settlement has provided an extra £1.4 billion for housing over three years. This will help to provide well-designed, affordable homes where they are needed, improve stock

conditions in both the social and the private sectors, and tackle low demand through significant funding for the pathfinder projects.

Current arrangements channel most funding for new affordable housing through the Housing Corporation, and for repair of social stock through local authorities.

My right hon. Friend The Deputy Prime Minister announced on 18 July 2002, *Official Report*, Hansard, (col. 438) that he plans to bring housing investment into a single regional pot, to ensure that housing investment decisions are brought together with planning for housing, and linked with regional economic and transport strategies. He is carefully considering the best way forward and will announce the details in due course.

Ms Oona King: To ask the Deputy Prime Minister what plans he has to expand the Seaside and Country Homes Scheme. [74154]

Mr. McNulty: There are currently no plans to expand the Seaside and Country Homes Scheme. However, the Office of the Deputy Prime Minister is working with HOMES, North British Housing Association and the London Borough of Bromley (on behalf of the London Boroughs) to review the workings of the scheme in order to improve the efficiency of its operation.

Ms Oona King: To ask the Deputy Prime Minister how many households in London are one or more bedrooms below the bedroom standard, broken down by local authority. [74145]

Mr. McNulty: The information requested for London, together with comparable data for England, are given in the table below.

Information for individual local authorities is not held centrally, and could only be provided at disproportionate cost.

Households Below the Bedroom Standard[1]: 2001–02[2]

	Thousand	*Per cent.*
London	175	6
England	501	2

Source:
Survey of English Housing, ODPM

[1] Bedroom standard is an indicator of occupation density. A notional number of bedrooms are allocated to each household in accordance with its age/sex/marital status composition and the relationship of the members to each other. This is then compared with the actual number of bedrooms (including bed-sitters) available for the sole use of the household.

[2] Information for 2001–02 is provisional.

Ms Oona King: To ask the Deputy Prime Minister what research he has commissioned into the Housing Health and Safety Rating System since July 2001; what the terms of reference are for that research; who is undertaking it; and when he expects it to be published. [74143]

Mr. McNulty: We are currently running three research projects relating to the Housing Health and Safety Rating System (HHSRS). The first, which began in January 2001, is to develop the statistics to support the system, and is being carried out by Warwick University with the London School of Hygiene and Tropical Medicine. The second, which began in August 2001, is an evaluation project, by DTZ Pieda, to identify the practical lessons to be learned from the publication of Version 1 of HHSRS in July 2000. The third, which began in September 2001, is to produce the guidance needed to assist local authorities in the application of HHSRS specifically to houses in multiple occupation, and is being carried out by the Building Research Establishment. Reports on these projects are expected to be published by the end of this year. This work will inform the production of Version 2 of HHSRS, which we expect to commission in time for publication next autumn as part of a comprehensive package of guidance.

Ms Oona King: To ask the Deputy Prime Minister what recent assessment he has made of the size and type of accommodation suitable as an alternative to LA and RSL tenants underoccupying their current accommodation; and what measures he has taken to encourge LAs and RSLs in areas of high demand to ensure that this type of accommodation is included in new developments. [74156]

Mr. McNulty: No such assessment has been carried out by the Government. However, local authorities in their role as strategic housing authorities are required to assess the type of accommodation required in their areas. Local authorities may also require a proportion of affordable housing as part of new developments, often built by Registered Social Landlords (RSLs) and funded by the Housing Corporation. RSLs must ensure that bids for capital investment in social housing fit with local authority and regional priorities and the Housing Corporation's National Investment Strategy.

Over the next 10 years, the Government will encourage councils and housing associations to set their rents to within 5 per cent. of the levels given by a national formula that reflects a property's size, location and condition. This will give tenants the choice over paying more for a larger property in a high cost area, or saving money by renting a smaller property.

Ms Oona King: To ask the Deputy Prime Minister what plans he has to replace the current overcrowding standards; and if he will make a statement. [74144]

Mr. McNulty: The Government have no immediate plans to replace the overcrowding standard. But they are considering the extent to which overcrowding can be tackled through a new health and safety enforcement regime for housing, based on the new health and safety rating system.

The Government intend to legislate to introduce the new enforcement regime as a replacement for the fitness standard when Parliamentary time allows.

Ms Oona King: To ask the Deputy Prime Minister what recent assessment he has made of the impact of concierge security schemes on antisocial behaviour in local authority tower blocks. [74147]

Mr. Tony McNulty: The Office of the Deputy Prime Minister has not made a recent assessment of the impact of concierge security schemes on antisocial behaviour in local authority tower blocks.

Local Authority Capital Receipts

Mr. Clifton-Brown: To ask the Deputy Prime Minister, pursuant to the answer of 7 May 2002, *Official Report*, column 22W, on local authority capital receipts, concerning his intention to pool housing capital receipts from debt-free authorities *(a)* what proportion of the receipts will be pooled, *(b)* on what basis and to which other local authorities the money will be redistributed, *(c)* on what date this arrangement will be implemented; *(d)* how this arrangement will encourage existing debt-free authorities to remain so and others to become debt-free, *(e)* whether the new arrangements will apply to clawbacks from previous large scale voluntary transfers of council housing and *(f)* how these proposals will help those local authorities who have difficulties in providing additional affordable housing due to the high price of buildings. [76525]

Mr. McNulty: Our consultation paper "The Way Forward for Housing Capital Finance", issued in August, sought views on the detailed mechanism of the capital receipts pooling regime. The consultation period ended last Friday and we will make a further announcement when we have considered the responses. As the then Under-Secretary, my hon. Friend the member for Northampton, North (Ms Keeble) said in her reply on 7 May 2002, *Official Report*, Hansard (col. 21–22W) these changes will be introduced alongside the wider changes to the local authority capital finance system which required primary legislation; the timing of this is still to be decided.

The proposal is about sharing out funding for investment fairly among local housing authorities. The current arrangements for redistributing the spending power of capital receipts do not apply to all authorities. Debt-free authorities are exempt—they retain all their capital receipts, and so finance substantially more investment from receipts than other authorities, regardless of their relative need to spend.

There is no good reason for this anomaly. Pooling will ensure that capital resources are better targeted, so that all housing authorities have the access they need to fund new affordable housing and bring their stock up to decent standard. Without this, either investment in housing by the most needy authorities would need to fall, or substantial increases in taxes would be necessary to make good the money that debt-free authorities retain.

Compulsory Purchase

Mr. Don Foster: To ask the Deputy Prime Minister how many homes have been compulsorily purchased using central Government funding in each year since 1980. [75966]

Mr. McNulty: This information requested is not held centrally, and could only be provided at disproportionate cost.

Affordable Housing

Mr. Don Foster: To ask the Deputy Prime Minister how many affordable housing units have been built in each year since 1980. [75969]

Mr. McNulty: The figures for the number of permanent dwellings completed in England since 1980–81 by Registered Social Landlords and Local Authorities are given in the table below. The total numbers of completions, including private enterprise figures have also been given for comparison purposes.

Number of Permanent Dwellings Completed: England

Thousands

Fin Year	*Registered Social Landlords*	*Local Authority*	*RSL plus LA*	*All Dwellings*
1980–81	19.9	73.7	93.6	201.2
1981–82	15.0	47.6	62.6	161.0
1982–83	10.8	29.5	40.2	153.0
1983–84	14.8	29.5	44.3	179.3
1984–85	13.4	28.7	42.0	179.1
1985–86	10.9	22.0	32.9	168.3
1986–87	10.4	19.1	29.5	184.6
1987–88	11.2	16.2	27.4	194.9
1988–89	10.8	16.1	26.9	199.0
1989–90	10.9	14.7	25.6	174.1
1990–91	14.6	13.0	27.5	160.0
1991–92	16.0	7.1	23.1	155.1
1992–93	24.0	2.6	26.5	142.5
1993–94	30.2	1.5	31.7	147.7
1994–95	31.4	0.9	32.2	158.0
1995–96	30.2	0.8	31.0	154.6
1996–97	24.6	0.5	25.1	146.2
1997–98	21.4	0.3	21.7	149.6
1998–99	18.9	0.2	19.1	138.6
1999–00	17.4	0.1	17.5	141.8
2000–01	16.6	0.4	17.0	133.7
2001–02	14.4	0.1	14.6	130.3

Source:
ODPM Housing statistics

Martin Linton: To ask the Deputy Prime Minister what advice he has given to local planning authorities on planning approval for affordable housing developments and creating mixed communities. [75170]

Mr. McNulty: Planning policies for affordable housing are set out in Planning Policy Guidance note 3, *Housing*, and in Circular 6/98, *Planning and Affordable Housing*. Local authorities are expected to plan to meet the housing requirements of the whole community, including those in need of affordable housing. To encourage mixed and balanced communities, local authorities should ensure that new housing developments help to secure a better social mix by avoiding the creation of large areas of housing of similar characteristics.

Planning Guidance Notes

Mr. Clifton-Brown: To ask the Deputy Prime Minister if he will make a statement on the Court of Appeal decisions in *(a)* R. *v* Brent London Borough Council and Others *(b)* R. *v* Oxfordshire County Council's Exclusion Panel and Another on planning guidance notes and what plans he has to withdraw paragraph 98 of PPG8 so that local planning authorities may be able to take into account health affects and concerns relating to telephone masts. [75213]

Mr. McNulty: Planning Policy Guidance Note 1 "General Policy and Principles" clearly states that in principle any consideration which relates to the use and development of land is capable of being a planning

consideration. Whether a particular consideration falling within that broad class is material in any given case will depend on the circumstances.

The Courts have also held that the Government's statements of planning policy are material considerations which must be taken into account, where relevant, in decisions on planning applications. These statements cannot make irrelevant any matter which is a material consideration in a particular case. But, where such statements indicate the weight that should be given to relevant considerations, decision-makers must have proper regard to them. If they elect not to follow relevant statements of the Government's planning policy, they must give clear and convincing reasons (E C Grandsen and Co Ltd *v* SSE and Gillingham BC 1985).

Current planning guidance on telecommunications is set out in Planning Policy Guidance Note 8 (revised) (PPG8). PPG8 states that health considerations and public concern can in principle be material considerations in determining applications for planning permission and prior approval. Whether such matters are material in a particular case is ultimately a matter for the courts. It is for the decision-maker (usually the local planning authority) to determine what weight to attach to such considerations in any particular case.

However, it is the Government's firm view that the planning system is not the place for determining health safeguards. It remains central Government's responsibility to decide what measures are necessary to protect public health. In the Government's view, if a proposed mobile phone base station meets the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them.

I have no plans to withdraw paragraph 98 from PPG8.

Starter Home Initiative

Martin Linton: To ask the Deputy Prime Minister if he will list the classes of key workers that have benefited and stand to benefit from the starter home initiative in London so far; and what decision he has made on which groups of key workers will benefit in the next round of funding. [75168]

Mr. McNulty: £146 million Starter Home Initiative funding was allocated in September 2001 to help 4,600 key workers in London into home ownership by March 2004. The key workers in London benefiting from the Initiative are primarily teachers, police and health workers; and also some social workers, care workers, transport workers and fire fighters. We are considering, as part of our long term programme of action for housing, how key workers can best be targeted for housing assistance beyond March 2004, and will make an announcement about this at the turn of the year.

Martin Linton: To ask the Deputy Prime Minister how many homes for key workers, by London borough, have been built or are under construction through the starter home initiative; and how many start-ups are expected in 2003–04. [75169]

Mr. McNulty: The majority of Starter Home Initiative (SHI) funding is helping key workers to buy existing properties on the open market. As at the end of September 2002, some 460 key workers across London had purchased homes with SHI assistance. A further 4,140 in London should be helped through the Initiative by March 2004.

Backland Development

Mr. Todd: To ask the Deputy Prime Minister whether the lack of explicit guidance on backland development in the present PPG3 signifies a relaxation of the controls on backland development outlined in the 1992 guidance; and if he will make a statement. [75908]

Mr. McNulty: There is increased emphasis in the new PPG3 on securing well-designed residential environments, which offer housing opportunities for all in the community in the most sustainable way. Local authorities and developers are expected to think imaginatively about designs and layouts which make good use of previously developed land in urban areas without compromising the quality of the environment. In determining planning applications, local planning authorities should reject poor design.

National Land Use Database

Sir Nicholas Winterton: To ask the Deputy Prime Minister if he will require local authorities to publish lists of sites submitted to the National Land Use Database; and when he intends to issue such a requirement. [74980]

Mr. McNulty: Aggregate figures for local authorities for 2001 were published on 12 September 2002. A list of sites is on the NLUD web site (www.nlud.org.uk) and is available without charge to the public sector under licence. The information for an individual local authority can also be made available to the private sector with the agreement of the local authority concerned. The Office of the Deputy Prime Minister is working to secure agreement on making the information more widely available.

Regional Governance

Sir Nicholas Winterton: To ask the Deputy Prime Minister if he will make a statement on the proposed size of an individual constituency in an elected regional assembly in the north-west of England. [76218]

Mr. Raynsford: The size of an individual constituency will depend on the total number of members of the assembly in each region. As set out in chapters 6 and 7 of the Regional Governance White Paper, an assembly would have between 25 and 35 members in total, mainly depending on its size of population, and around two-thirds of members would represent individual constituencies. The average population per constituency in the north-west would therefore be between around 290,000 (with 23 constituency members) and around 420,000 (with 16 constituency members).

Sir Nicholas Winterton: To ask the Deputy Prime Minister what criteria will be used to determine the level of support necessary in Cheshire for the establishment of a regional assembly in the North West of England; and what level of turnout will be used as the democratically legitimate measure for an affirmative vote in any proposed referendum on regional Government in the North West of England. [76217]

Mr. Raynsford: As the Regional Governance White Paper, *Your Region, Your Choice*, said, the primary factor in deciding where a referendum should be held will be the level of interest in holding a referendum in each of the eight regions. A subsidiary factor will be the need to avoid unnecessarily distracting local government with unitary reviews where there is only limited demand for a referendum (paragraph 9.3).

An affirmative vote at a referendum will occur if a majority of those voting at the referendum vote in favour of establishing an elected assembly for their region.

Joyce Quin: To ask the Deputy Prime Minister if he will make a statement on the outcome of the consultation on the White Paper on Regional Governance. [74098]

Mr. Nick Raynsford: The White Paper *Your Region, Your Choice* formally invited comments on stakeholder involvement with elected regional assemblies; the closing date for responses was 31 August 2002. But the White Paper also offered the opportunity for general views to be submitted—there is no deadline for these views and comments are still being received.

To date, the Office of the Deputy Prime Minister has received around 1,100 representations on the White Paper, of which around 200 offered comments on stakeholder involvement with elected assemblies

In addition, we have received around 1,500 postcards in support of the Cornish Constitutional Convention campaign for a referendum on establishing a Cornish Assembly.

We are currently undertaking detailed assessments of stakeholder responses, and of general responses to the White Paper. These will be published on the Office of the Deputy Prime Minister's website later in the year. We will then set out our further proposals on stakeholder involvement, taking into account views expressed in the consultation.

It remains the case that we intend to introduce a Bill to provide for referendums and associated local government reviews as soon as Parliamentary time allows, with the aim of enabling the first referendums to be held during this Parliament.

Home Buying and Selling

Lynne Jones: To ask the Deputy Prime Minister when he will publish the consultation paper on the seller's pack and reform of the home buying and selling system. [75462]

Mr. McNulty: A major consultation paper "The Key to Easier Home Buying and Selling" was published in December 1998. The consultation found wide-ranging support for the introduction of a seller's pack in England and Wales. We are committed to making it easier for people buying and selling homes through the introduction of a seller's pack, and the necessary legislation will be reintroduced as soon as Parliamentary time allows. Following discussions with representatives of consumers and the main professional and trade bodies, we intend to publish shortly two further consultation papers dealing with the detailed contents of the seller's pack and the application of the seller's pack in areas where property values and demand are very low.

High Hedges

Mr. Simon Thomas: To ask the Deputy Prime Minister what proposals he has to bring forward legislation relating to the control of high hedges and trees. [75166]

Mr. McNulty: The Government are committed to legislation, that would give local authorities in England and Wales powers to deal with complaints about high hedges, as soon as Parliamentary time can be found.

HMOs

Chris Ruane: To ask the Deputy Prime Minister how many fatalities and serious injuries there have been in houses of multiple occupation by local authority area in each of the past 10 years. [75879]

Mr. McNulty: The information requested is not held centrally, and could only be provided at disproportionate cost.

Empty Dwellings

Mr. Sanders: To ask the Deputy Prime Minister how many dwellings he estimates are empty in each local authority area in Devon, broken down by *(a)* local authority, *(b)* RSL, *(c)* MOD, *(d)* other public sector and *(e)* the private sector; and how many of these are owner-occupied. [74857]

Mr. McNulty: The number of empty dwellings in each local authority area in Devon at 1 April 2001 broken down by tenure is shown in the table below.

Vacant Dwellings by Tenure in Devon by Local Authority Area at 1 April 2001

	Local authority[1]	*Registered Social Landlord*[2]	*Other Public*[1]	*Other Private*[1]	*of which: Owner occ.*[1]	*Total*
East Devon	27	18	0	2740	*2693*	*2785*
Exeter	40	56	2	820	#	*918*
Mid Devon	18	15	0	841	*698*	*874*
North Devon	0	23	0	2475	*2050*	*2498*
Plymouth	417	161	297	3633	*2943*	*4508*
South Hams	0	24	0	4576	#	*4600*

Vacant Dwellings by Tenure in Devon by Local Authority Area at 1 April 2001

	Local authority[1]	*Registered Social Landlord*[2]	*Other Public*[1]	*Other Private*[1]	*of which: Owner occ.*[1]	*Total*
Teignbridge	12	5	0	2741	#	*2758*
Torbay	0	56	0	299	#	*355*
Torridge	12	7	0	1000	#	*1019*
West Devon	0	17	24	477	*425*	*518*
Total	*526*	*382*	*323*	*19602*	#	*20833*

Notes:
#—not known
Sources:
[1] ODPM's 2001 Housing Strategy Statistical Appendices completed by local authorities
[2] Housing Corporation's Regulatory and Statistical Return (RSR) completed by RSLs

Information on empty MOD stock is not held centrally at local authority (or county) level, and could only be provided at disproportionate cost. These dwellings should be included in the local authorities' estimates of "Other public" sector vacants in the above table.

Local Authority Social Housing Grant

Mr. Clifton-Brown: To ask the Deputy Prime Minister (1) what plans he has to abolish the local authority social housing grant and replace it with increased resources to the approved development programme to support the priorities of regional housing statements; [76382]

(2) what proposals he has to convert the current local authority repayable loans to registered social landlords into one-off grants. [76383]

Mr. McNulty: The local authority social housing grant (LASHG) enables those local authorities with the necessary capital resources to make a loan to Registered Social Landlords (RSLs) for new or improved social housing, which is then reimbursed by the Housing Corporation. It is a demand-led mechanism, with no link to relative need to spend.

We have been consulting on options for replacing this system with one that targets resources to areas with the greatest housing need. We have invited comments on two alternatives—providing resources through the Approved Development Programme, or replacing LASHG with a regime in which local authorities make grants direct to RSLs.

The consultation period ended last Friday and we will make a further announcement when we have considered the responses.

Millennium Dome

Mr. Evans: To ask the Deputy Prime Minister what the monthly running costs of the Millennium Dome were in the last six months. [73802]

Mr. McNulty: The total running cost* expenditure on the Dome incurred in the six months up until the end of July 2002 (the last month for which final figures are available) was £1.618 million. This is made up according to the following monthly breakdown:

Month	*Cost*
Feb	£290,000
Mar	£302,000
April	£255,000
May	£277,000
June	£244,000
July	£250,000

Note:
* Monthly costs include rates, utilities, security and maintenance, and English Partnerships' staff costs on management and maintenance of the Dome. Costs are calculated on an accruals basis and may be subject to reassessments, by the relevant authorities, of rates or other charges included in the cost of managing and maintaining the Dome.

These costs, and other costs incurred by English Partnerships since they took ownership of the Dome on 1 July 2001, will be recovered from sale proceeds.

Mr. Evans: To ask the Deputy Prime Minister what the total cost of the Millennium Dome to public funds has been. [73801]

Mr. McNulty: The New Millennium Experience Company (NMEC), which was responsible for building the Dome and running of the Millennium Experience, was allocated £628 million of National Lottery funds from the Millennium Commission for the Millennium Experience, which included the associated national programme of events across the UK as well as the Dome at Greenwich. NMEC is currently in solvent liquidation and it is expected that some £25 million of this grant facility will not be required.

Up to the end of July this year, English Partnerships (EP) had incurred a total cost of £21.4m. This includes, from 1 July 2001—when EP took over the ownership of the Dome—£3.3m for the management, maintenance and security of the Dome; £6.5m for decommissioning the contents of the Dome and its site in preparation for the future long term use; and £4.9m in connection with the sale process. It also includes £6.7m for the previous competition to find a long-term use for the Dome. All of these costs incurred by EP in relation to the Dome will be recovered from sale proceeds.

Second Homes (Council Tax)

Andrew George: To ask the Deputy Prime Minister what assessment he has made of the responses given to his Department's consultation exercise on second homes and council tax. [76087]

Mr. Leslie: An analysis of the responses to the consultation exercise is already available on the website of the Office of the Deputy Prime Minister and I have now placed a copy of this analysis in the House Library. I hope to be able to announce our decisions on the way forward shortly.

Public Service Agreements

Mr. Don Foster: To ask the Deputy Prime Minister if he will list for each year since 2000 the public service agreements made by his Department. [76175]

Mr. Raynsford: Listed below are details of the Local Public Service Agreements signed by this Department and the Department of Transport, Local Government and the Regions since 2000.

Year		
2000	No agreements signed	
2001	Agreements signed with	Birmingham City Council Blackburn with Darwen Borough Council Cambridgeshire County Council London Borough of Camden Coventry City Council Derbyshire County Council Kent County Council London Borough of Lewisham Middlesborough Council Milton Keynes Council Newcastle City Council London Borough of Newham Norfolk County Council London Borough of Richmond upon Thames Sheffield City Council Stockton-on-Tees Borough Council Sunderland City Council Surrey County Council Tameside Metropolitan Borough Council Warwickshire County Council Buckinghamshire County Council East Riding of Yorkshire Council Leeds City Council Peterborough City Council
2002	Agreements signed with	Barnsley Metropolitan Borough Council Bolton Metropolitan Borough Council London Borough of Bromley Cheshire County Council London Borough of Croydon Derby City Council Devon County Council Doncaster Metropolitan Borough Council Durham County Council Essex County Council London Borough of Greenwich London Borough of Hammersmith and Fulham Halton Borough Council Hampshire County Council Herefordshire County Council Kirklees Metropolitan Council Leicester City Council Lincolnshire County Council Liverpool City Council Manchester City Council Medway Council Portsmouth City Council Rochdale Metropolitan Borough Council Salford City Council Slough Borough Council London Borough of Southwark Staffordshire County Council Stoke-on-Trent City Council Suffolk County Council London Borough of Sutton Swindon Borough Council Telford and Wrekin Council

Year		
		London Borough of Tower Hamlets
		Warrington Borough Council
		Wigan Metropolitan Borough Council
		Wiltshire County Council
		Worcestershire County Council
		York City Council

Property Prices (Taunton)

Mr. Flook: To ask the Deputy Prime Minister what assessment he has made of the effects of the change in property prices in Taunton since 1999; and if he will make a statement. [74110]

Mr. McNulty: According to the Department's Survey of Mortgage Lenders, house prices in south-west England rose by 31.8 per cent. during the three years 1999 to 2001. According to HM Land Registry figures the average price of residential property sold in Taunton Deane was £85,097 in 1999 and £109,530 in 2001.

Homeownership is affordable for most people. Homeowners are benefiting from low interest rates, low unemployment and robust income growth. For people purchasing a home in south-west England during 2001, total mortgage payments averaged 17.44 per cent. of their income. This compares to 28.42 per cent. of income in 1990, and is lower than 1999 (17.91 per cent.) and 2000 (19.43 per cent.).

However, we are well aware that there can be serious problems for many first time buyers in areas of high demand. We are committed to improving people's housing choices, and to ensuring that everyone has the opportunity of a decent home. Our aim is to deliver new affordable housing where it is needed most, in more sustainable forms.

Data Protection

Harry Cohen: To ask the Deputy Prime Minister in relation to communications data as defined in RIPA, how many officials from his Department he estimates will be authorised to seek access to communications data; how many times officials have sought access to such data from communications providers including Internet service providers under the Data Protection Act 1998 in the last year; and if he will make a statement. [74588]

Mr. Leslie: No officials in the Office of the Deputy Prime Minister or its Agencies are engaged in law enforcement activities requiring them to be authorised to access communications data as defined in Regulation of Investigatory Powers Act 2000.

Parish Councillors (Model Code of Conduct)

Mr. Djanogly: To ask the Deputy Prime Minister what plans he has to request parish councils to indicate how many of their parish councillors have been resigned in response to the introduction of the Model Code of Conduct for Parish Councils. [74229]

Mr. Leslie: We have no plans to request such information from parish councils.

Personation

Jane Griffiths: To ask the Deputy Prime Minister what measures he proposes to introduce to prevent personation for the local elections to be held on 1 May 2003. [74760]

Mr. Raynsford: We have no evidence to suggest that personation will be a significant problem at local elections in May 2003, and have no plans to introduce any new specific measures to prevent personation.

In our prospectus, issued in September 2002, inviting councils to propose pilot voting schemes in the May 2003 local elections, we have made clear that such schemes would need to ensure that any new method of voting is at least as secure, if not more secure, than conventional electoral practices. The Electoral Commission will, as required by statute, be consulted before any pilot schemes are approved. The programme of pilots itself will be looking at new ways to incorporate specific measures to test security and fraud.

Congress of Local and Regional Authorities

Mr. Hayes: To ask the Deputy Prime Minister if he will make a statement on the *(a)* national budgetary contribution to, *(b)* role of and *(c)* national representation to the Congress of Local and Regional Authorities; when he last met representatives from that group; and if he has made representations on this body to the Foreign Office in the context of the Convention on the Future of Europe. [73861]

Mr. Leslie: Member states of the Council of Europe (CoE), including the UK, make no direct budgetary contribution to the Congress of local and Regional Authorities of Europe (CLRAE), which is a consultative body within the CoE consisting of local and regional elected representatives from each of the 44 member states. CLRAE is funded through the CoE's ordinary budget as provided by member states and as agreed by the CoE's Committee of Ministers.

CLRAE has a Regional and a Local Chamber, membership of which is on the basis of nomination by member states' governments according to the requirements of the CLRAE founding charter. The UK has 9 full and 9 substitute seats in each Chamber. The UK's nomination procedure provides for a balanced representation of local and regional interests; all UK appointees must hold an electoral mandate in a UK local authority, the Scottish Parliament, the National Assembly for Wales, the Northern Ireland Assembly, or the GLA.

My right hon. Friend the Prime Minister met the leader of the UK's CLRAE delegation at the recent World Environment Conference in Johannesburg. Within the Central Local Partnership my right hon.

Friend the Minister for Europe and I regularly meet representatives of local government, including members of the UK CLRAE delegation, to discuss European issues, including the work of the Convention on the Future of Europe.

Homelessness

Tim Loughton: To ask the Deputy Prime Minister how many families were living in bed and breakfast accommodation in *(a)* East Worthing and Shoreham and *(b)* West Sussex in each year since 1997. [73926]

Mr. McNulty: The East Worthing and Shoreham Parliamentary constituency is covered by Adur DC and part of Worthing DC. Information reported by these and other councils in West Sussex on the total number of households—including couples and single persons without children—accommodated in bed and breakfast units under statutory homelessness provisions at the end of March in each year since 1997 is summarised below.

*Homeless Households in Bed and Breakfast Accommodation as at 31 March**

	Adur DC	*Worthing DC*	*All DCs in West Sussex*
1997	not reported	*39*	*65 (estimated)*
1998	*5*	*47*	*79*
1999	*3*	*37*	*74*
2000	*3*	*37*	*74*
2001	*14*	*22*	*81*
2002	*17*	*18*	*128*

Note:

* includes households accommodated pending completion of enquiries by the local authority.

Sources:

1997: P1(E) housing return (quarterly)

1998 onwards: Housing Investment Programme returns (annual)

Earlier this year the Government announced a new commitment to ensure that by March 2004 no family with children will be placed in B&B other than in an emergency, and even then for no more than 6 weeks. This was accompanied by changes in Housing Benefit subsidies to make leasing self-contained temporary accommodation more cost effective, and an additional £35 million to help local authorities find alternatives to B&B.

Tim Loughton: To ask the Deputy Prime Minister when he last met the Director of the Homelessness Unit. [73927]

Mr. McNulty: My right hon. Friend, the Deputy Prime Minister regularly meets officials in the course of his official duties.

Mr. Swayne: To ask the Deputy Prime Minister what recent estimate he has made of the level of homelessness; how he defines a homeless person; and if he will make a statement. [74658]

Mrs. Barbara Roche: At the end of June 2002 81,170 households in England were living in temporary accommodation, including over 6,500 families with children in bed and breakfast hotels, and around 600 people were sleeping rough on any one night.

Under the homelessness legislation (Housing Act 1996), a person is "statutorily homeless" if they do not have accommodation which they have a legal right to live in, which is physically available to them and which it would be reasonable for them to continue to occupy.

In March 2002, the Homelessness Directorate published a report "More than a Roof", which outlined the Government's new approach to tackling homelessness funded by £125 million over this year. The Homelessness Act 2002 will also bring about radical change in the way that central and local government, and all other partners, work together to tackle homelessness. For the first time ever, local authorities will be required to carry out a review and develop a strategy for their area that prevents homelessness and provides solutions for people who are, or who may become homeless.

Mr. Swayne: To ask the Deputy Prime Minister what measures he is taking to tackle homelessness in rural areas. [73988]

Mr. McNulty: The Homelessness Directorate's report "More than a roof", sets out specific measures to tackle homelessness backed up by a £125 million investment over the next year. The Homelessness Directorate has provided a total of over £3.7 million to local authorities in rural areas over the next year to fund schemes such as mediation services for family and couples in relationship difficulties; additional support for women fleeing domestic violence; rent deposit guarantee schemes to help homeless people find housing in the private sector; court and landlord advice services to reduce evictions; and debt and welfare counselling to help people sustain their tenancies.

Pathfinder Renewal Project

Mr. Pike: To ask the Deputy Prime Minister when he will announce the resources allocation for the Pathfinder Renewal Project. [74248]

Mr. McNulty: The 2002 spending review settlement has provided an extra £1.4 billion for housing. This will help to provide well-designed, affordable homes where they are needed, improve stock conditions in both the social and the private rented sectors, and tackle low demand through significant funds for the pathfinder projects. My right hon. Friend the Deputy Prime Minister is giving careful consideration to the best use of this additional funding to deliver sustainable communities. My right hon. Friend has said that he will report back to the House at the turn of the year.

Local Government

Dr. Pugh: To ask the Deputy Prime Minister where responsibility will lie for *(a)* police, *(b)* waste disposal and *(c)* fire services in new unitary authorities. [73354]

Mr. Raynsford: The Regional Governance White Paper, *Your Region, Your Choice*, published in May, sets out the Government's plans to establish unitary local authorities in place of existing county and district councils in those regions where people vote in a referendum for elected regional assemblies. In any region where the Government decides that a referendum

should take place, the Boundary Committee for England will carry out a review and recommend the best unitary arrangements for the two-tier parts of that region. A referendum will then be held to see whether people support the creation of an elected assembly. The new unitary arrangements will be implemented if—but only if—a majority of those voting in the referendum voted for an elected regional assembly.

Where new unitary arrangements are introduced, we would expect that existing police authorities would remain in place. Appointments to these authorities would be made either by unitary districts or by the unitary county council, depending on the new unitary structure.

There are currently combined fire authorities in former county areas which have only unitary local authorities; and also in areas where there are one or more unitaries, district councils and a county council. Where changes lead to district-based unitaries in future, we would expect there to be a combined fire authority, but where they lead to a unitary county with no existing or new district-based unitaries, we would expect the county council to remain responsible for providing fire services. This is without prejudice to our consideration of any recommendations on the organisation of the fire service that Professor Sir George Bain's recently announced review might make.

Waste disposal is currently a responsibility of county councils and would become a responsibility of unitary authorities where these are established in future in regions that have an elected assembly.

Local Authority Referendums

Mr. Rosindell: To ask the Deputy Prime Minister what has been the average turnout for referendums held by local authorities to establish opinion on local issues. [74215]

Mr. Raynsford: Information about turnout for those referendums which local authorities hold voluntarily is not held centrally and could only be provided at disproportionate cost. The average turnout in binding referendums which councils held between June 2001 and October 2002 on whether or not their area should have a directly elected mayor was 29 per cent., within a range of 10 per cent. to 64 per cent.

Rural Housing

Mr. Streeter: To ask the Deputy Prime Minister what plans his Department has to encourage the provision of more affordable housing in rural communities. [73831]

Mr. McNulty: The Government recognise that there is a shortage of affordable housing in many rural towns and villages. The need can be for both homes to rent and to buy.

We expect all local authorities to develop housing strategies and to develop local housing need assessments as part of their long-term plans. We believe that judicious use of their planning powers can deliver more affordable housing.

By next year, we expect to deliver around 9,000 affordable homes annually in rural areas, including 3,000 in small settlements. Of these, a proportion will be for low-cost home ownership.

Written Answers to Questions

Wednesday 23 October 2002

TRANSPORT

Rail Freight

Tom Brake: To ask the Secretary of State for Transport (1) what the Government's target for growth in rail freight is over the next 10 years; [75012]

(2) what steps are being taken by the Strategic Rail Authority to increase rail freight. [75013]

Mr. Jamieson: The Strategic Rail Authority has published both a Freight Strategy and a Strategic Plan (copies are in the House Libraries), which detail its plans for achieving the rail freight growth envisaged by the Government's 10 Year Plan for Transport. A revised Strategic Plan is due to be published in January 2003.

Speed Cameras

Mr. Don Foster: To ask the Secretary of State for Transport what assessment has been made by or for his Department on changes in the accident rate on roads with speed cameras; and if he will place copies in the Library. [75603]

Mr. Jamieson: Speed enforcement cameras have proved to be highly effective at reducing speeding and, when sited at dangerous sites or along problem routes, have in the first year of the pilot scheme on average reduced the number of those killed and seriously injured by 47 per cent. In some areas the reduction has been even greater. A report of the cost recovery system for the eight pilot areas in the traffic safety camera scheme will be published shortly and will be made available in the Libraries of the House.

Public Bodies

Mr. Don Foster: To ask the Secretary of State for Transport what assessment is made by or for his Department of the performance of *(a)* the Northern Lighthouse Board and *(b)* the Health and Safety Commission including performance targets; what reports have been published on its performance; and if he will place in the Library copies of such reports that are not readily available. [75600]

Mr. Jamieson: Northern Lighthouse Board (NLB) measures the availability of the aids to navigation against the service standards set by the International Association of Aids to Navigation and Lighthouse Authorities (IALA). These performance indicators are set out in the Report and Accounts of the General Lighthouse Fund 2000–2001, a copy of which has been placed in the Library of the House. They indicate that most aids to navigation provided by the Board exceed the IALA standards for availability for use.

The Health and Safety Commission is no longer the responsibility of the Secretary of State for Transport.

Rail Franchises

Martin Linton: To ask the Secretary of State for Transport if he will make a statement on the progress of franchise negotiations between London and South East commuter operators and the Strategic Rail Authority. [75171]

Mr. Jamieson: I refer my hon. Friend to the reply given by my right hon. Friend the Secretary of State, to the hon. Member for Stroud (David Drew) on Tuesday 15 October 2002, *Official Report*, column 158. My right hon. Friend hopes to be able to make an announcement on franchising in the next few weeks.

Road Congestion

Bob Spink: To ask the Secretary of State for Transport if he will make a statement on the progress made since 1 January 1998 on the reduction of road congestion. [75468]

Mr. Jamieson: The 10 Year Plan for transport includes a target to reduce congestion on the inter-urban trunk network and in large urban areas to 2000 levels by 2010. We hope to publish baseline figures for this target shortly. The Department have not previously calculated congestion levels.

Transport Area Network

Mr. Don Foster: To ask the Secretary of State for Transport how much money was *(a)* spent and *(b)* budgeted for the Transport Area Network in each financial year in which it has been allocated. [76399]

Mr. Jamieson: I refer the hon. Member to my answer of 22 October 2002 [76201].

Spend for the Traffic Area network was:

	(000)
1997/98	£9451
1998/99	£9758
1999/00	£10166
2000/01	£11033
2001/02	£12401

Transport Direct

Mr. Don Foster: To ask the Secretary of State for Transport if he will make a statement on the work conducted on Transport Direct by Journey Solutions; and what steps his Department is taking to act upon this work. [76486]

Mr. Jamieson: Journey Solutions has not conducted any direct work on Transport Direct. However we welcome their efforts on integrating different modes of transport and anticipate their work on bus-rail tickets being of direct relevance to Transport Direct, since this contributes to the provision of multi-modal ticketing—a target for Transport Direct.

Third Railway Package

Mr. Don Foster: To ask the Secretary of State for Transport what submissions have been made by his

Department to the European Commission on the forthcoming Third Railway Package; and if he will place copies in the Library. [76202]

Mr. Jamieson: The European Commission has not yet published any specific proposals for further legislation in the railways sector and no written submissions have been made. My Department and the Commission are in regular contact on railway policy development; and my Department would expect to respond to any formal consultation exercise initiated by the Commission.

Community Railways

Mr. Don Foster: To ask the Secretary of State for Transport (1) what representations have been received from, and discussions have taken place with, the railway industry on the Directive on Safety, Licensing and Levying of Charges Certification of Community Railways being discussed within the European Parliament; and if he will place copies of all related correspondence in the Library; [76472]

(2) what representations have been received, and what discussions have taken place, with the railway industry on the Directive on the Interoperability of trans-European rail transport. [76501]

Mr. Jamieson: A number of industry parties commented on these elements of the European Commission's proposed 2 railway package in response to the Government's consultation exercise on that package, which ran from May to 23 August 2002. Copies of the replies (excluding those from respondents who have requested confidentiality) have been placed in the Libraries of the House. My Department holds regular discussions with the rail industry parties on the Commission's current and future proposals for the rail sector.

Performance Targets

Mr. Don Foster: To ask the Secretary of State for Transport what assessment has been made of the performance of the Traffic Commissioners with specific reference to performance targets; and if he will publish a report on its performance. [76483]

Mr. Jamieson: Traffic Commissioners are statutorily independent office holders, appointed by the Secretary of State for Transport and are not subject to performance targets. They are required to report to the Secretary of State each year. Copies of these reports are in the Libraries of the House.

Trunk Road Assessment

Mr. Don Foster: To ask the Secretary of State for Transport if he will make a statement on *(a)* how many people are employed, *(b)* the role and terms of reference and *(c)* the annual budget for each year since 1997–98 of the Standing Advisory Committee on Trunk Road Assessment Sustainable Development Education Panel. [76482]

Mr. Jamieson: The Standing Advisory Committee on Trunk Road Assessment has not been given any terms of reference since completing its report on Transport and the Economy in 1999 and is at present in abeyance. No people are employed by the Committee. Its budgets for 1997–98 and 1998–99 were £40k and £62k respectively.

The Department for Education and Skills are responsible for information about the Sustainable Development Education Panel.

Freight Line

Mrs. Gillan: To ask the Secretary of State for Transport (1) whether the Strategic Rail Authority has provided advice to him on Central Railway's proposed freight line; [75905]

(2) when he will introduce a bill to support Central Railway's proposed freight line. [75906]

Mr. Jamieson: The SRA has now delivered to the Government its advice on Central Railway's proposals. We will consider its conclusions carefully and respond to Central Railway in due course.

Malpensa Airport

Miss McIntosh: To ask the Secretary of State for Transport what funds Malpensa Airport received under the EU Trans-European Network programme; and what discussions he has had with the EU Commission to open up Malpensa Airport to *(a)* British and *(b)* other EU carriers. [76147]

Mr. Jamieson: Funding for the Malpensa Airport project from the trans-European Network programme was awarded under five Commission Decisions from 1995 to 1999 inclusive for a total amount of €26.8 million in the form of interest rate subsidies.

The Italian rules for the distribution of traffic within the Milan airport system were discussed by Ministers at Transport Council in October 1998. UK officials also attended two meetings of the EC Market Access Advisory Committee, established under the provisions of Article 11 of Regulation (EEC) 2408/92, which were called to discuss the matter. These culminated in the Commission's decision of 21 December 2000 (2001/163/EC).

Cliffe Airport

Bob Spink: To ask the Secretary of State for Transport what percentage of take-offs under the Cliffe Airport option proposed by the Government would head east and then turn north over Essex; and over which Essex communities these would fly and at what height. [74930]

Mr. Jamieson *[holding answer 21 October 2002]:* The South East and East of England Regional Air Services study (SERAS) analysis has not attempted to identify the distribution of aircraft to this level of detail.

Anti-speed Campaigns

Chris Ruane: To ask the Secretary of State for Transport what assessment he has made of the effectiveness of *(a)* UK-wide anti-speed campaigns and *(b)* Arrive Alive in North Wales; and if he will make a statement. [75878]

Mr. Jamieson: Warning of the dangers of speeding is an integral part of the Department's publicity strategy. An integrated communications campaign incorporating TV, radio, press and poster advertising has run since 1991 supported by local road safety officers. An ongoing monthly tracking study has shown that this publicity has helped create and sustain a high level support for road safety measures which encourage people to slow down. In this time the number of people killed and seriously injured on the roads has reduced significantly.

All netting off partnerships, of which North Wales is one, must ensure information on safety camera deployment is properly explained and accurate. Partnerships are formally monitored to assess their effectiveness and local communications forms a part of this monitoring.

Local activity undertaken by the Safety Camera Partnerships, such as Arrive Alive in North Wales and other local policy initiatives, contribute to a concerted and comprehensive approach to tackling speed.

A21 (Accidents)

Mr. Norman: To ask the Secretary of State for Transport how many accidents occurred between January and June on the A21 *(a)* Lamberhurst to Flimwell and *(b)* Tonbridge to Pembury. [76665]

Mr. Jamieson: The data requested for 2002 are not yet available.

For the number of accidents in 2001, I refer the hon. Member to my answer of 15 October 2002 *Official Report*, column 715W.

Traveline

Mr. Don Foster: To ask the Secretary of State for Transport what assessment has been conducted into the effectiveness of *(a)* the Traveline phone service and *(b)* the traveline.org.uk website; and if he will places copies of related correspondence in the Library. [76475]

Mr. Jamieson: The Department for Transport has funded on behalf of traveline three waves of Mystery Shopping. The report from the third wave of Mystery Shopping indicated that the traveline service has significantly improved in all regions since the first wave of mystery shopping was carried out 12 months ago. The time taken to answer calls and the customer service elements of the calls were generally satisfactory or good. Overall 95 per cent. (Wave 2 result 93 per cent., Wave 1 result 88 per cent.) of the answers given were completely accurate and reflects an improvement across the regions but particularly for some of the long distance call types. Twelve call centres in wave 3 scored 100 per cent. on accuracy (5 in wave 2).

There will be no current assessment on the effectiveness of the traveline website, as not all regions have been added. The traveline site at present is based around best principles as established through other transport planning web services.

Copies of the final reports from the three waves of Mystery Shopping will be placed in the Libraries of the House.

TRADE AND INDUSTRY

Business Start Ups

Dr. Cable: To ask the Secretary of State for Trade and Industry when she expects the estimates for 2001 (final) and 2002 (provisional) figures from the Office for National Statistics for the number of high growth business start-ups to be available; and if she will make a statement. [75120]

Nigel Griffiths: The Office for National Statistics have agreed to provide estimates of the number of high growth business start ups for 2001 (final 1997 start ups) and 2002 (provisional 1998 start ups) by the end of November 2002.

The Small Business Service will conduct data quality checks in December 2002, with a view to providing the estimates by the end of the year.

Regional Development Agencies

Mr. Don Foster: To ask the Secretary of State for Trade and Industry how many homes have been compulsorily purchased by regional development agencies since 1999. [75968]

Alan Johnson: Seven residential properties have been compulsorily purchased by regional development agencies since 1999.

Smart South West

Mr. Steen: To ask the Secretary of State for Trade and Industry if she will make a statement on the contract between the South West Regional Development Agency and Smart South West. [74938]

Alan Johnson *[holding answer 22 October 2002]:* The South West Regional Development Agency (SWRDA) has two contracts with Smart South West.

£60k from SWRDA to fund for a year the IT Sector Advisor within Smart South West, which finished this summer but is currently continuing on a 3 monthly basis until the post holder leaves.

£56k from the DTI to manage the SWRDA led "Outreach" project under the Broadband Fund.

Defence Exports

Jeremy Corbyn: To ask the Secretary of State for Trade and Industry if she will list the approved defence exports to *(a)* India and *(b)* Pakistan in each of the last three years. [76335]

Nigel Griffiths: Details of all relevant export licences that have been approved to end users in India and Pakistan, in each of the last three years, are published by destination in the Government's Annual Reports on Strategic Export Controls. Copies of the 1999, 2000 and 2001 Annual Reports are available from the Libraries of the House.

Development Fund for Rural Renewal

Brian Cotter: To ask the Secretary of State for Trade and Industry how many small businesses applied for

assistance through the Development Fund for Rural Renewal in November 2001; and what the total value is of funds that have been allocated. [76836]

Nigel Griffiths: A total of 67 applications to the Development Fund for Rural Renewal were received from a variety of organisations throughout England. The total value of funds allocated is £3,017,197.

Food Supplement Directives

Mr. Nigel Jones: To ask the Secretary of State for Trade and Industry if she will assess the impact on research and development of the European Food Supplement Directive and the proposed European Directive on Traditional Herbal Medicinal Products; and if she will make a statement. [75814]

Ms Blears: I have been asked to reply

The EU Food Supplements Directive requires that the safety of concentrated sources of vitamins and minerals used as ingredients in food supplements be approved by the European Union scientific committee on food before use. Consequently, the Directive is likely to have the effect of encouraging research into the safety of these ingredients.

The possible impact of the proposed Directive on traditional herbal medicinal products on research and development is difficult to predict. Under the current regime in the United Kingdom for unlicensed herbal remedies it will not normally be clear to the purchaser of a remedy whether that remedy is brought to the market on the basis of evidence of efficacy of the product, of traditional usage, or some other factor. The proposed Directive should, over time, bring greater clarity to the market on this issue, which may be beneficial to the prospects for research and development.

Mr. Nigel Jones: To ask the Secretary of State for Trade and Industry if she will assess the impact on the retail sector of the European Food Supplement Directive and the proposed European Directive on Traditional Herbal Medicinal Products; and if she will make a statement. [75813]

Ms Blears: I have been asked to reply

In the short-term the EU Food Supplements Directive is unlikely to have any effect upon the retail sector. In the longer-term, the impact of the Directive will depend upon progress in adding vitamin and minerals and their sources to the lists of permitted nutrients in the Directive and upon developments in the setting of maximum limits for vitamins and minerals in food supplements. The Food Standards Agency is arguing the case for these maximum limits to be based on thorough scientific risk assessments so that there is no unnecessary restriction on the range of products that can be marketed.

The proposed Directive on Traditional Herbal Medicinal Products could have positive consequences for employment in the retail sector. The proposals would require traditional herbal remedies to meet standards as to quality, safety and product information, areas in which the current regime for unlicensed herbal remedies has significant weaknesses. More effective regulation, which would follow if there is a successful outcome to the negotiations, potentially could enhance the status and recognition of traditional herbal remedies. This in turn could help to maintain and increase public confidence and ultimately lead to an expansion in the sector. Our aim in the continuing negotiations, and in the implementation of the Directive if it is agreed, will be to ensure that the regulation is proportionate.

SOLICITOR-GENERAL

Iraq

Mr. Allen: To ask the Solicitor-General if she will make it her policy to publish her advice to HMG on the legality of action against Iraq; and if she will make a statement. [75817]

The Solicitor-General *[holding answer 22 October 2002]:* There is a longstanding convention, followed by successive Governments, that neither the substance of the Law Officers' advice, nor the fact that they have been consulted, is normally disclosed outside Government. The Law Officers' advice is given in confidence to the Government.

Serious Fraud Office

John Barrett: To ask the Solicitor-General what plans she has for the expansion of the role of the Serious Fraud Office to cover corruption and money laundering. [75072]

The Solicitor-General *[holding answer 22 October 2002]:* The Director of the SFO is already entitled, under Section 1 (3) of the Criminal Justice Act 1987, to investigate any offence that appears to her on reasonable grounds to involve serious or complex fraud. Offences of corruption and money laundering are therefore already included in the range of offences open to the SFO to investigate provided they meet key criteria. Amongst others, these include where the sum at risk is estimated to be at least £1 million or the case is likely to give rise to national publicity and widespread public concern or the case has a significant international dimension. All or some of these factors can be present in an allegation of corruption or money laundering and if so then the SFO may investigate.

The SFO has, in fact, successfully investigated and prosecuted 10 cases involving offences of corruption and/or money laundering since its inception in 1988. These cases have led to prison sentences or suspended sentences for the defendants, often coupled with disqualification from acting as a company director. The SFO is also currently investigating several similar allegations.

Fraud

Miss McIntosh: To ask the Solicitor-General if he will make a statement on the level of successful prosecutions for fraud in *(a)* 1993, *(b)* 1997 and *(c)* 2002. [75894]

The Solicitor-General: The Serious Fraud Office (SFO) collects data each year as follows:

Year (5 April–4 April)	*Number of Defendants*	*Number Convicted*	*Conviction rate*
1993–94	55	35	64%
1997–98	39	37	95%
5.4.02–up to 21.10.02	12	10	83%

These figures are impressive and consistently high. The SFO also judges its own performance by looking at accumulated figures since its inception in 1988. Here the conviction rate has steadily increased, particularly over the last five years. By 1993 the accumulated conviction rate by defendant was 63 per cent., in 1997 it was 66 per cent. and so far this year it has risen to 71 per cent.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Bovine TB

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what proposals were made by farming industry representatives regarding the softening of the economic impact on the herd movement restrictions as a result of bovine TB during the meeting with them on 27 June. [73741]

Mr. Morley: Farming industry representatives made a number of proposals regarding the softening of the economic impact on herd movement restrictions as a result of bovine TB. Over the summer officials have considered the potential policy options and veterinary risk assessments have been carried out. After further meetings with stakeholders a package of measures was announced on 9 October. One element of the package focuses on the licensed movement off-farm of non-reactor cattle in the following circumstances:

Movement direct to slaughter through a dedicated slaughter market;

Movement to a finishing unit also under TB restrictions where the finished cattle will be sent direct to slaughter;

Movement to slaughter via a collection centre.

Defra is considering how to manage the risk from movement of animals onto herds affected by TB from farm to farm under a strict protocol. The policy for this is still being developed and it is hoped that an announcement can be made in November.

Warm Front Grant

Mr. Gordon Marsden: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what the conversion rate for energy from people applying for a warm front grant has been in each of the last five years for which figures are available in *(a)* the Blackpool South constituency, *(b)* the Blackpool Unitary Authority area, *(c)* in each Government office region and *(d)* England; [73829]

(2) what assessment she has made of the feasibility of separating promotion of and assessment for warm front grant from sales activity on behalf of energy companies; [73827]

(3) how many complaints about attempts to sell energy contracts in association with warm front grants have been received by *(a)* her Department, *(b)* Ofgen and *(c)* warm front contractors and subcontractors in each of the last five years for which figures are available; [73828]

(4) what discussions she has had with *(a)* Ofgem, *(b)* Energywatch and *(c)* other consumer and regulation agencies, about potential conflicts of interest when subcontractors promoting warm front grants (i) advertise for alternative energy suppliers on warm front promotional literature and (ii) set aside time to promote energy suppliers within warm front assessment interviews. [73879]

Mr. Morley *[holding answer 15 October 2002]:* Warm Front was launched in June 2000 and provides assistance to certain groups in receipt of a qualifying income or disability benefit by installing packages of insulation and heating measures.

Warm Front does not promote products or sell energy from individual energy companies. Households are free to choose their own supplier and may, like any consumer, opt to change after 28 days. Two Scheme Managers, Eaga Partnership and TXU Warm Front administer Warm Front. Some of the heating measures offered under Warm Front may require the household to be connected up to an additional electrical supply for night storage heaters or mains gas for the first time.

Following a tender exercise an agreement was entered into between Defra and two companies: Scottish Power and TXU Energi. For those requiring a gas central heating the preferred supplier was Scottish Power and for a combined electric and gas fuel supply from the Stay Warm tariff provided by TXU Energi. By August 2002 almost 4,000 homes had received a new gas supply. The majority of these households have not used the preferred suppliers.

Neither Scheme Managers have received complaints about mis-selling of energy contracts. I cannot comment on behalf of OFGEM. The Department has received one specific complaint relating to Nestmakers, an independent organisation jointly and equally owned by Scottish Power and Eaga Partnership Ltd. The allegation was investigated and found to be unproven.

Nestmakers also undertake home surveys for Warm Front in Eaga Partnership's catchment area. Nestmaker surveyors are aware that Warm Front is mutually exclusive to any energy supply contract. Nestmakers will take disciplinary action against any surveyor who is proved to have sold an energy supply contract on the conditional understanding that it was needed to access Warm Front.

Live Animals (Exports)

Bob Spink: To ask the Secretary of State for Environment, Food and Rural Affairs what action she is taking to discourage and prevent the export of live animals for slaughter abroad. [75473]

Mr. Morley: We prefer a trade in meat to the export of live animals. However we also accept that European law requires the free movement of goods between EU member states and this includes live animals.

Bob Spink: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to increase restrictions on the journey times for live animals for slaughter. [75479]

Mr. Morley: At the September Agriculture Council my right hon. Friend the Secretary of State urged discussion on a generally eight hour maximum for journeys within Europe.

Livestock Movement Regulations

Mr. Simon Thomas: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with National Assembly for Wales Ministers regarding the 20-day livestock movement regulations. [75165]

Mr. Morley: Ministers have regular discussions with their devolved counterparts regarding animal movement regulations, including the 20 day standstill.

Over-Thirty Months Scheme

Mr. Simon Thomas: To ask the Secretary of State for Environment, Food and Rural Affairs what percentage of applications for the over-thirty month early casualty scheme *(a)* were able to provide sufficient evidence to satisfy the Intervention Board that they should receive the set rate of 85.6p.p.kg, *(b)* were paid the flat rate of £230 for their casualty animals and *(c)* are waiting to be paid. [75141]

Mr. Morley: *(a)* No animals presented into the Early Casualty Scheme were paid 85.6p/kg. Only animals successfully presented onto the main Over Thirty Month Scheme received the full OTMS payment. All successful claims under the Early Casualty provisions, for animals put down between 3 and 24 May 1996 but not presented onto the OTMS, were paid at the flat rate of £230.

(b) 119.

(c) No claims are waiting to be paid. For 60 claims the claimant was unable to produce the required supporting documentation and no payment was made.

Feta Cheeses

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has received concerning the redesignation of feta cheeses in the draft directive proposed by the European Commission designating feta as a protected food name; and if she will intervene to prevent the Commission unilaterally adopting such a directive in the event of no qualified majority being achieved. [75647]

Mr. Morley: The Department has received a number of representations concerning the application by Greece to register "feta" as a protected food name. Throughout all the discussions on this issue (at official and Ministerial level), the UK has opposed the Greek application on the grounds that we believed that the name "feta" had become a generic and so not eligible for protection. The majority of Member States were in favour of registration but the required qualified majority was not reached either in the Regulatory Committee or subsequently in the Agriculture Council. However, because the Council was unable to act by qualified majority the Commission was able (under the terms of the original Regulation) to adopt the proposal. Feta was registered as a protected food name on 15 October.

I am conscious of the effect that feta's registration as a protected food name will have on UK producers. Officials have therefore written to these producers to see whether they might be eligible to benefit from a transition period within which the name "feta" could continue to be used.

Hedgehogs

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs what recent discussions she has had about TB in hedgehogs. [75082]

Mr. Morley: There have been no recent discussions specifically on this issue. However, Defra is currently funding two research projects which are looking into the risk of TB to cattle from wildlife species other than badgers. Both projects include the examination of hedgehogs for TB.

Badgers

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs if the badger population is growing faster in certain regions of the UK. [75080]

Mr. Morley: There are likely to be in the region of 300,000 to 400,000 badgers in Great Britain. This figure is derived from the National Badger Survey which took place in the mid-1990's.

The Department has let a research contract to design and pilot a multi-species terrestrial mammal monitoring project. This is due to conclude in November 2003, and should assist in improving the data available.

Water Pressure

Mr. Todd: To ask the Secretary of State for Environment, Food and Rural Affairs if she will revise the reference level of water flow that is used by water supply companies to ensure that water pressure is sufficient to reach the top floor of domestic properties. [76158]

Mr. Morley: We have no plans to amend the provisions in Section 65 of the Water Industry Act 1991 which relate to the constancy of water pressure. Current legislation already provides for the water in water pipes and other pipes to be laid on constantly and at a pressure that will allow the water to reach the top most storey of every building within a water undertaker's area, subject to certain specific exceptions

Where a householder considers the pressure of the water serving their property is insufficient they should contact their water company in the first instance. If they remain dissatisfied with the level of service, they can approach the Office of Water Services or the WaterVoice Committee for their area.

Sheep Dips

Mr. Tyler: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to the answer of the Minister for Agriculture, Fisheries and Food 17 July 2002, *Official Report*, column 313W, on sheep dips, whether the report has been received on the research study by CBD Porton Down into the dose effect profiles for OP sheep dips on brain electrical activity and sensitive behaviour indices in non-human primates. [75839]

Mr. Morley *[holding answer 21 October 2002]:* The results from this study are now expected during November. This is due to unforeseen delays in the independent validation of the statistical analyses, and in completing the final phase of the histopathological evaluation.

Horticulture

Hugh Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs what corrective action is being taken by her Department following the criticisms made in the Quinquennial Review of Horticulture Research International. [75913]

Mr. Morley: We welcome the report of the Quinquennial Review of Horticulture Research International and have invited stakeholders to comment on the recommendations by 18 November. We consider that the report contains lessons for Defra, HRI and the horticulture industry. We shall respond in detail when we have considered stakeholders' views and have the results of further financial analysis of the recommendations.

Apples

Hugh Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs what progress is being made with negotiations for a marketing standard for apples. [75914]

Mr. Morley: There have been no developments on the EU marketing standard for apples since my written reply of 5 March 2002, *Official Report*, column 229W.

National Orchard

Hugh Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs what gains and losses in *(a)* actual and *(b)* percentage terms there have been in the size of the National Orchard in the last five years. [75917]

Mr. Morley *[holding answer 21 October 2002]:* The table shows the results of the Orchard Fruit Surveys 1997–2001. The results for 2002 are not yet available.

Orchard Fruit Survey England and Wales
(Excluding Minor Holdings)

Year	*1997*	*1998*	*1999*	*2000*	*2001*
Tree area (hectares)	23253	22727	21483	20823	21212
% Change		−2.26	−5.47	−3.07	1.87

Drainage Boards

Andrew Selous: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to reduce the powers and role of drainage boards. [76279]

Mr. Morley: We are currently reviewing the institutional and funding arrangements for flood and coastal defence, including the role of internal drainage boards. Along with Ministerial colleagues I expect to begin to consider the outcome of this review shortly, taking account of the responses to consultation held earlier this year. Conclusions will be announced in due course.

CAP

Paddy Tipping: To ask the Secretary of State for Environment, Food and Rural Affairs how many CAP payments made were about 300,000 euros in the last year for which information is available; and what percentage this represents of the total payments made. [75041]

Mr. Morley *[holding answer 22 October 2002]:* During the 2000 EU budget year, individual payments of CAP direct aid above €300,000 were made to around 400 recipients. These payments represented approximately 5 per cent. of the value of total direct aid payments in the UK. Some recipients may have received more than one payment if they made a claim under more than one scheme. This data includes CAP direct aid only (e.g. arable area payments or livestock premia) and excludes CAP market support payments.

Paddy Tipping: To ask the Secretary of State for Environment, Food and Rural Affairs how many CAP payments made were below 5,000 euros in the last year for which information is available; and what percentage this represents of the total payments made. [75040]

Mr. Morley *[holding answer 22 October 2002]:* During the 2000 EU budget year, individual payments of CAP direct aid below €5,000 were made to around 78,500 recipients. These payments represented approximately 4 per cent. of the value of total direct aid payments in the UK. Some recipients will have received more than one payment if they made a claim under more than one scheme. This data includes CAP direct aid only (e.g. arable area payments or livestock premia) and excludes CAP market support payments.

WORK AND PENSIONS

Pensions

Mr. Frank Field: To ask the Secretary of State for Work and Pensions what would be the cost of increasing the basic state pension by £14 per week for single pensioners with full contribution records and £22 per week for pensioner couples with full contribution records, detailing separately the resulting increased taxation revenues and savings on means tested benefits expenditure. [75475]

Mr. McCartney: The information is not available in the format requested. However, such information that is available is as follows:

If the maximum rate payable of the Basic State Pension was increased by £14 to £89.50, the overall extra cost to the NI Fund in 2002–03 is estimated at around £5.6bn. This increase in the Basic State Pension would generate an estimated £650m in extra tax revenue and an estimated saving of around £1.3bn in income related benefits.

Notes:

1. The estimated extra cost to the NI Fund is based on March 2002 RP admin data and is for Great Britain only, rounded to the nearest £100m

2. The estimate of the extra tax revenue has been provided by the Inland Revenue

3. Income related benefit savings have been estimated using the DWP 2002–03 Policy Simulation Model and have been rounded to the nearest £100m

Housing Allowance

Mr. Soley: To ask the Secretary of State for Work and Pensions which local authorities he has invited to be pathfinders for the standard local housing allowance; and what factors he took into account in making the selection. [77201]

Andrew Smith: In order to ensure a robust evaluation of the standard local housing allowance scheme, we have drawn up a list of key factors against which pathfinders should be chosen. This includes a broad range of housing and labour market conditions in England, Wales and Scotland.

The pathfinder areas will represent variety in market and economic activity and will represent a range of high, medium and low house prices and rental values. They include a mixture of rural, urban, suburban and city areas. They will also provide a sufficient sample size, as those taking part must have a caseload of at least 2,500 claimants in the de-regulated Private Rented Sector, of whom at least 1,600 must have claimed under the rent rules introduced in 1996 and 1997.

Further conditions affecting the choice of pathfinder areas include the current state of Housing Benefit administration, the capacity of IT systems, and the need to avoid those local authorities already piloting other Government initiatives.

Based on these criteria, we have invited the following local authorities to take part: Brighton and Hove, Conwy, Coventry, Edinburgh, Leeds, London Borough of Lewisham, Middlesborough, North East Lincolnshire, Teignbridge and Tendring.

Unemployment (Young People)

Mr. Spring: To ask the Secretary of State for Work and Pensions if he will make a statement on progress made to date on the target to halve unemployment among 18 to 24-year-olds by 2010 throughout the European Union set at the European Council's meeting at Lisbon. [75249]

Malcolm Wicks: The Lisbon European Council in 2000 set targets to increase employment rates rather than reduce youth unemployment rates. It agreed that, by 2010, the EU should aim to increase its total employment rate to 70 per cent. and to increase the employment rate for women to 60 per cent. The Commission and the Council will issue a Joint Employment Report in November 2002, which will provide the latest available data against these and other targets set at Lisbon, as well as summarise action being taken by Member States to achieve them.

Current Eurostat figures show that between August 2000 and August 2001, EU youth unemployment (15–24) fell from 15.3 per cent. to a low of 14.6 per cent., before rising again to 15.3 per cent. in June 2002. Latest figures for each Member State are given below. The European Employment Strategy, the main instrument for action to increase employment, will operate in a revised form from next year, and will focus more clearly on reaching the employment rate goals agreed at Lisbon.

Male and Female Unemployment: Under 25 years (Eurostat August 2002)

	2000/August	*2002/June*
EU 15	15. 3	15. 3
B	16. 5	18. 4
DK	6. 9	8. 5
D	8. 5	9. 9
EL	29. 7	26. 1
E	22. 0	22. 2
F	19. 4	20. 9
IRL	6. 4	8. 2
I	30. 6	27. 3
L	7. 2	9. 6
NL	6. 2	5. 7
A	5. 3	6. 9
P	8. 9	10. 7
FIN	21. 2	21. 0
S	10. 8	11. 0
UK	12. 1	12. 1

Unemployment Portsmouth, South

Mr. Hancock: To ask the Secretary of State for Work and Pensions how many people were estimated to be *(a)* employed and *(b)* unemployed in (i) Portsmouth, South and (ii) Hampshire in each of the last two years; and if he will make a statement. [73874]

Ruth Kelly: I have been asked to reply.

The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Hancock, dated 23 October 2002:

As National Statistician, I have been asked to reply to your Parliamentary Question about employment and unemployment in Portsmouth South and Hampshire.

The Labour Force Survey (LFS) gives estimates of employment and unemployment levels and rates for counties. The latest available estimates are for the three month period ending August 2002. ONS publishes employment and unemployment rates, but not levels, for parliamentary constituencies. The latest available estimates are for the twelve month period ending February 2001.

The tables overleaf give estimates of *(a)* employment and unemployment rates for Portsmouth South constituency for the twelve month periods ending February 2000 and February 2001; and *(b)* employment and unemployment levels and rates for Hampshire for the three month periods ending August 2001 and August 2002. These estimates are from the LFS and are not seasonally adjusted. They are published on the Nomis® database, which is available in the House of Commons Library.

Food Supplements

Mr. Nigel Jones: To ask the Secretary of State for Work and Pensions if he will assess the impact on employment in the *(a)* research and development, *(b)* manufacturing, *(c)* wholesale and *(d)* retail sectors of the European Food Supplement Directive and the proposed European Directive on Traditional Herbal Medicinal Products; and if he will make a statement. [75812]

Ms Blears: I have been asked to reply.

The Food Supplements Directive is likely to have a positive impact upon employment in the research and development sector. The Directive demands that the safety of concentrated sources of vitamins and minerals used as ingredients in food supplements be approved by the European Union Scientific Committee on Food before use, and is therefore likely to encourage related research.

In the short-term the EU Food Supplements Directive is unlikely to have any effect upon employment in the manufacturing, wholesale or retail sectors. In the longer-term, the impact of the Directive will largely depend upon progress in adding vitamin and minerals and their sources to the lists of permitted nutrients in the Directive and upon developments in the setting of maximum limits for vitamins and minerals in food supplements. The Food Standards Agency is arguing the case for these maximum limits to be based on thorough scientific risk assessments so that there is no unnecessary restriction on the range of products that can be marketed.

The possible impact of the proposed Directive on traditional herbal medicinal products on employment in the research and development sector is difficult to predict. Under the current regime in the United Kingdom for unlicensed herbal remedies it will not normally be clear to the purchaser of a remedy whether that remedy is brought to the market on the basis of evidence of efficacy of the product, of traditional usage, or some other factor. The proposed Directive should, over time, bring greater clarity to the market on this issue, which may be beneficial to the prospects for research and development.

The proposed Directive potentially could have positive consequences for employment in the manufacturing, wholesale and retail sectors. The proposals would require traditional herbal remedies to meet standards as to quality, safety and product information, areas in which the current regime for unlicensed herbal remedies has significant weaknesses. More effective regulation, which would follow if there is a successful outcome to the negotiations, potentially could enhance the status and recognition of traditional herbal remedies. This in turn could help to maintain and increase public confidence and ultimately lead to an expansion in the sector. The Medicines Control Agency's aim in the continuing negotiations, and in the implementation of the Directive if it is agreed, will be to ensure that the regulation is proportionate.

PRIVY COUNCIL

Parliamentary Questions

James Purnell: To ask the President of the Council when he plans to publish the Government's response to the Procedure Committee report on Parliamentary Questions HC622. [76748]

Robin Cook: I have today laid before the House a copy of the Government's response to the Procedure Committee Report on Parliamentary Questions (Cm 5628). Copies of the response are available in the Vote Office, Libraries of the House and on my department's website www.privycouncil.gov.uk

The House will debate the report of the Committee and the Government's response on Tuesday 29 October.

INTERNATIONAL DEVELOPMENT

Developing Countries

Syd Rapson: To ask the Secretary of State for International Development what advice she will give to developing country Governments on how they can *(a)* promote sustainable development and *(b)* reduce poverty whilst managing the (i) quality, (ii) timing, (iii) sequencing and (iv) scope of import liberalisation. [76266]

Clare Short: Import liberalisation, properly managed, can contribute to sustainable and poverty-reducing economic growth. Cross-country evidence shows that trade liberalisation increases economic growth and that economic growth, in turn, tends to reduce poverty on average. Trade openness contributes to poverty reduction by stimulating productivity and reducing domestic consumer prices. However, the relationship differs substantially from country to country. Complementarity and sequencing of supporting policies within an overall long-term development strategy are essential to the success of trade liberalisation. A country will typically have to implement some or all of the following complementary policies:

trade-related capacity building, to formulate a sound trade strategy, participate successfully in international trade negotiations and implement WTO requirements;

private sector development, to improve the private sectors' productive capacity to respond to new markets abroad and to compete with imports;

macroeconomic stabilisation, to obtain a business-friendly environment, in particular low inflation and interest rates and a stable exchange rate that is not overvalued;

tax reform, to offset revenue losses from tariff reductions by increasing tax revenues;

labor market reform, to ensure that workers can move between sectors to respond to trade-induced opportunities;

and social safety nets, to support groups adversely affected by trade liberalisation.

Domestic reform, however, will often not be sufficient. Developing countries face high tariff and non-tariff barriers in sectors of importance, notably agriculture and textiles and clothing. As tariffs are lowered, new forms of protection become more prominent, such as anti-dumping and excessive product

standards and technical regulations. Such issues need to be addressed in future trade negotiations to ensure that international trade rules are more developmental.

The Integrated Framework (IF) is a policy initiative by six international agencies, with participation by donors and developing countries. DFID is playing a prominent role in its implementation. It represents an attempt to respond to the need for trade reforms to be implemented carefully and with the appropriate mix of complementary policies. Under the Integrated Framework, existing trade-related policies in a country are assessed and further needs identified. The Integrated Framework tries to facilitate the formulation of a coherent trade policy that fosters sustainable and poverty-reducing economic growth.

DFID has been at the forefront of developing and promoting trade policies that address the risks associated with import liberalisation. All our trade-related work is geared towards making trade work for the poorest. DFID is trying to raise awareness of the need for sound trade policies at all levels: within DFID itself, in our country offices, within Whitehall and at the WTO.

DFID believes that the trade policy it has developed to address the challenges of trade liberalisation contains the kind of advice and experience that contribute to sustainable and poverty-reducing development ant that it can usefully recommend such policies to policy makers in developing countries. In general, developing countries have responded positively to DFID's trade policy, as is clear for example from the recent review of the Ghana Trade Policy Project.

Poppy Cultivation (Afghanistan)

Dr. Tonge: To ask the Secretary of State for International Development what her Department's assessment is of the change in opium poppy cultivation in Afghanistan in the last 12 months; and what steps her Department is taking to reduce this cultivation. [74887]

Clare Short: 2001 was an atypical year for poppy cultivation because of a ban imposed by the Taliban regime. After the fall of the Taliban there was a resurgence in poppy planting, and estimates of area cultivated are only slightly less than that in 2000. This is in spite of a Decree by the Afghan Interim Administration in January 2002 banning the production and processing of opium, and an eradication and compensation scheme which destroyed an estimated 25–30 per cent. of the crop. We are hopeful that poppy cultivation will decline as the international community promotes efforts to create alternative livelihood opportunities for farmers, and to improve the interdiction capacity by the Afghan authorities charged with enforcing the ban. This is only likely to come about as security is maintained and the reconstruction process gathers momentum.

My Department is committed to supporting measures that will help to develop alternative livelihood opportunities for poor people, including in poppy growing areas, in order that there is a consistent shift away from both poverty and poppy cultivation. I have already approved a £1m contribution to the UNDP National Area Development Programme and a £1m contribution towards the work of the Aga Khan Foundation in Badakshan. This is on top of a contribution of £2.8m to quick impact reconstruction projects, some of which are in drug producing areas. The World Bank funded National Solidarity Programme will also be a further significant contribution to community based development. My Department is also planning to provide assistance to the Ministry of Rural Reconstruction and Development within Afghanistan to develop a sustainable approach towards generating alternative livelihoods, including in poppy growing areas. The UK is further committed to helping wider Afghan led security sector reform and reconstruction efforts.

Departmental Websites

Dr. Cable: To ask the Secretary of State for International Development if she will list the website links associated with her Department, including sites now dormant or closed, and indicating whether they are live, dormant or closed; what the start up costs were for each site listed; what the operating costs were in each year since start up for each site; which company hosted each site; what assessment takes place for each site; which company does the assessment; if she will place the assessment reports in the Library; and if she will make a statement. [75581]

Clare Short: The Department for International Development currently supports three principal websites: the departmental site (www.dfid.gov.uk), a site providing access to development education resources (www.globaldimension.org.uk) and a site relating to DFID's quarterly magazine, "Developments" (www.developments.org.uk). For the launch of the 2000 White Paper on International Development, DFID supported the creation of an additional site (www.globalisation.gov.uk). All sites are active, although the 2000 White Paper site is treated as dormant for the purposes of uploading new information.

The main DFID website and the 2000 White Paper are hosted by U-UNET; hosting of the Global Dimension website is contracted to a commercial company, Planet 56; the "Developments" website is hosted by Synergy, under a design contract encompassing both the design of the magazine and its associated website, and its costs are embedded in the budget for that magazine. The department is currently investigating a time-scale for bringing the hosting of directly-supported websites in-house.

It would not be possible to list all start-up and annual running costs since inception without disproportionate effort. However, approximate budgets for each of the websites for the last three financial years are as follows:

	FY 2000–01	*FY 2001–02*	*FY 2002–03*
DFID website	£20,000	£75,000	£100,000
Global Dimension website	N/A	£35,000	£40,000
2000 White Paper website	£60,000	£15,000	£15,000

The main DFID website was overhauled in November 2001: terms of reference for a post-implementation review, including the instigation of a formal user-evaluation process are currently being

drawn up, with a view to completing a review of the website by early 2003. User-evaluation for "Developments" is undertaken in the form of an annual reader survey via the magazine, reinforced through a web-based survey. User-evaluation for the Global Developments website is planned as part of a mid-term review during 2003.

Statistical information in relation to website users for all DFID-supported websites is supplied on a monthly basis to the Office of the e-Envoy, and published by them.

Nepal

Dr. Cable: To ask the Secretary of State for International Development what programmes the UK is supporting in Nepal for enhancing water supply and sanitation; and if she will make a statement. [75112]

Clare Short: DFID will contribute approximately £12million over the period 1999 to 2004 to the rural water sector in Nepal through 3 NGOs—Nepal Water for Health (NEWAH), Gurkha Welfare Scheme (GWS) and Helvetas.

The GWS Rural Water and Sanitation Programme receives £7.9 million from DFID to help selected hill village communities access safe water and sanitation, manage their water systems efficiently and, through hygiene education, use water effectively. NEWAH receives £2.7 million from DFID to implement a similar approach in the Mid and Far West for communities that would not be reached by GWS. Since January 2001, DFID has also provided approximately £1.5 million in short and medium term support to water related programmes of Helvetas that are designed to improve living conditions of socially and economically disadvantaged communities in Nepal. The location of physical investments through these programmes has been affected by the conflict, and there has been some movement, by NEWAH in particular, to safer districts. However expenditures overall are on target.

DFID is also considering providing £1 million for short term support to the Rural Water Supply and Sanitation Fund Development Board (RWSSFDP) to help the Board increase services to communities affected by conflict, adopt a more conflict-sensitive approach in the delivery of water and sanitation services and infrastructure, and to help shift the RWSSFDB programme to the Mid and Far West Regions of Nepal.

Finally, DFID is also working with the Asian Development Bank on the design of their new Rural Water Supply and Sanitation Project.

Southern Africa

John Barrett: To ask the Secretary of State for International Development what percentage of the United Nations Consolidated Appeal for the Southern African Famine has been funded. [75053]

Clare Short: 32.7 per cent. However, substantial contributions to the World Food Programme element of the appeal are under negotiation.

Afghanistan

Dr. Tonge: To ask the Secretary of State for International Development what discussions she has had with the UNHCR regarding the repatriation of refugees to Afghanistan; and if she will make a statement. [74886]

Clare Short: I met with the High Commissioner for Refugees on 4 July when we discussed UK support to Afghanistan and other issues. Our officials remain in close contact.

My department has provided significant support to UNHCR to assist with the repatriation of refugees to Afghanistan. Since September 2001, the UK has contributed over £5 million to UNHCR for their programmes of assistance to Afghan refugees. In addition we have provided over £3.5 million to the International Organisation for Migration (IOM) for assistance to internally displaced persons (IDPs) and returnees to Afghanistan. We are also supporting a number of other humanitarian programmes which will help to create an environment for the sustainable return of both refugees and IDPs.

In addition, earlier this month the governments of Afghanistan and the United Kingdom and UNHCR signed a tripartite Memorandum of Understanding (MoU) setting out a detailed framework for the voluntary repatriation of Afghans residing in the UK and their reintegration back in Afghanistan. Under the agreement, UNHCR will provide information and counselling to Afghans in the UK—to ensure that any decision to repatriate is taken in the "full knowledge of the facts". UNHCR will also monitor the voluntariness of the returns prior to departure, as well as other aspects of the agreement—a role that both states have pledged to respect. Similarly, once returnees are back in Afghanistan, the agency has guaranteed access to them from the moment they land at the airport. UNHCR believes that the MoU contains all the necessary safeguards to ensure that Afghans who still need international refugee protection continue to receive it and that returns under the agreement would be sustainable. A similar tripartite agreement had earlier been signed with the French government. It is hoped that the MoU will become a model for other countries who are interested in offering assisted voluntary repatriation for Afghans.

Dr. Tonge: To ask the Secretary of State for International Development how much of the financial assistance committed by donor countries for the first year of the reconstruction of Afghanistan has been disbursed since January 2002, broken down by donor country. [74885]

Clare Short: I attach a table of estimated disbursals produced by the Afghan Assistance Coordination Authority (AACA). This was produced for the recent Implementation Group meeting in Afghanistan and outlines donor's pledges, commitments and disbursals for 2002, as known to the AACA. It is currently estimated that overall 67 per cent. of 2002's pledge has been disbursed.

Table 1: Transitional Government Data on Donor Pledges, and 2002 Commitments and Disbursements

V=11 October 2002

Donor	Amount pledged at Tokyo (Grant + Loan) (donor currency)	Amount pledged at Tokyo (Grant + Loan) (US$m)	Amount pledged at Tokyo as Grants (US$m)	Over how many years?	Amount of any Additional Pledge (US$m)	Over how many years?	Total Overall Pledge (Tokyo + Additional)	Rough annual Pledge for 2002	Commitment against Tokyo + Additional Pledges	Disbursement against Tokyo/ Additional Pledges	Disbursements as % of 2002 Pledge	Comment
ADB	—	500	85	2.5	...	...	500	50	50.0	0.7	1.4	
Aga Khan	—	75	75	...	...	...	75	...	16.2	8.2	...	Pledge 2002 not avail
Austria	—	10	10	2.5	...	...	10	4	...	...	...	Unknown
Australia	A$17m.	9	9	1	2	1	11	11	7.7	7.7	72.2	Estimate
Belgium	Euro 33 m.	28	28	5	...	...	28	9	8.1	7.2	80.0	Estimate
Canada	CDN$100m.	63	63	1.25	...	...	63	63	31.3	31.3	49.9	
China	—	1	1	1	150	5	151	31	31.0	30.0	96.8	
Denmark	DKK500m.	60	60	5	46	2	106	28	28.0	16.5	58.9	
EC (Recon supp)	Euro 1000 m.	864	864	5	...	...	864	173	182.5	78.4	45.4	
EC (Hum.—ECHO)	—	—	—	—	65	1	65	65	58.0	45.0	69.5	
Finland	Euro 30 m.	26	26	3	...	...	26	10	10.0	7.9	79.0	Estimate
France	Euro 26 m.	22	22	1	10	1	32	32	34.2	27.8	86.9	Estimate
Germany	Euro 320m.	276	276	4	43	1	320	113	112.6	120.6	107.1	
India	—	100	100	1	...	...	100	100	31.7	31.7	31.7	
Iran (Islamic Rep)	—	560	560	6	...	...	560	50	40.0	32.7	65.4	
Ireland	Euro 12m.	10	10	3	2	1	12	5	6.8	6.8	123.6	
Islamic Dev Bank	—	...	...	...	...	...	...	...	...	...	...	Unknown
Italy	—	43	43	1	10	1	53	53	39.7	24.1	45.5	
Japan	—	500	500	2.5	92	2	592	250	259.0	209.0	83.6	
Korea (Rep. of)	—	45	45	2.5	...	...	45	10	10.0	2.2	22.0	
Kuwait	—	30	30	n.a.	...	...	30	30	1.6	2.1	7.0	Pledge duration unconfirm
Luxembourg	Euro 5 m.	4	4	1	...	...	4	4	4.9	0.1	2.3	Estimate
Netherlands	Euro 70 m.	60	60	1	5	1	65	65	68.7	68.7	105.0	
Norway	NOK 350 m.	40	40	1	..	...	40	40	40.0	32.0	80.0	
Pakistan	—	100	50	5	...	...	100	50	50.0	17.7	35.4	See Note 6
Russian Fed.	—	...	...	...	...	...	...	...	...	...	...	Unknown
Saudi Arabia	—	220	220	4	...	...	220	55	27.1	27.1	49.3	
Spain	Euro 120 m.	104	104	5	...	...	104	21	6.4	6.4	30.7	Estimate
Sweden	SEK 750—1000 m.	90	90	3	...	...	90	30	18.5	18.5	61.7	
Switzerland	—	20	20	2	...	...	20	12	11.0	9.0	75.0	
Taiwan	—	29	29	3	...	...	29	10	...	...	...	Unknown
Turkey	—	5	5	5	...	...	5	2	2.2	2.2	100.0	
UAE	—	36	36	n.a.	...	...	36	...	...	...	...	Unknown
United Kingdom	£200 m.	288	288	5	55	1	343	130	91.6	77.5	59.6	
USA	—	297	297	1	143	2	440	297	360.0	360.0	121.2	
World Bank	—	570	100	3	...	...	570	150	100.0	9.6	6.4	See Note 7
Total:	—	*5,087*	*4,151*	—	*623*	—	*5,710*	*1,952*	*1,738.7*	*1,318.5*	*67.5*	

Notes:

1 These are indicative estimates based on information provided to the Transitional Government to date; AACA is moving to project based aggregations based on entries in AACA's Donor Assistance Database (http://aacadad.undp.org)

2 The figures in Table 1 represent the commitments and disbursements made since the Tokyo Pledging on 22 January 2002;

3 Table 2 reflects the substantial support also provided to Afghanistan in 2001 by many donors.

4 Exchange rates: Pledges made in currencies other than the US Dollar have been converted at the exchange rate prevailing in January.

5 Exchange rates: Commitments and Disbursements have been converted at the averate rate effective January and 4 October 2002.

6 Grant over one year;

7 US$470m incl some grants (up to approx $110m)

Source:

Transitional Government of Afghanistan, AACA Aid Coordination Unit

Please email any comments or corrections to aidan.cox@undp.org and najeeb.azizi@afganistangov.org

HIPC Initiative

John Barrett: To ask the Secretary of State for International Development how much debt has been repaid by *(a)* Malawi, *(b)* Mozambique and *(c)* Zambia under the HIPC initiative so far this year. [75055]

Clare Short: Malawi, Mozambique and Zambia have all qualified for debt relief under the Heavily Indebted Poor Countries (HIPC) Initiative. Both Malawi and Zambia have reached their Decision Point and are already receiving interim debt relief. Malawi's estimated debt service payments for the first six months of 2002 is US$35.5 million, and Zambia's foreign debt service was US$24 million in the first four months of 2002. Mozambique has completed the HIPC process and is receiving full debt relief. In 2002, Mozambique is scheduled to pay US$56 million in debt service. Following debt relief, resources are being freed up for social expenditure to reduce poverty in these countries.

Rwanda

Dr. Tonge: To ask the Secretary of State for International Development what her Department's estimate is of the percentage of UK aid spent on HIV/AIDS programmes in Rwanda. [74891]

Clare Short: The UK Government have committed $200 million to The Global Fund to fight AIDS, Tuberculosis (TB) and Malaria. Rwanda is to receive $14.6 million from this fund to tackle HIV/AIDS and TB.

This financial year we aim to deliver £19 million from our total bilateral assistance of £33.2 million through budgetary support, which will be paid directly into the Government of Rwanda's central budget to reduce poverty. Within this budget HIV/AIDS is recognised as a high priority.

We have also committed £3.2 million to Rwanda through a regional HIV/AIDS project and £600,000 in HIV/AIDS education as part of our sector support to education in Rwanda over the next three years.

Famine (Africa)

Norman Lamb: To ask the Secretary of State for International Development how many people she estimates are suffering from malnutrition as a result of famine in *(a)* Mauritania, *(b)* Mali, *(c)* Senegal, *(d)* Eritrea, *(e)* Ethiopia, *(f)* Zambia, *(g)* Angola, *(h)* Zimbabwe, *(i)* Mozambique, *(j)* Lesotho and *(k)* Malawi. [76223]

Clare Short: Figures for malnutrition are not comprehensively available, but recent assessments of vulnerable populations unable to buy or grow enough of their own food are:

Mauritania	0.75 m
Mali	No humanitarian crisis currently reported
Senegal	No humanitarian crisis currently reported
Eritrea	1.04 m
Ethiopia	6.3 m
Zambia	2.9 m
Angola	1.8 m (increasing to 1.9 m by end of 2002)
Zimbabwe	6.7 m
Mozambique	0.59 m
Lesotho	0.65 m
Malawi	3.3 m

Norman Lamb: To ask the Secretary of State for International Development what impact she estimates the dispute over non-acceptance by African Governments of genetically-modified grain supplied by the World Food Programme will have on famine relief efforts in the region. [76100]

Clare Short: Zambia is the only country which has refused so far to accept grain containing genetically modified material. The effect is to make it more difficult for the World Food Programme to meet emergency needs in the country. Over the months of October and November around 27,000 tonnes which are in the pipeline (about 40 per cent. of the food aid requirements for the two months) will not be distributed in Zambia if the current ban is maintained. In that case, it seems likely that the Government of Zambia would have to resort to more expensive and slower options in order to meet the needs.

Norman Lamb: To ask the Secretary of State for International Development what her assessment is of the threat to human life being caused by the famine in Africa; and if she will make a statement. [76221]

Clare Short: Some 14 million people in southern Africa are at risk and face severe food shortages. Within this number vulnerability varies. Many people are exceptionally vulnerable because they have HIV or AIDS. The international community is working to try to ensure that the shortages do not become a catastrophe.

Norman Lamb: To ask the Secretary of State for International Development if she will make a statement on the extent to which commitments made by the UK and other countries with regard to responding to the famine in Africa have been met. [76220]

Clare Short: All of the £44.75 million I committed in June 2002 has been allocated to programmes which are now under way. Further allocations were made before that and since bringing total UK support to £72.08 million. Figures for expenditure against commitments are not available for other donors; but the US is well on its way to delivering its commitment of 500,000 tonnes of grain for calendar 2002, and the European Commission has met its commitment to provide $60 million to the World Food programme (bringing its total commitments to the six affected countries this year to 148.5 million euros).

Norman Lamb: To ask the Secretary of State for International Development what discussions the Government, in conjunction with the World Food Programme, has had with those African countries affected by famine regarding the supply of genetically-modified grain as part of relief efforts. [76101]

Clare Short: Staff from our offices in Malawi and Zambia have been involved in discussions with the World Food Programme and Governments on the acceptance of grain containing genetically modified material as food aid. In Malawi the Government has proposed that GM maize is milled before distribution. We and other donors are discussing how to do this with minimum delay in distribution to beneficiaries. In Zimbabwe DFID officials have supported the World Food Programme in negotiations with the Government over the acceptance of such grain, but have had no direct contact with the Government. I have spoken and written to President Mwanawasa of Zambia on this issue, and my Department hosted a fact finding visit by Zambian scientist to London on 23 and 24 September.

Norman Lamb: To ask the Secretary of State for International Development what plans her Department has to support those African countries affected by famine. [76222]

Clare Short: We have spent £72.08 million on humanitarian assistance in Zimbabwe, Zambia, Malawi, Lesotho and Swaziland since September 2001. This is going towards feeding programmes, other essential supplies, agricultural inputs for the next season, logistics and personal support for the World Food Programme. Through our Southern Africa Humanitarian Crisis Unit in Johannesburg we are helping to strengthen and co-ordinate the international response.

Developing Countries

Syd Rapson: To ask the Secretary of State for International Development what she is doing to help developing countries protect their infant industries until they are strong enough to compete in world markets and to increase the efficiency and competitiveness of these industries. [76272]

Clare Short: There is mixed evidence on the effectiveness of infant industry protection. We believe that a multilateral trade system built on the principles of non-discrimination and market opening, combined with providing assistance to enterprise development across the board, is the best way of increasing the efficiency and competitiveness in developing countries.

HOME DEPARTMENT

Drug Offences

Mr. Andrew Turner: To ask the Secretary of State for the Home Department how many drug offences were *(a)* recorded, *(b)* prosecuted and *(c)* the subject of convictions in each month since June 2000 in the Lambeth division of the Metropolis; on how many occasions in each month (i) formal and (ii) informal warnings were given to illegal users; and on how many occasions supplies of drugs were confiscated. [67192]

Mr. Bob Ainsworth *[holding answer 5 July 2002]:* Information relating to possession and trafficking (including unlawful supply, possession with intent to supply unlawfully, etc) of all classes of drugs for each month from June 2000 to June 2002 in the London Borough of Lambeth is given in Table 1. Drugs were found and confiscated in all these incidents. The table presents information on the number of offences recorded and "clear-ups" involving charges or summonses. The Metropolitan Police do not record details of convictions; and information from the Home Office Court Proceedings database is not yet available for 2001 and 2002.

Table 1 Drug Offences[1] within Lambeth Borough, by Month, June 2000—June 2002

2000	*(a) Recorded*	*(b) Clear-ups involving charges/summonses*
June	156	71
July	111	63
August	103	55
September	88	43
October	116	45
November	121	62
December	89	40
2001		
January	94	64
February	112	58
March	95	41
April	96	42
May	134	67
June	164	46
July	148	64
August	112	42
September	133	27
October	132	30
November	128	32
December	102	23
2002		
January	121	31
February	181	33
March	282	39

Table 1 Drug Offences[1] within Lambeth Borough, by Month, June 2000—June 2002

2000	*(a) Recorded*	*(b) Clear-ups involving charges/summonses*
April	179	32
May	274	85
June	320	32

Note:
[1] Offences detected and police action initiated.
Source:
Metropolitan Police Service

Data on the number of defendants proceeded against and found guilty of drug offences in the borough of Lambeth are not available.

Details of informal warnings for the period July 2001—June 2002 are given in Table 2.

Table 2 Number of Persons Accused of Being in Possession of Cannabis in Lambeth and Who Received an Informal Warning, by Month, July 2001—June 2002

2001	*Informal warnings given*
July	19
August	23
September	39
October	35
November	44
December	51

2002	*Informal warnings given*
January	67
February	50
March	115
April	95
May	100
June	241

Source:
Metropolitan Police Service

Details of the number of arrests for Class A drugs offences in Lambeth during the period July 2000—June 2002 are given in Table 3.

Table 3 Totals of Arrests Made in Lambeth for Class a Drug Offences, by Month, July 2000—June 2002

	(a) Unlawful Import	*(b) Possession with intent to supply unlawfully*	*(c) Unlawful supply*	*(d) Permitting premises to be used unlawfully*	*(e) Unlawful possession*	*(f) Total*
2000						
July	0	9	1	0	29	39
August	0	5	6	0	18	29
September	0	11	3	0	17	31
October	0	6	5	0	12	23
November	0	8	8	0	14	30
December	0	3	4	0	10	17
2001	(a)	(b)	(c)	(d)	(e)	(f)
January	0	13	4	0	26	43
February	0	12	7	0	18	37
March	0	8	7	0	8	23
April	0	16	2	0	14	32
May	0	10	4	1	17	32
June	0	15	3	0	11	29
July	0	4	41	0	9	54
August	0	3	6	0	18	27
September	0	3	4	0	11	18
October	0	4	3	0	15	22

Table 3 Totals of Arrests Made in Lambeth for Class a Drug Offences, by Month, July 2000—June 2002

	(a) Unlawful Import	*(b) Possession with intent to supply unlawfully*	*(c) Unlawful supply*	*(d) Permitting premises to be used unlawfully*	*(e) Unlawful possession*	*(f) Total*
November	0	7	1	0	18	26
December	0	7	2	0	10	19
2002	(a)	(b)	(c)	(d)	(e)	(f)
January	0	7	1	0	17	25
February	0	9	2	0	9	20
March	0	12	8	0	12	32
April	0	5	2	0	12	19
May	2	5	34	0	26	67
June	0	10	7	0	11	28

Source:
Metropolitan Police Service

Asylum Seekers

Alan Simpson: To ask the Secretary of State for the Home Department what additional resources are *(a)* available and *(b)* planned for local authorities with the duty to provide integration strategies for asylum seekers granted exceptional leave to remain. [73690]

Beverley Hughes: The Secretary of State is empowered under Section 110 of the Immigration and Asylum Act 1999 to pay grants to organisations in respect of expenditure incurred in connection with persons who are or have been asylum seekers and their dependants. The National Asylum Support Service (NASS) may grant fund Regional Consortia for their enabling role in providing services and support for asylum seekers dispersed to their region. A grant agreement exists between NASS and the Regional Consortia to facilitate payment, a key element of which is to develop, implement and deliver a strategy for resettlement and integration for those who are granted leave to remain in the United Kingdom.

The enabling grant is payable for each financial year and is increased proportionately to cover the costs of the enabling authority.

Additionally, the Home Office has distributed £1.5 million through the Refugee Integration Challenge Fund of which around £340,000 has been given to local authorities in order that they may implement pilot projects in the field of refugee integration. Around £1.7 million of the European Refugee Fund 2002, provided by the European Commission, has also been awarded to local authorities for similar projects. It is the intention that these projects will be robustly evaluated in order to identify good practice and so inform future policy making.

Mr. Malins: To ask the Secretary of State for the Home Department when he proposes to start his support package to help asylum seekers to return voluntarily to Afghanistan; what he anticipates will be the cost in the first six months of its operation; and if he will make a statement. [75411]

Beverley Hughes: The support package announced on 20 August 2002 is fully operational. The costs of the programme include the resettlement grant payment, flight costs and funding for implementing agencies who will counsel returnees and arrange their return. The cost of this programme depends on the number of participants, and sufficient funds are available for up to 1000 returns.

The Government are fully committed to assisting in the reconstruction of Afghanistan and packages such as this will be an important element in fulfilling that commitment, enabling the return of Afghans to their country and their subsequent re-integration to be managed in an orderly and beneficial way.

Mr. Malins: To ask the Secretary of State for the Home Department what discussions he has had with the French Government about identifying in France those asylum seekers who might have a valid claim in the UK; and if he will make a statement. [75427]

Beverley Hughes: My right hon. Friend the Home Secretary has had wide-ranging discussions with his French counterpart on the problem of illegal immigration, including the practicalities of implementing their welcome commitment to closing the Sangatte centre. But the general principle is that asylum claims made in France are dealt with by the French authorities.

Mr. Malins: To ask the Secretary of State for the Home Department if he will make a statement on the progress of discussions with the UNHCR and others concerning the new gateway for those seeking to settle in Britain. [75428]

Beverley Hughes: As my right hon. Friend the Home Secretary announced on 7 October, we are working to develop our resettlement gateway, which will start in April 2003. The United Kingdom is a regular attendee at the United Nations High Commission for Refugees (UNHCR) resettlement working group, and we continue to discuss positively with UNHCR the establishment of our programme.

Official level discussions have taken place with other Government departments in order that the impact of the scheme on them is fully taken into account during its development and implementation. These will continue, as will our contact with the Non-Governmental Organisation (NGO) sector.

Immigration and Nationality Directorate

Dr. Cable: To ask the Secretary of State for the Home Department how many items have been lost once

deposited at the Immigration and Nationality Directorate in each of the last three years; and if he will make a statement. [75114]

Beverley Hughes: The information requested by the hon. Member is not held centrally and could not be obtained without disproportionate cost; however the Immigration and Nationality Directorate issue letters to members of the public where the document cannot be immediately traced. In the year 2000, 97 such letters were issued; and 103 letters in 2001. As at 11 October 2002 a total of 265 letters have been issued in the year to date. Action is being taken to address this issue.

Clandestine Immigrants

Mr. Hancock: To ask the Secretary of State for the Home Department how many apprehended clandestine immigrants have claimed to have entered the UK via Portsmouth ferry port but have been apprehended elsewhere in each of the last five years; and if he will make a statement. [75449]

Beverley Hughes: The Home Office does not collate statistics in relation to where illegal immigrants claimed to have clandestinely entered the United Kingdom. Although attempts are made to capture this data the responses given are unreliable. Most claim not to know where they specifically entered the United Kingdom or where they embarked from in Europe, or are unwilling to divulge this information.

Mr. Hancock: To ask the Secretary of State for the Home Department what discussions he has had with cross-channel ferry companies concerning the improved detection of clandestine immigrants entering the UK; and if he will make a statement. [75451]

Beverley Hughes: The UK Immigration Service (UKIS) has close working relationships with cross channel ferry companies and has regular contact with the management and staff of P&O Ferries, SeaFrance, Norfolk Line, Hoverspeed, TransEuropa and Brittany Ferries. UKIS officers offer support and advice in respect of inadmissible passengers and clandestine entry.

The government is taking forward a project to procure new detection technology equipment for deployment at Continental Channel ports serving the United Kingdom. It is proposed that this be made available on a loan basis to port and/or ferry operators to supplement the search regimes that they already conduct by visual checks and using CO^2 detectors.

In taking this project forward, UK Immigration Service officials propose to visit all ports which pose an actual or potential risk of clandestine traffic to the UK and have already visited Calais, Dunkirk, Ostend, Zeebrugge and Cherbourg. In each case there has been dialogue with port and ferry operators to determine their equipment needs, how it will be operated and by whom.

Good progress has been made at those ports visited and both port and ferry operators have shown enthusiasm for the initiative, which will provide both a deterrent to clandestine entry and a considerable service to the road haulage industry. Remaining ports will be visited in the near future.

Mr. Hancock: To ask the Secretary of State for the Home Department how many apprehended clandestine immigrants who have claimed to have entered the UK via Portsmouth have sought asylum in each of the last five years; and if he will make a statement. [75448]

Beverley Hughes: The Home Office does not collate statistics in relation to where asylum seekers claimed to have entered the United Kingdom clandestinely. Attempts are made to capture this data through initial screening and interviews for asylum. However, the information provided by those seeking asylum is often unreliable as most claim not to know where they entered the United Kingdom or unwilling to divulge this.

Mr. Hancock: To ask the Secretary of State for the Home Department what steps have been taken to improve the detection of clandestine immigrants coming to the UK via *(a)* St. Malo, *(b)* Caen, *(c)* Le Havre and *(d)* Cherbourg; and if he will make a statement. [75443]

Beverley Hughes: The government are determined to reduce the flow of clandestine entry to the United Kingdom from Continental Channel ports in freight vehicles and, as a first step in a project, are procuring new detection technology equipment for the use of port/ferry operators in Calais to supplement the vehicle checks already conducted there. This is the first of a number of initiatives, which will provide a significant deterrent to clandestine entry to the United Kingdom and to strengthen our controls at the Channel ports.

It is recognised, however, that these positive measures in Calais may initially result in displacement of clandestine traffic to other Continental ports. As a precaution extra freight searching operations have been conducted in Poole and Portsmouth by UK Immigration Service (UKIS) in respect of vessels arriving from France. Results of these extra searches revealed no indication of significant displacement of clandestine traffic into these ports. Consideration is also being given to the deployment of mobile detection units in order to respond more quickly to changing threats in respect of cross-channel illegal migration.

Funding has also been made available for the procurement of additional equipment for deployment in those ports and considerable progress has already been made.

In taking the project forward, Immigration Service officials have visited a number of ports to assess the risk of displacement, current security measures and the extent of their equipment needs. In all cases, port and other officials have welcomed the initiative and have voiced their willingness to participate. Cherbourg is amongst those ports already visited and further visits are planned to others, including St. Malo, Caen and Le Havre.

Mr. Hancock: To ask the Secretary of State for the Home Department how many clandestine immigrants have entered the UK via Portsmouth ferry port in each of the last five years; and if he will make a statement. [75450]

Beverley Hughes: The nature of clandestine entry is such that it is not possible to state how many people have entered the UK clandestinely via Portsmouth in the last five years. However, the department is able to

state how many clandestines have actually been detected by UKIS at the port of Portsmouth. There has been a decreasing number of clandestines detected over a five year period:

1998–239 detected
1999–181
2000–102
2001–91
2002–28 (in the first six months of the year)

The decrease is attributed to current initiatives, which include close working relationships with carriers which has resulted in an increased detection of clandestines in the French ports prior to travel.

Illegal Immigrants

Mr. Malins: To ask the Secretary of State for the Home Department how many detention places for illegal immigrants, and failed asylum seekers exist and what plans he has to increase these over the next 12 months. [75426]

Beverley Hughes: At present, there are 1,609 detention places in removal centres. This excludes the 900 places at Yarl's Wood removal centre, the operation of which has been suspended since March this year. In addition, there are 400 detention places at Oakington Reception Centre which are used to support the fast-track asylum process.

We remain committed to reaching the target of 4,000 detention places announced in the White Paper "Secure Borders, Safe Haven". The serious events at Yarl's Wood removal centre in February, and the subsequent need to suspend operations at the centre, were a severe blow to our programme to reach the target of 4,000 places. Plans to build a new removal centre (Logford) adjacent to the existing Harmondsworth Removal Centre, are in place and this will provide a further 300 detention places. We anticipate that the new centre will become operational in April 2004.

Asylum Support

Mr. Malins: To ask the Secretary of State for the Home Department what the cost of asylum support is, including unaccompanied minors *(a)* in the last 12 months for which figures are available, *(b)* estimated for the current financial year and *(c)* estimated for the period 2003–04; and if he will make a statement. [75433]

Beverley Hughes: The expenditure on asylum support, including unaccompanied minors for 2000–01 was £751 million.

The figures for the financial year, 2001–02 are not yet finalised. These will be published in the Immigration and Nationality Directorate (IND) Annual Report in the near future.

It is not yet possible to provide the estimated allocations for 2003–04. This will depend on a range of factors and will be finalised much closer to the time.

Racist Football Fans

Mr. Hepburn: To ask the Secretary of State for the Home Department what action will be taken to stop racist football fans from Slovakia travelling to England for the European Championship qualifier. [75206]

Mr. John Denham: Preparations for the England *v.* Slovakia football match next June will be thorough and include close inter-governmental and police co-operation. Slovakian fans will be forewarned that racist chanting is illegal and will not be tolerated.

Domestic Violence

Lynne Jones: To ask the Secretary of State for the Home Department (1) what progress has been made in investigations by his Department into what evidence other than conviction, injunction or police caution could be taken into account to allow women who are not British citizens facing domestic violence to remain in the UK if their marriage breaks down within the two-year probationary period; [75821]

(2) what the outcome of investigations by his Department is into possible changes in immigration rules affecting women fleeing a violent relationship to ensure foreign spouses fleeing domestic violence are not excluded from crisis accommodation and have access to all support services; [75822]

(3) what the outcome of discussions between his Department and the Department for Work and Pensions is as to whether DWP regulations regarding access to public funds might be relaxed in order that foreign spouses fleeing domestic violence may benefit. [75823]

Beverley Hughes: We have recently undertaken a review of the operation of the domestic violence concession. Consideration is being given to whether the terms of the concession should be extended to include the acceptance of other forms of evidence that domestic violence took place. An announcement will be made as soon as possible.

The Home Office, the Department for Work and Pensions and the Cabinet Office are currently exploring possible options to address the issue of support for victims of domestic violence who are subject to immigration control.

Illegal Entrants

Mr. Malins: To ask the Secretary of State for the Home Department what progress is being made towards placing at French ports *(a)* British Immigration officials and *(b)* machinery capable of detecting illegal entrants in vehicles; and if he will make a statement. [75436]

Beverley Hughes: The establishment of juxtaposed immigration controls, whereby French and UK immigration officers will carry out entry controls on behalf of their respective countries in the UK and France prior to the commencement of inward journeys was agreed by my right hon. Friend the Home Secretary and his French counterpart, Nicolas Sarkozy, when they met on 12 July 2002.

UK Immigration Service/Police aux Frontiers Joint Operations in Calais were implemented on 20 August following the signing of an Anglo-French Protocol on 7 August. This is a first phase which will eventually lead to full juxtaposed controls and involves UKIS officers working alongside officers of the Police aux Frontiers (PAF) conducting checks for forged and counterfeit documents.

The government are also determined to reduce the flow of clandestine entry to the United Kingdom from Continental Channel ports in freight vehicles and, as a first step in a project, are procuring new detection technology equipment for the use of port/ferry operators in Calais to supplement the vehicle checks already conducted there. This is the first of a number of initiatives, which will provide a significant deterrent to clandestine entry to the UK and to strengthen our controls at the Channel ports. A Heartbeat Detector has been operational in Calais since 26 September this year and will be supplemented by up to two further units. Two Passive Millimetric Wave Imagers are currently deployed in the port on a trial basis and will be replaced by permanent units in due course.

It is recognised, however, that these positive measures in Calais may result in some displacement of clandestine traffic to other Continental ports. Funding has therefore been made available for the procurement of additional equipment for deployment in those ports and considerable progress has already been made.

In taking the project forward, Immigration Service officials have visited a number of ports to assess the risk of displacement, current security measures and the extent of their equipment needs. In all cases, port and other officials have welcomed the initiative and have voiced their willingness to participate. Dunkirk and Cherbourg are amongst those ports already visited and further visits are planned to St. Malo, Caen, Dieppe, Le Havre and Roscoff.

Asylum Applications

Mr. Malins: To ask the Secretary of State for the Home Department what steps he is taking to improve *(a)* the quality and *(b)* the speed of initial decisions in asylum applications. [75418]

Beverley Hughes: Action to maintain and improve the quality of initial decisions on asylum applications is a continuous process. Recent initiatives include extra training on human rights and seminars by the Medical Foundation for the Care of Victims of Torture to better equip caseworkers to interview asylum applicants. Guidance to caseworkers and training needs are informed by, and updated in the light of, random sampling of initial decisions, emerging case law, policy changes, and feedback from internal and external stakeholders.

The Immigration and Nationality Directorate (IND) achieved the 2001–02 target of deciding 60 per cent. of new substantive asylum applications within two months. Provisional, internal data indicate that IND is on track to meet this year's target of 65 per cent. and well placed to achieve next year's target of 75 per cent. within two months. The Nationality, Immigration and Asylum Bill contains a number of provisions to support faster asylum processes, particularly for clearly unfounded claims.

National Asylum Support Service

Mr. Malins: To ask the Secretary of State for the Home Department how much it cost to run the National Asylum Support Service in the last 12 months. [75434]

Beverley Hughes: This information is not currently available. Information on the Immigration and Nationality Directorate (IND) expenditure can be found in the IND Annual report.

The latest figures, for 2001–02, will be published in the near future.

Asylum and Immigration Policies

Mr. Malins: To ask the Secretary of State for the Home Department if he will make a statement on his part in progress on common asylum and immigration policies in the EU. [75408]

Beverley Hughes: The Government, working with successive Presidencies and the Commission, has been instrumental in driving forward the European Union (EU) agenda on Immigration and Asylum. We have taken a key role in speeding agreement to a common package jointly to handle Asylum issues. We have taken action, with our partners, to enhance border protection and tackle transit routes. We have drawn attention to the scope for enhanced co-operation on returns and readmissions. We have been instrumental in focussing on the need for enhanced co-operation with source and transit countries. Effective, targetted and intelligence-led joint operations to tackle the traffickers is also a keynote of the Government's approach that has been taken up across the EU.

The joint Anglo-Spanish initiative at Seville resulted in a substantial impetus being given to the progress on migration and asylum at EU level, including action to strengthen the EU borders, tackle illegal immigration and target dates for reaching agreement on the remaining elements of the asylum package.

Crime (Hertfordshire)

Mr. Clappison: To ask the Secretary of State for the Home Department if he will give a breakdown of the statistics for recorded crime in Hertfordshire by type of offence *(a)* on 1 May 1997, *(b)* on 1 June 2001 and *(c)* according to the most recent statistics which are available [75398]

Mr. Denham: The Home Office does not collect recorded crime figures on a daily basis.

It should be noted that there was a change in counting rules for recorded crime on 1 April 1998, and a change in Hertfordshire Constabulary's boundary on 1 April 2000, both of which will have increased the number of offences recorded by the force. Recorded crime figures for the force from before and after these dates will therefore not be directly comparable. The figures for the financial year ending March 1998, and the year ending March 2002, which is the latest available, are given in the table.

Recorded Crime: Number of Offences Recorded for Hertfordshire

Offence Group	*12 months to March 1998*[1]	*12 months to March 2002*[2]
Violence against the person	2,406	4,713
Sexual offences	307	381
Robbery	282	683
Total violent crime	*2,995*	*5,777*
Burglary	9,313	10,682
Theft and handling stolen goods	25,456	30,213
Theft of and from a vehicle[3]	*15,188*	*14,367*
Fraud and Forgery	1,418	3,475
Criminal damage	9,811	15,323
Drug and other offences[4]	433	1,967
Total	49,426	67,437

Notes:
[1] The number of crimes recorded in the old police force area in that financial year using the counting rules in use until 31 March 199
[2] The number of crimes recorded in the new police force area in that financial year using the revised counting rules which came into effect on 1 April 1998.
[3] Theft of and from vehicles are included in the Theft and Handling stolen goods offence group.
[4] Prior to April 1998, Trafficking in controlled drugs were the only recorded drug offence. As from April 1998, both Possesion of controlled drugs and Other drug offences became notifiable.

Eurostar

Mr. Malins: To ask the Secretary of State for the Home Department whether it is the practice of his officials to search the luggage of all passengers boarding Eurostar at Waterloo Station; and if he will make a statement. [75404]

Beverley Hughes: It is not the practise of Immigration officials at Waterloo International station to search the luggage of passengers boarding the Eurostar services to France and Belgium. Examination of baggage of departing passengers is a matter for the managers of port security.

As a matter of routine officials do not operate outward immigration controls at Waterloo International.

Baggage is screened at Waterloo International by security staff employed by Eurostar for this purpose. The levels of screening are set by the Department of Environment, Transport and Local Regions. These levels are renewed regularly. It is the responsibility of Eurostar UK Ltd to comply with security regulations.

Community Groups

Mr. Rosindell: To ask the Secretary of State for the Home Department what funding is being made available to community groups in order to encourage young people to steer clear of crime in north-east London. [75100]

Mr. John Denham: The Government's programme to tackle youth offending includes a number of initiatives to prevent young people being drawn into crime, including by targeting those most at risk.

Key Home Office programmes in North East London that may involve funding for community groups includes Youth Inclusion Programme and Splash, which are running in Haringey, Islington, Hackney and Camden, and the Safer Communities Initiative and Communities Against Drugs programmes, which include youth work, youth diversionary schemes and work with families, in Havering, Barking, Newham, Tower Hamlets, Hackney, Redbridge, Waltham Forest, Haringey and Enfield.

The Children's Fund will, by 2004, be providing funding in all London boroughs to address the gap in preventative services for children and young people, aged between five and 13, at risk of social exclusion. And the Children and Young People's Unit Local Network Fund is providing funding for community groups in Barking and Dagenham, Havering and Redbridge to help tackle poverty and disadvantage amongst children and young people up to 19 years.

Chinese Embassy

Mr. Rosindell: To ask the Secretary of State for the Home Department (1) what the cost is to public funds of the 24-hour police guard outside the Chinese Embassy in London; [75095]

(2) if he will list the reasons for providing a 24-hour police guard outside the Chinese Embassy, in London; and what the costs to public funds are estimated to be. [75096]

Mr. John Denham: It is not our policy to comment on the reason for, nor the extent of, protection arrangements. It is standard practice not to disclose the costs of such protection, in order to avoid the risk that the scale of that protection could be deduced by those who might seek to use such information for unlawful purposes.

Prison Staff

Bob Spink: To ask the Secretary of State for the Home Department what the ratio of staff to prisoners was in each English prison on 1 January *(a)* 2000, *(b)* 2001 and *(c)* 2002. [74924]

Mr. Hilary Benn: The ratio of operational staff to prisoners in each Prison Service establishment in England on 1 January 2000, 2001 and 2002 is given in the table. Staffing levels do vary between different types of establishment. Private prisons are not required to submit staffing data and are excluded from this table.

Prison name	*2000*	*2001*	*2002*
Acklington	0.3	0.3	0.3
Albany	0.4	0.4	0.3
Ashwell	0.3	0.3	0.2
Askham Grange	0.3	0.3	0.3
Aylesbury	0.6	0.5	0.5
Bedford	0.4	0.4	0.3
Belmarsh	0.8	0.7	0.6
Birmingham	0.3	0.4	0.4
Blakenhurst*			0.2
Blantyre House	0.3	0.3	0.3
Blundeston	0.4	0.4	0.4
Brinsford	0.4	0.5	0.5
Bristol	0.6	0.6	0.5
Brixton	0.4	0.4	0.4
Brockhill	0.6	0.6	0.6
Buckley Hall*		0.3	0.8
Bullingdon	0.3	0.3	0.3
Bullwood Hall	0.7	0.5	0.5
Camp Hill	0.4	0.3	0.3
Canterbury	0.5	0.5	0.4
Castington	0.7	1.0	0.9

Prison name	2000	2001	2002
Channings Wood	0.3	0.3	0.3
Chelmsford	0.6	0.5	0.4
Coldingley	0.3	0.3	0.3
Cookham Wood	0.4	0.4	0.4
Dartmoor	0.4	0.4	0.4
Deerbolt	0.4	0.4	0.3
Dorchester	0.4	0.5	0.4
Dover	0.4	0.4	0.6
Downview	0.4	0.4	0.6
Drake Hall	0.5	0.6	0.3
Durham	0.5	0.6	0.6
East Sutton Park	0.4	0.3	0.3
Eastwood Park	0.4	0.4	0.4
Elmley	0.3	0.3	0.3
Erlestoke	0.3	0.3	0.3
Everthorpe	0.3	0.3	0.3
Exeter	0.5	0.5	0.4
Featherstone	0.3	0.3	0.2
Feltham	0.5	0.6	0.6
Ford	0.2	0.2	0.2
Foston Hall	0.4	0.6	0.4
Frankland	1.0	0.9	0.8
Full Sutton	0.9	0.9	0.8
Garth	0.4	0.4	0.4
Gartree	0.5	0.5	0.5
Glen Parva	0.3	0.4	0.4
Gloucester	0.5	0.5	0.4
Grendon	0.4	0.4	0.4
Guys Marsh	0.3	0.3	0.3
Haslar	0.3	0.4	0.3
Hatfield	0.5	0.3	0.2
Haverigg	0.4	0.3	0.3
Hewell Grange	0.2	0.2	0.2
High Down	0.5	0.4	0.4
Highpoint	0.3	0.3	0.3
Hindley	0.5	0.5	0.6
Hollesley Bay	0.5	0.6	0.5
Holloway	0.7	0.6	0.5
Holme House	0.4	0.4	0.3
Hull	0.5	0.5	0.4
Huntercombe	0.8	0.5	0.5
Kingston	0.4	0.4	0.4
Kirkham	0.2	0.2	0.2
Kirklevington	0.2	0.2	0.3
Lancaster	0.6	0.6	0.4
Lancaster Farms	0.5	0.4	0.4
Latchmere House	0.2	0.2	0.2
Leeds	0.4	0.4	0.3
Leicester	0.5	0.5	0.4
Lewes	0.5	0.5	0.4
Leyhill	0.2	0.2	0.2
Lincoln	0.5	0.6	0.4
Lindholme	0.4	0.3	0.3
Littlehey	0.3	0.3	0.3
Liverpool	0.4	0.5	0.4
Long Lartin	0.9	0.9	1.0
Low Newton	0.7	0.6	0.4
Maidstone	0.3	0.4	0.5
Manchester	0.5	0.5	0.4
Moorland	0.4	0.4	0.4
Morton Hall**	0.2	5.5	0.4
Mount	0.2	0.2	0.2
New Hall	0.4	0.4	0.4
North Sea Camp	0.2	0.2	0.2
Northallerton	0.4	0.5	0.4
Norwich	0.4	0.4	0.3
Nottingham	0.4	0.4	0.4
Onley	0.4	0.4	0.5
Parkhurst	0.5	0.5	0.4
Pentonville	0.4	0.4	0.3
Portland	0.3	0.4	0.4
Preston	0.5	0.5	0.5
Ranby	0.3	0.3	0.3
Reading	0.6	0.7	0.5
Risley	0.4	0.4	0.4
Rochester	0.5	0.6	2.5
Send	0.4	0.3	0.3
Shepton Mallet	0.4	0.6	0.4
Shrewsbury	0.4	0.4	0.3
Stafford	0.3	0.3	0.3
Standford Hill	0.3	0.3	0.2
Stocken	0.3	0.3	0.3
Stoke Heath	0.4	0.5	0.5
Styal	0.4	0.4	0.4
Sudbury	0.1	0.1	0.1
Swaleside	0.4	0.3	0.3
Swinfen Hall	0.4	0.5	0.4
Thorn Cross	0.7	0.6	0.6
Verne	0.3	0.2	0.2
Wakefield	0.7	0.7	0.7
Wandsworth	0.3	0.3	0.3
Wayland	0.3	0.2	0.2
Wealstun	0.3	0.3	0.2
Weare	0.3	0.4	0.3
Wellingborough	0.3	0.3	0.3
Werrington	0.9	0.8	0.7
Wetherby	0.6	0.5	0.5
Whatton	0.3	0.3	0.3
Whitemoor	1.2	1.1	1.2
Winchester	0.4	0.4	0.4
Woodhill	0.6	0.7	0.6
Wormwood Scrubs	0.6	0.4	0.3
Wymott	0.3	0.3	0.3

* Buckley Hall and Blakenhurst returned to the public sector in 2000 and 2001 respectively.

** Morton Hall re-roled to hold female prisoners in January 2001. This reduced the population and generated a short term rise in the operational staff to prisoner ratio.

Prisons (Violence)

Bob Spink: To ask the Secretary of State for the Home Department what steps he is taking to reduce violence by prisoners against prisoners. [74928]

Mr. Hilary Benn: The Prison Service is committed to reducing all forms of violence in prison whether affecting prisoners or staff.

Existing steps include; a policy for addressing bullying with anti-bullying co-ordinator roles in establishments; an offender assessment system developed jointly by the National Probation and Prison Services; the recently introduced cell sharing risk assessment tool which we hope will minimise the risk of violence when allocating prisoners to cell accommodation; and a number of accredited offending behaviour programmes, including cognitive skills programmes, which have been shown to affect institutional behaviour.

Future steps will include a violence reduction policy in the very early stages of development, which will bring together existing approaches and seek to develop a safer environment for prisoners and staff.

CIO

Keith Vaz: To ask the Secretary of State for the Home Department how many times in 2002 he has overturned the decision of a CIO to remove a person from the UK. [75648]

Beverley Hughes: Statistics on the number of cases where the Home Secretary has overturned the decision of a chief immigration officer are not collated.

IND

Keith Vaz: To ask the Secretary of State for the Home Department to whom hon. Members should write in IND on immigration matters. [75659]

Beverley Hughes: hon. Members should write to the following addresses:

Entry Clearance Cases (Refusal of visa of entry clearance overseas)

UK Visas
Visa Correspondence Unit
London
SW1A 2AH

Work Permit Cases

Customer Relations
WP (UK)
Immigration and Nationality Directorate
Home Office
Level 5, Moorfoot
Sheffield
S1 4PQ

Nationality Cases

The Junior Nominated Officer
Immigration and Nationality Directorate
INPD
Room 311
India Building
Water Street
Liverpool
L2 0QN

National Asylum Support Service

MP's Correspondence Section
National Asylum Support Service
3rd Floor, Voyager House
30 Wellesley Road
Croydon
CR0 2AD

Timing of Appeals

The Clerk to the Adjudicator
Immigration Appellate Authority
Taylor House
88 Rosebery Avenue
London
EC1R 4QU

Refusal of entry at UK Port

The Chief Immigration Officer at the relevant Port should be the first point of contact. Ministers will only become involved if the Member has new and compelling information such as the death or illness of a close friend or family member.

General casework, asylum and cases pending appeal

Member of Parliament Correspondence Section (MPCS)
Immigration and Nationality Directorate
Head of MPCS
Lunar House
40 Wellesley Road
Croydon
CR9 2BY

Appeal rights exhausted and subject to removal or a deportation order

Asylum Removal Delivery Group Secretariat
2nd Floor, Green Park House
29 Wellesley Road
Croydon
CRO 2AJ

If Removal Directions are already in place or removal imminent

Members who think they have new and compelling information that would affect imminent removal should contact either the Chief Immigration Officer at the Enforcement Unit or Port, (A list is contained in the booklet).

Further details, including Enforcement office contact details, are contained in the IND booklet "Information for Members of Parliament about immigration and nationality enquiries", a copy of which was sent to all hon. Members on 18 July 2002. Further copies are available on request from either the Minister's Private Office or:

IND Secretariat
12th floor
Apollo House
Croydon.

Racial Equality Services

Mr. Weir: To ask the Secretary of State for the Home Department how the use of funding allocated to racial equality services by the Commission for Racial Equality in Scotland is monitored for effectiveness. [74977]

Beverley Hughes: The production of work programmes, work programme reviews and Core Standards assessments is the key tool in determining the effectiveness of the service being delivered by the Scottish Racial Equality Services (RECs).

During the course of the year the Scottish RECs submit reviews on a six monthly basis to the Scotland Committee of the Commission for Racial Equality (CRE) to identify progress against their work plans and end of year targets.

Mr. Weir: To ask the Secretary of State for the Home Department if he will provide a breakdown of how the money allocated to racial equality services by the Commission for Racial Equality in Scotland has been spent in each of the last five years. [74976]

Beverley Hughes: The Work Programmes submitted by Racial Equality Councils (RECs) focus on four programme areas—race specific casework, policy development, public education and awareness, and community development—and the activity within each area is tailored to local circumstances as determined by the RECs and their management boards.

A breakdown of expenditure by programme area is not available.

The Commission for Racial Equality's funding for RECs is currently in the form of grant aid to meet the salary costs of Race Equality Officers and/or Directors of RECs and is not programme specific.

Mr. Weir: To ask the Secretary of State for the Home Department what mechanisms have been put in place by the Commission for Racial Equality in Scotland to

ensure that all CRE funded providers of racial equality services have achieved the quality standards that are required of local racial equality councils. [74975]

Beverley Hughes: In 1999, The Commission for Racial Equality (CRE) introduced Core Standards, a quality assurance framework for all funded Racial Equality Councils (RECs). To help RECs achieve the quality standard, extensive guidance and self-assessment policies were produced, and a corporate training programme developed for the RECs.

A CRE/REC Joint Consultative Forum was established to provide a mechanism for CRE officers and representatives of RECs from across Britain to meet regularly and share ideas and views on the development and implementation of the Core Standards programme.

In addition, seminars are held to enable RECs to review progress, focus on the implementation of the standards and explore ways to meet their organisational development needs.

Criminal Records Bureau

Mr. Andrew Turner: To ask the Secretary of State for the Home Department how many applications were received in each month since January for clearance by the Criminal Records Bureau in respect of *(a)* nursery and school staff (employed), *(b)* nursery and school staff (voluntary), *(c)* youth service staff, *(d)* social services staff, *(e)* other voluntary workers and *(f)* other employed staff. [76185]

Mr. Hilary Benn *[holding answer 21 October 2002]:* The information sought by the hon. Member for the Isle of Wight is not available in the format requested. There are no Information Technology Procedures at present to extract this data from the Customer Relationship Management database. It is expected that this functionality will become available in subsequent system releases.

The attached table shows monthly details of the total number of Disclosure applications received since the Criminal Records Bureau launched its disclosure service on 11 March 2002.

	Disclosures Applications Received
March	2,765
April	39,713
May	87,865
June	90,204
July	159,393
August	144,030
September	204,868
October	130,773

Mr. Andrew Turner: To ask the Secretary of State for the Home Department how many applications for clearance by the Criminal Records Bureau were received in each month since January; and in which month they were provided. [76184]

Mr. Hilary Benn *[holding answer 21 October 2002]:* The Criminal Records Bureau (CRB) launched its Disclosure service on 11 March 2002. Applicants obtain Disclosure information from the CRB by completing a blank application form or making an application by telephone. Figures representing the total number of Disclosures received and issued per month are provided below. There are no Information Technology Procedures at present to break down this data further to show in which month the Disclosures were provided to applicants. It is expected that this functionality will become available in subsequent system releases.

	Disclosures Issued	*Disclosure Applications Received*	*Disclosure Applications Returned to Applicant or Registered Body Applications because of errors*
Mar	21	2,765	
Apr	2,798	39,713	
May	19,446	87,865	6,980
Jun	34,900	90,204	1,921
Jul	89,086	159,393	23,047
Aug	110,411	144,030	19,034
Sep	132,735	204,868	19,601
Oct	92,974	130,773	5,571

Correspondence

David Winnick: To ask the Secretary of State for the Home Department when the hon. Member for Walsall, North will receive a reply to his letter of 29 July regarding a constituent, reference 15775/2; and if he will make a statement on the reasons for the delay in replying. [74914]

Beverley Hughes *[holding answer 21 October 2002]:* I apologise for the delay in responding to my hon. Friend's letter of 29 July about Mr. Singh. I wrote on 23 October 2002.

Police Numbers (Somerset)

Mr. Laws: To ask the Secretary of State for the Home Department how many police officers there are in *(a)* West Somerset and *(b)* South Somerset (i) in absolute terms, (ii) per head of population and (iii) per notifiable offence; and if he will make a statement. [75842]

Mr. John Denham *[holding answer 22 October 2002]:* Police strength information at force level is collected twice a year in March and September. Information for individual divisions/basic command units is not collected centrally.

As at 31 March 2002 Avon and Somerset Constabulary employed 3,096 police officers (full time equivalents). This is a record level. The force had 204.8 officers per 100,000 population. There were 178,991 recorded crimes in Avon and Somerset in 2001–2002, 57.8 crimes per officer.

DEFENCE

PFI

Mr. Hancock: To ask the Secretary of State for Defence what project and equipment procurement are being considered for a private finance initiative scheme; if he will list the projected *(a)* start date, *(b)* value and *(c)* life of the contract; and if he will make a statement. [76495]

Mr. Ingram: The Ministry of Defence has a forward programme of more than 40 PFI projects. Of these some 19 have progressed to various stages in the procurement process as shown below. Further information on the status of individual projects is available on the Ministry of Defence's PFI Website at http://www.mod.uk/business/pfi/index.htm. The start date, value and length of some projects has not yet been determined or is commercially sensitive and is not therefore on the website at present. Further information will be added as decisions are taken.

Projects Advertised:

Inner London Barracks Rationalisation

Interim Storage of Laid Up Submarines (ISOLUS)

Pan Defence HF Communications

Invitation to Submit Outline Proposals:

Accommodation Services on Cyprus

Invitation to Negotiate Issued:

"C" Vehicles (Earthmoving and Specialist Plant, Engineer Construction Plant and Materials Handling Equipment)

Armoured Vehicle Training Service (AVTS)

Combined Aerial Target Services (CATS)

Defence Sixth Form College

Devonport Support Services (project ARMADA)

Flight Simulation and Synthetic Trainers (FIASTS)

Future Strategic Tanker Aircraft (FSTA)

MOD-Wide Water and Wastewater (Project Aquatrine) (Packages A, B and C)

Northwood Headquarters

Refurbishment of Salisbury Plain and Aldershot Garrisons (Project Allenby/Connaught)

Records Storage and Management—Hayes

Royal School of Military Engineers (RSME)

Tri-Service Airfield Support Services (ASSP)

Preferred Bidder:

Colchester Garrison

Skynet 5

HMS Sheffield

Mr. Gerald Howarth: To ask the Secretary of State for Defence (1) what changes will have been made to the balance sheet value of HMS Sheffield in respect of *(a)* depreciation and *(b)* carrying costs between 1 April and the date on which she is withdrawn from service; [76516]

(2) how the withdrawal from service of HMS Sheffield will be treated for accounting purposes in his Department's Consolidated Resource Accounts for 2002–03; [76515]

(3) what the balance sheet value attributed to HMS Sheffield was in his Department's Consolidated Resource Accounts as at *(a)* 31 March 2001 and *(b)* 31 March 2002; [76517]

(4) if he will quantify the financial savings arising from the withdrawal of HMS Sheffield from service six years earlier than previously anticipated, broken down by category; [76519]

(5) what proceeds of sale of HMS Sheffield will be retained within the defence budget as an appropriation in aid; [76518]

(6) what alternative arrangements are being made for the performance of those duties which HMS Sheffield would have performed during the next six years if she had remained in service; and what is the forecast cost of these alternative arrangements. [76520]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Mr. Gerald Howarth: To ask the Secretary of State for Defence what impact the withdrawal from service of HMS Sheffield will have upon the variety of spare and replacement parts carried by the Defence Logistics Organisation. [76521]

Mr. Ingram: The withdrawal of HMS SHEFFIELD will have minimal short-term impact on the variety of spare and replacement parts carried by the Defence Logistics Organisation. However spares provisioning in the longer term will reflect the reduced demand in moving from five to four Type 22s.

Scorpion

Mr. Jenkin: To ask the Secretary of State for Defence when the Scorpion family of armoured vehicles will be retired from service. [76366]

Mr. Ingram: The Scorpion vehicle, which was a member of the Combat Vehicle Reconnaissance (Tracked) (CVR(T)) family of vehicles, is no longer in service with the United Kingdom Armed Forces. On current plans, the remainder of the CVR(T) fleet, which comprises a number of variants, will be withdrawn from service over the period 2005 to 2015.

Atlantic Patrol Ship (South)

Mr. Jenkin: To ask the Secretary of State for Defence on what occasions in the past two years the Atlantic Patrol Ship (South) has been on station in the Caribbean. [76354]

Mr. Ingram: The APT(South) ship operates primarily in the South Atlantic region whilst also retaining a commitment, together with APT(N), to provide a presence off the West African littoral.

During her deployment between 15 March 2002–23 August 2002, HMS NEWCASTLE undertook a period as APT(S) duty ship before assuming duty as APT(N) although these were two separate and distinct aspects of her deployment under different Operational Control arrangements.

Atlantic Patrol Task (North)

Mr. Jenkin: To ask the Secretary of State for Defence which Royal Navy warships have been on station in the Caribbean region as part of the Atlantic Patrol Task (North) in each of the past two years; and for how long each vessel was in the area. [76342]

Mr. Ingram: The Royal Navy warships that have been on station in the Caribbean region as part of the Atlantic Patrol Task (North) in each of the past two years, and how long each vessel was in the Caribbean Area of Responsibility (AOR) is as follows:

Ship	*Inside Caribbean AOR*
HMS Cardiff	21 June 2000–20 November 2000
HMS Sheffield	18 February 2001–25 July 2001
HMS Coventry	23 July 2001–16 November 2001
HMS Sutherland	22 February 2002–02 April 2002
HMS Newcastle	13 July 2002–11 August 2002
HMS Grafton	08 August 2002–03 December 2002

When not on station, the ship allocated to APT(N) was held at a maximum 14 days notice. Throughout the period in question, the duty RFA APT(N) tanker has remained on station providing a permanent presence in the Caribbean Area of Responsibility. Whilst not APT(N), HMS RICHMOND was deployed to the United States Eastern Seaboard between 09 April 2002–01 July 2002 and was available throughout this period for contingency tasking in the Caribbean AOR had the need arisen.

NATO Rapid Reaction Force

Mr. Jenkin: To ask the Secretary of State for Defence if he will make a statement on the planned NATO rapid reaction force; what missions it is envisaged this force will undertake; and whether any of its missions are the same as those to be undertaken by EU military forces deployed under the auspices of the European Security and Defence Policy. [76370]

Geoffrey Hoon: At the NATO Informal Ministerial Meeting in Warsaw in September 2002, the United States Defense Secretary proposed a NATO Response Force (NRF) to provide a rapidly deployable capability within the existing developments in the NATO Command and Force Structures. The United Kingdom strongly supports the NRF concept as a means of optimising the utility of the NATO Force Structure across the range of missions. It will also help to focus efforts to improve capabilities, and will therefore be coherent with and complementary to the European Security and Defence Policy. The NRF concept is currently being discussed within the Alliance, with the guiding principles expected to be put before Heads of State and Government at the November 2002 NATO Summit in Prague for their agreement.

Troops from Neutral Nations

Mr. Jenkin: To ask the Secretary of State for Defence if he will make a statement on the development of troops from neutral nations under the European Security and Defence Policy; and what restrictions govern the deployment of these troops. [76372]

Geoffrey Hoon: Any decision to contribute forces to an EU-led operation is a matter for individual member states. At the time of a decision to launch an operation, it will be for the neutral nations, as for others, to consider what forces they can make available and for what purpose.

Clansman Radio Systems

Mr. Jenkin: To ask the Secretary of State for Defence how many Clansman radio systems have been in operational service in each of the past five years. [76350]

Mr. Ingram: Clansman is a single system of seven radio variants. In total the system comprises almost 50,000 radios. Clansman user availability has, over the past five years, remained within agreed operational availability parameters.

Mr. Jenkin: To ask the Secretary of State for Defence if spare parts are being manufactured for Clansman radios; and if Clansman radio systems are cannibalised for spare parts. [76349]

Mr. Ingram: There are support contracts in place to provide the required range of spares, to ensure continued support to Clansman equipment. Where appropriate, Clansman equipment is cannibalised for spare parts.

ESDP

Mr. Jenkin: To ask the Secretary of State for Defence if he anticipates that the ESDP will be fully operational by 2003; and when he expects European Union military forces will be able to deploy under its auspices. [76371]

Geoffrey Hoon: The European Council has agreed that the EU is capable of undertaking some crisis management operations, and that it will be in a position to take on progressively more demanding operations, as the assets and capabilities at its disposal continue to develop. Further offers of capability from nations will be necessary during 2003 if we are to meet the Headline Goal agreed at Helsinki in 1999. Any decision to undertake and contribute to an operation will be made by national governments and will depend on the circumstances at the time.

Phoenix Systems

Mr. Jenkin: To ask the Secretary of State for Defence how many Phoenix systems are operational. [76362]

Mr. Ingram: As at 21 October 2002, of the six Phoenix systems (each of which comprises nine air vehicles) two are available for operational deployment at high readiness (five days notice to move) and the other four at a lower readiness (of between 30 and 60 days notice to move).

Challenger II

Mr. Jenkin: To ask the Secretary of State for Defence how many REME personnel have been qualified to work on Challenger II in each year since the tank has been in service. [76351]

Mr. Ingram: Challenger 2 is a very complex vehicle with many different component parts ranging from the engine to the electronic gunnery systems, necessitating a wide range of personnel from different trades and specialisations to work on them.

Depending on the type of repair required, the damaged part can be fixed in the field, in a workshop or returned to the manufacturer. In many cases the part is replaced and the damaged part returned for repair. All Challenger 2 crewmen are able to replace parts as necessary provided the part is carried on board. Crewmen are not REME personnel.

Vehicle Mechanics are those REME personnel trained to work on many of the Army's vehicles, including Challenger 2, both in the field and in workshops. The following table gives the numbers of Vehicle Mechanics who became qualified to work on Challenger 2 in each year since 1997–1998.

1997–1998	*1998–1999*	*1999–2000*	*2000–2001*	*2001–2002*	*2002–2003**	*Total*
24	43	122	153	177	126	*645*

Note:
* to end September 2002.

Defence Intelligence Staff

Mr. Jenkin: To ask the Secretary of State for Defence what the service breakdown of the Defence Intelligence Staff is; and from which service the Chief of Defence Intelligence is drawn. [76348]

Mr. Ingram: There were 3,933 permanent staff employed by the Defence Intelligence Staff on 30 September 2002. This figure excludes contractors and reservists.

This is broken down as follows:

Royal Navy	354
Army	1,043
RAF	980
Civilian	1,556

The Chief of Defence Intelligence (CDI) can be drawn from any of the Services; the current CDI is an Air Marshal of the Royal Air Force.

Apache Helicopters

Mr. Jenkin: To ask the Secretary of State for Defence when 16 Air Assault Brigade will become operational with its Apache helicopters. [76361]

Mr. Ingram: I refer the hon. Member to the answer I gave on 25 October 2002 (*Official Report*, column 322W) to the hon. Member for New Forest (Mr. Swayne).

SSBNs

Mr. Jenkin: To ask the Secretary of State for Defence how many SSBNs are operational; and what refit, maintenance and lay up periods he expects each vessel to have in the next two years. [76358]

Mr. Ingram: Three SSBNs are currently operational. On current plans, no SSBNs will be laid up over the next two years. The refit and maintenance planned to be undertaken at varying times during the next two years is as follows:

October 2002 to October 2004

Maintenance	*Refit*
Vigilant	Vanguard
Vengence	Victorious
Victorious	

Ammunition and Explosives

Mr. Liddell-Grainger: To ask the Secretary of State for Defence how much ammunition and explosives was reconditioned in the UK in the last two years. [76136]

Mr. Ingram: The Ministry of Defence does not normally recondition ammunition and explosives. Defence Munitions depots have undertaken routine maintenance on 14700 gross tonnes of conventional munitions in the United Kingdom during the last two years, this is part of normal stockpile management.

Running Risks

Mr. Robathan: To ask the Secretary of State for Defence what form of risk assessment is required before taking a squad of soldiers for a run. [76324]

Mr. Ingram: For all military training a formal risk assessment is required to be carried out in accordance with the guidelines set out in the Ministry of Defence Health and Safety Handbook, and appropriate single Service guidance.

Chemical Warfare

Llew Smith: To ask the Secretary of State for Defence what inoculations against biological weapons and prophylactic measures against exposure to chemical weapon agents have been implemented in respect of United Kingdom armed forces and military auxilaries this year. [75873]

Dr. Moonie: Medical countermeasures form one part of the package of capabilities which protects our troops and enables them to respond effectively to biological threats. This package includes warning systems, detection capabilities, protective clothing and equipment, decontamination procedures and training.

The immunisation currently available to protect United Kingdom Service personnel against exposure to biological warfare agents is a routine programme of voluntary immunisation against anthrax. We have expanded this programme within the last year; I refer the hon. Member to the answer which my right hon. Friend the Secretary of State for Defence gave on 13 June 2002 (*Official Report*, columns 1344–1345W) to the hon. Member for High Peak (Mr. Levitt).

Medical countermeasures against chemical warfare agents (such as Nerve Agent Pre-treatment Sets (NAPS) tablets) are issued only when the threat from chemical agents is assessed to be immediate. This has not proven necessary within the last year and so no such measures have been implemented by UK Armed Forces or reserves.

Iraq

David Winnick: To ask the Secretary of State for Defence what measures he takes to ensure that the Iraqi

regime is not able to purchase indirectly British arms from the arms fair in Oman; and if he will make a statement. [76327]

Dr. Moonie *[holding answer 22 October 2002]:* I presume the hon. Member is referring to the recent Special Operations Forces Exhibition in Amman, Jordan.

There is a UN embargo on arms exports to Iraq. The Government takes all appropriate measures to ensure that United Kingdom exporters do not breach the terms of the embargo.

Defence exports from the UK, including goods that are displayed by industry at overseas defence exhibitions, require appropriate export licences. The Government considers applications on a case by case basis and against our Consolidated EU and National Arms Export Licensing Criteria. In doing so, we take into account the risk that exported goods might be diverted to an undesirable end-user.

Baton Rounds (Northern Ireland)

Mr. Russell Brown: To ask the Secretary of State for Defence if he will publish the guidelines of the use of baton rounds by the Armed Forces in Northern Ireland. [76921]

Mr. Ingram: Rules of Engagement are classified and are not therefore usually published for reasons of operational security. However, I have decided in this case, as an exceptional measure aimed at building confidence in Northern Ireland, that an extract from the relevant document should be published in the Library of the House. The extract is drawn from a more general guidance card and includes all the relevant guidance on the Rules of Engagement for the use of Baton Rounds by the Armed Forces in Northern Ireland.

Animal Research

Mr. Miller: To ask the Secretary of State for Defence if he will make a statement on the use of animals in defence research. [76922]

Dr. Moonie: The independent Animal Welfare Advisory Committee (AWAC), chaired by Dr. Robert C Hubrecht, has recently published its sixth Report. The Animal Welfare Advisory Committee was set up in 1996 in response to parliamentary and public concern about the use of animals in defence research. Its purpose is to consult, inspect and make all necessary enquiries into all aspects of animal care and their use in establishments of the Defence Science and Technology Laboratory (Dstl). It has also been agreed between the Ministry of Defence (MOD) and QinetiQ that the work at Alverstoke should remain within the Committee's remit.

All work with animals undergoes an ethical review process and has to demonstrate that as much as possible has been done to replace the procedures with alternatives not using live animals; to reduce the numbers of animals used in particular studies; and to refine the procedures to minimise pain, suffering, distress or lasting harm prior to the issues of licences to undertake work.

Formal licensing arrangements with the Home Office (in strict accordance with the Animals (Scientific Procedures Act 1986) seek to ensure that any experiments are fully justified and as humane as possible.

The Committee's report gives assurances that animals used in defence research programmes in the United Kingdom are regulated under the Animals (Scientific Procedures) Act 1986, and that no special exemptions apply to MOD. The Committee's findings, acting as the eyes and ears of the public on matters relating to animal experimentation carried out by the MOD, are published in order to inform Parliament and the public of MOD practices.

The research programme involving animals is concerned wholly with providing the United Kingdom's Armed Forces with safe and effective protection against hazards they may encounter while carrying out their duties. However, the MOD continues to place emphasis on seeking alternatives to animal use. The MOD welcomes the scrutiny by AWAC in this area and will continue to support AWAC's review into the care and welfare arrangements for animals used in defence research.

TREASURY

VAT

Matthew Taylor: To ask the Chancellor of the Exchequer when he will publish the Customs and Excise survey of compliance cost for VAT registered businesses; and if he will make a statement. [74776]

John Healey: The Government are committed to reducing compliance costs for business. Ministers are considering the results of the research in this context.

Private Medical Insurance

Tim Loughton: To ask the Chancellor of the Exchequer what assessment has been made by his Department of the number of people in the UK covered by *(a)* company medical insurance schemes and *(b)* personal medical insurance cover. [75694]

Ruth Kelly *[holding answer 21 October 2002]:* As part of his Review of the long-term trends affecting the health service, Derek Wanless commissioned the European Observatory of Health Care Systems to produce a report *Health Care Systems in Eight Countries: Trends and Challenges*, which can be found on the Treasury website at: http://www.hm-treasury.gov.uk/mediastore/otherfiles/observatory—report.pdf

The UK chapter contains information on the level of take up of private medical insurance purchased by employers and by individuals.

EU Budget

Mr. Spring: To ask the Chancellor of the Exchequer what estimate he has made of the contribution of an

average UK family to the EU budget in *(a)* 2001 and *(b)* 2002; and what estimate he has made of the contribution of an average UK family to the EU budget in (i) 2003 and (ii) 2004. [75730]

Ruth Kelly: No such estimates have been made. The Government's latest estimate of the UK net contribution in 2001–02 is £1,488 million. The Government's latest forecast of the trended UK net contribution to the EC Budget for the financial years 2002–03 to 2004–05 are £3 billion, £3.2 billion, and £3.6 billion respectively.

Mr. Spring: To ask the Chancellor of the Exchequer if he will list the *(a)* contributions and *(b)* receipts between each European Union member state and the European Community for (i) 2001 and (ii) 2002; and if he will give his estimates for the figures for the contributions and receipts for *(A)* 2003 and *(B)* 2004. [75845]

Ruth Kelly: Details of Member States' gross contributions to, after taking account of the UK abatement, and receipts from, the EC Budget in 2001, recently published in the European Commission's report on the allocation of 2001 operating expenditure, are set out in the following table. Estimates of Member States' gross contributions, after taking account of the UK abatement, to the 2002 EC Budget, detailed in Table 7 of Supplementary and Amending Budget 3/2002, are also included in the table. Details of Member States' receipts in 2002 are not available. The Government does not forecast the contributions and receipts of other Member States. The Government's latest forecasts of the trended UK net contribution to the EC Budget for the financial years 2002–03 to 2004–05 are £3 billion, £3.2 billion, and £3.6 billion respectively.

Gross Contributions by Member State 2001 (€million)

Belgium	*Denmark*	*Germany*	*Greece*	*Spain*	*France*	*Ireland*	*Italy*	*Luxembourg*	*Netherlands*	*Austria*	*Portugal*	*Finland*	*Sweden*	UK
3,531.6	1,777.7	19,727.2	1,350.1	6,591.5	14,471.3	1,211.3	11,612.5	256.5	5,517.0	2,091.0	1,266.0	1,233.2	2,337.7	7,743.4

Receipts Paid to Member States 2001 (€million)

Belgium	*Denmark*	*Germany*	*Greece*	*Spain*	*France*	*Ireland*	*Italy*	*Luxembourg*	*Netherlands*	*Austria*	*Portugal*	*Finland*	*Sweden*	UK
4,049.2	1,348.3	10,346.8	5,741.0	13,648.2	11,751.6	2,319.1	8,693.0	900.1	1,687.5	1,403.3	2,947.2	1,020.1	1,092.9	5,938.0

Source:
European Commission: Allocation of EU Operating Expenditure.

Estimated Gross Contributions by Member State 2002 (€ million)

Belgium	*Denmark*	*Germany*	*Greece*	*Spain*	*France*	*Ireland*	*Italy*	*Luxembourg*	*Netherlands*	*Austria*	*Portugal*	*Finland*	*Sweden*	UK
3,227.7	1,735.0	18,860.1	1,371.5	6,649.8	14,228.0	1,049.0	11,653.5	193.3	4,914.0	1,852.7	1,227.2	1,230.9	2,125.8	10,606.9

Notes:
After account is taken of the UK abatement and the bringing to account of surpluses and deficits in respect of Member States contributions in earlier years.
Difference in the UK's gross contribution between 2001 and 2002 is primarily the result of the very large abatement (€7,342.5 million) received in 2001 compared with the estimate for 2002 (€5,092.2 million). This reflects a large core abatement for 2001 and also signficant adjustments, in the UK's favour, to the abatement in respect of earlier years.
Source:
Supplementary & Amending Budget 3/2002

Mr. Spring: To ask the Chancellor of the Exchequer if he will list the proportion and the sums of this year's EU budget that will be spent on *(a)* the CAP, *(b)* the CFP and *(c)* structural operations; and if he will provide an estimate of these for the next two years. [75731]

Ruth Kelly: The 2002 EC budget includes:

—€44,255 million, or 45% of the total budget, for CAP expenditure;

—€1,093 million, or 1.1%, for fisheries; and

—€33,838 million, or 34%, for structural operations.

The 2003 Preliminary Draft Budget, established by the Commission, includes:

—€45,118 million for CAP, 1.9% more than in the 2002 adopted budget and €2,260 million below the Financial Perspective ceiling for Agriculture;

—€942 million for fisheries, 14% less than in the 2002 adopted budget;

—€33,995 million for Structural operations, 0.5% more than in the 2002 adopted budget.

The Commission will present its Preliminary Draft Budget for 2004 in early 2003. We expect structural operations to be budgeted at the level of the Financial Perspective ceiling of €33,652m. Both the Common Agricultural Policy and the Common Fisheries Policy are currently under review, and future spending levels depend on the results of the review.

Monetary Union

Mr. Laws: To ask the Chancellor of the Exchequer if his Department has completed the study of the experience of the United States as a monetary union, which was referred to in the HM Treasury Paper issued on 6 September, entitled, "The Treasury's Approach to the Preliminary and Technical Work"; and if he will make a statement. [75733]

Ruth Kelly: I refer the hon. Member to the answer I gave him on 22 October [75841]

Royal Mint

Mr. Laws: To ask the Chancellor of the Exchequer if he will make a statement on the investigation by the Serious Fraud Office into the Royal Mint. [75252]

Ruth Kelly: The SFO announced on 26 September 2002 that it is now carrying out an investigation into the Royal Mint in respect of alleged improper payments made between 1996 and 1999.

Mr. Laws: To ask the Chancellor of the Exchequer what plans he has to privatise the Royal Mint. [75253]

Ruth Kelly: The Government must conduct a "Prior Options Review" of the Royal Mint every five years, due to its Executive Agency status. The next review is due in 2003–4.

Coinage

Mr. Laws: To ask the Chancellor of the Exchequer what plans he has to put out to tender the Treasury contract for United Kingdom coinage; and if he will make a statement. [75987]

Ruth Kelly: The Treasury keeps the arrangements for the supply of circulation coins under review. The current arrangements with the Royal Mint have several years to run. They are designed to enable both the Treasury and the Mint to plan for the medium term on a commercial basis, and to ensure a cost-effective supply of coins to meet demand.

UK Economy

Mr. Laws: To ask the Chancellor of the Exchequer what progress has been made towards improving the productivity performance of the UK economy; and if he will make a statement. [75732]

John Healey: Productivity has grown since 1997, even with rapidly falling unemployment. Productivity growth between 1997Q2 and 2002Q1 has averaged 1.3 per cent. p.a. (comparing each quarter with a year earlier). This is in the context of rising employment (increased employment of over 1½ million since Spring 1997), while unemployment as measured either using the International Labour Organisation methodology or via the "claimant count" has been at its lowest since the 1970s over the past year.

The Government's long-term ambition is that Britain will achieve a faster rate of productivity growth than its main competitors, closing the productivity gap. The creation of a sustainable, stable macroeconomic framework since 1997 has provided the foundation for productivity growth in UK firms, and microeconomic reforms are supporting and encouraging further growth. These reforms include:

the Competition Act 1998, which prohibits anti-competitive agreements and abuses of dominant market position;

the Enterprise Bill (introduced to Parliament in March 2002), which will build on the achievements of Competition Act by further strengthening our competition authorities;

Research & Development tax credits—together the small and large company credits provide £500 million new support for business R&D;

the largest sustained growth in spending on science for a decade, with the 2002 Spending Review committing some £1.25 billion additional spending by 2005–06 compared to 2002–03;

a Green Paper setting out a fundamental reform of the land-use planning system to ensure that it does not provide a barrier to economic growth and productivity—the 2002 Spending Review allocated the ODPM substantial additional resources to drive forward the reforms set out in the Green Paper;

a 10 year plan for transport, which sets out plans for public and private investment of more than £180 billion up to 2010, creating a modern transport network across the UK—the 2002 Spending Review continued the investment necessary to deliver the Ten-Year Plan, increasing public expenditure on transport from £7.6 billion in 2002–03 to £11.6 billion in 2005–06;

reduced corporation tax rates—the main rate has been reduced from 33 per cent. to 30 per cent., the lowest ever UK rate; the small company rate has been reduced from 23 per cent. to 19 per cent., and a new starting rate has been introduced, reduced in 2002 to 0 per cent. for profits under £10,000; average corporation tax bills for small companies have been cut by 30 per cent. since 1997;

increased investment to raise standards in education—spending per pupil was £2,700 in 1997, but rose to £3,500 last year; this could rise to £4,900 per pupil by 2005–06, which after inflation, is 50 per cent. more per pupil than in 1997;

ambitious new policies and targets to improve adult literacy and numeracy, and increase lifelong learning; and

reforms to the work permit and immigration systems to ensure that UK employers can recruit staff with the skills they need.

Substantial productivity gaps with our major competitors remain. Nevertheless, recent encouraging evidence includes:

the rating of the UK by the OECD as having the lowest barriers to entrepreneurship of any major economy;

Global Competition Review awarding the UK competition regime four and a half stars this year (compared with three and a half last year); this rating was bettered only by the US Department of Justice and Federal Trade Commission (5 stars);

increased gross expenditure on R&D in the UK of 11.6 per cent. in real terms between 1997 and 2000;

improved educational achievement of young people—the proportion of 16 year olds achieving 5 or more GCSEs at grades A*-C increased by 8 per cent. between 1997–8 and 2001–2 to over 50 per cent.; and

an increase of 61,000 in the number of businesses registered for VAT between 1997 and 2000.

FOREIGN AND COMMONWEALTH AFFAIRS

Gibraltar

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs if Gibraltar's special tax status is held to be a barrier to integration. [75103]

Peter Hain: It has been the policy of successive British Governments not to integrate Overseas Territories into the United Kingdom. This Government's policy, as set out in its 1999 White Paper, is to promote a modern and effective partnership with them.

Mr. Hoyle: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his proposals for shared sovereignty with Spain over Gibraltar. [76260]

Peter Hain: I refer my hon. Friend to the statement my right hon. Friend the Foreign Secretary made to the house on 12 July, *Official Report*, columns 1165 to 1167.

Chemical Weapons

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what attempts have been made by the United Kingdom to encourage the United States administration to agree to intrusive inspections of chemical sites in the US with regard to the International Chemical Weapons Convention. [75826]

Mr. Macshane: The Chemical Weapons Convention (CWC) entered into force in 1997. Industrial inspections did not begin in the United States until 2000, because the necessary national implementing legislation had not

been put in place. The United Kingdom had consistently pressed the United States to put this legislation in place at the earliest opportunity. Since the implementing legislation has been in place, the United States has accepted all inspections of its chemical sites required by the Organisation for the Prevention of Chemical Weapons (OPCW), which is responsible for ensuring the implementation of the Convention.

From entry into force of the CWC and 31 December 2001, the OPCW conducted 1117 inspections. Of these 374 (33 per cent.) were in the United States. In addition, OPCW inspectors are at each of the United States' chemical weapons destruction facilities at all times, conducting round-the-clock monitoring.

Weapons

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what information was produced by UNSCOM to December 1998 that identified United Kingdom origin technology and material discoveries in production plants used for the manufacture of *(a)* chemical weapons or their pre-cursor agents, *(b)* biological weapons and *(c)* nuclear weapons or fissile material manufacture or processing. [75824]

Mr. MacShane: Reports of all of UNSCOM's findings are published on the UNSCOM website (www.un.org/unscom).

During their inspections, UNSCOM and the IAEA Action Team identified items imported directly or via middle-men from a variety of countries, including some of UK origin at sites that they visited.

Ambassadors

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the ambassadors he has appointed since June 2001. [75657]

Mike O'Brien: The following have taken up their positions as Ambassadors or High Commissioners since June 2001:

Graham Hand, Algeria
Christopher Prentice, Jordan
Peter Westmacott, Turkey
Paul Brummell, Turkmenistan
Mike Murray, Eritrea
Tony Cantor, Paraguay
Graeme Loten, Mali
Andrew Caie, Brunei
Christopher Hum, China
Philip Priestley, Belize
Basil Eastwood, Switzerland
Tom Duggin, Colombia
Ric Todd, Slovakia
John White, Barbados
Sir Emyr Jones Parry, Permanent Representative, UKDel NATO, Brussels
John Sawers, Egypt
Bernard Whiteside, Moldova
Stephan Evans, Sri Lanka
Richard Clarke, Tanzania
Hamish Daniel, East Timor
David Maclennan, Qatar
Michael Smith, Tajikistan
David Merry, Botswana
Steve Hiscock, Guyana
Richard Lavers, Guatemala
Brian Donnelly, Zimbabwe
Paul Hare, Cuba
Matthew Kirk, Finland
Kathryn Colvin, The Holy See
Ron Nash, Afghanistan
Adam Wood, Uganda
Keith Bloomfield, Nepal
William Patey, Sudan
Robert Brinkley, Ukraine
Sue Hogwood, Rwanda
Peter Mathers, Jamaica
Bruce Cleghorn, Malaysia
Chris Wilton, Kuwait
Bill Sinton, Bolivia
Norman Ling, Malawi
Dame Glynne Evans, Portugal
John Thompson, Angola
Tim David, Zambia
Paul Dimond, Philippines
Frank Martin, Lesotho
David Reader, Swaziland
Denise Holt, Mexico
John Everard, Uruguay
Stuart Laing, Oman
Edward Clay, Kenya
Lyn Parker, Cyprus
Paul Nessling, Tonga
Mariot Leslie, Norway
Jim Malcolm, Panama
Sir John Holmes, France
Anne Pringle, Czech Republic
Jim Hoare, North Korea
Haydon Warren-Gash, Morocco
Andrew Tesoriere, Latvia
Georgina Butler, Costa Rica
Andy Ashcroft, Dominican Republic
Ian Cliff, Bosnia & Herzegovina
George Edgar, Macedonia
Ian Soutar, Bulgaria
Craig Murray, Uzbekistan
Kay Coombs, Honduras
Sherard Cowper-Coles, Israel
David Landsman, Albania
Robin Kealy, Tunisia
Philip Rouse, Mongolia
Vincent Fean, Malta
Fraser Wilson, Seychelles
Peter Jenkins, Permanent Representative, UK Mission to UN, Vienna
Jeremy Hill, Lithuania
Richard Fell, New Zealand
Alasdair MacDermott, Namibia
Richard Wildash, Cameroon

Military Equipment

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what mechanisms exist to monitor whether end-use commitments entered into by countries importing military equipment and material

from the United Kingdom are kept; and how many instances have come to his attention since May 1997 of military equipment sold to one country that has subsequently been sold on to a third country. [75690]

Mr. Macshane: Our Overseas Posts have standing instructions to report on allegations of misuse of any UK-origin defence equipment to take into account in the licensing process. Detailed guidance is provided to Posts and FCO officials involved in licensing in London to help decide when to carry out end-use checks, and to outline the kinds of questions that these checks should address.

We focus our efforts on assessment of potential end-use at the export licensing stage. Carrying out effective risk assessment on end-users before making the export licensing decision is the surest way to prevent UK arms falling into the wrong hands. We assess all export licence applications on a case by case basis against the Consolidated EU and national arms export licensing criteria in accordance with Criterion 7. In accordance with that criterion we will not issue an export licence where there is an unacceptable risk of diversion to an undesirable end-user.

Proactive monitoring of defence exports is only carried out in those cases of greatest concern. The Government has introduced a number of safeguards in order to minimise the risk of diversion; and those measures are under constant review.

We can not disclose details of possible diversion to undesirable end users, as much of the information is obtained from sensitive sources.

International Terrorism

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what information his Department has collated concerning links between Saddam Hussein's regime and Mansour Thaer; and if he will make a statement. [76021]

Mr. Straw: We have no information linking Mansour Thaer to the Iraqi regime.

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with other departments following the attempted attack on the British High Commission in Jakarta in December 2001 concerning placing Jamaah Islamiyah on the UK list of proscribed terrorist organisations. [76025]

Mr. Straw: As my right hon. Friend the Prime Minister told the House on 15 October (*Official Report* column 177–9), we are urgently considering the proscription of Jemaah Islamiya. Decisions to proscribe are taken by my right hon. Friend the Home Secretary after consideration of all relevant aspects.

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department made of the threat posed by Jamaah Islamiyah *(a)* following the Singapore authorities naming it as responsible for the attempted attack on the British High Commission in Jakarta in December 2001 and *(b)* following the terrorist attack on Bali on 12 October. [76023]

Mr. Straw: As my right hon. Friend the Prime Minister told the House on 15 October (*Official Report*, column 177–9), we identified the South East Asian region as an area with a real threat from groups linked to Al Qaida even before 11 September 2001. One of the most prominent of these is Jemaah Islamiyah, which has a network stretching across a number of countries in the region.

The discovery of the plot to attack targets in Singapore last December confirmed the seriousness of the threat from this group. It is too early to know whom was responsible for the Bali atrocity, but Jemaah Islamiyah must be one of the groups under most suspicion. We are therefore urgently considering proscribing them under the Terrorism Act 2000.

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what information his Department has collated concerning the court procedures against Mansour Thaer in Germany and Italy; what evidence he has collated concerning links between Thaer and terrorist organisations; and if he will make a statement. [76020]

Mr. Straw: Mansour Thaer was arrested on 23 April 2002 in Germany and held on suspicion of being a member of a terrorist group. He was being investigated on suspicion of connections to the Abu-Ali group (linked to 11.9.) and the Meliani Case (the Frankfurt cell linked to the Strasbourg bomb plot). He was released on 6 August. Thaer has also been investigated in Italy for his links with a terrorist cell and for participation in a criminal conspiracy to traffic in arms, explosives, chemical weapons, identity papers, receiving stolen goods and aiding illegal immigration. According to the Italian authorities he is a member of the Salafist Group for Call and Combat (GSPC), an Algerian-based group operating in North Africa and Italy. The UN added GSPC to the list of terrorist groups linked to al Qaeda on 8 October.

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the statement by the Australian Prime Minister on 16 October that Australia's Foreign Affairs Department received United States intelligence reports in September 2002 which mentioned Bali as a place at risk from a terrorist attack; when his Department received these reports; what that information consisted of; what action his Department took in response to this information; and if he will make a statement. [76024]

Mr. Straw: I refer the right hon. Member to my statement to the House on 21 October, *Official Report*, columns 26–27.

Nigeria (Amina Lawal)

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Nigerian Government on the matter of the sentence of death by stoning passed on Ms Amina Lawal in Nigeria this year; and if he will make a statement. [76528]

Mr. Straw: We remain extremely concerned about this sentence.

During her recent visit to Nigeria my noble Friend the Minister for Africa, the Baroness Amos, raised with President Obasanjo HMG's concerns about the harsh sentences imposed under the Sharia penal codes. She emphasised the strength of feeling against them in the UK and reiterated HMG's opposition to the death penalty in all circumstances.

The British High Commission in Abuja, together with EU partners, follows all such cases closely and keeps in close contact with local human rights organisations. The High Commission regularly raises our concerns about the sentences with the appropriate authorities.

The Federal Government has made clear its opposition to the extreme Sharia penalties. It has declared them discriminatory and unconstitutional. Exercise of the Sharia penal code is, however, entirely under the control of the relevant States. The Federal justice system only comes into play if the defendant appeals to the Federal Appeal Courts.

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what information his Department has collated concerning links between Al-Qaeda and Mansour Thaer; and if he will make a statement. [76022]

Mr. Straw: In September the US and Italy proposed adding Mansour Thaer to the UN Consolidated List of persons to which UN sanctions apply. According to the Italians he is a member of the Salafist Group for Call and Combat (GSPC), an Algerian-based group operating in North Africa and Italy. The UN added GSPC to the list of terrorist groups linked to al Qaeda on 8 October.

EC Bird Directive

Mr. Caton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the adoption of the EC Bird Directive by countries joining the European Union. [75963]

Peter Hain: Enlargement of the European Union means that the Bird Directive's reach will be pushed wider, helping to safeguard biodiversity throughout Europe.

The European Union has provisionally agreed only one transition period after accession, which requires Malta to phase out the trapping of seven types of finch before the end of 2008.

UK officials are working hard with the Commission to ensure that all candidates will be in full compliance with EC law as soon as possible.

Ukraine and Moldova

Joyce Quin: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on relations between the UK and *(a)* Ukraine and *(b)* Moldova. [75957]

Mr. Macshane: I refer my right hon. Friend to the statement my hon. Friend the Member for North Warwickshire (Mr. Mike O'Brien) gave on 23 July, *Official Report*, columns 836–837. It has since been reliably reported that President Kuchma authorised the transfer of radar equipment to Iraq. This could have consequences for Ukraine's international relationships, including with the UK. The UK's relations with Moldova are developing. Our first resident Ambassador arrived in Chisnau on 8 July.

European Union

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Irish Foreign Minister concerning the referendum in Ireland on 20 October. [76095]

Peter Hain: My right hon. Friend the Foreign Secretary meets his Irish counterpart regularly in the margins of the EU General Affairs and External Relations Council (GAERC). Discussions have covered the range of EU topics, including the Irish Referendum on the Treaty of Nice on 19 October. The GAERC on 21 October discussed briefly the "Yes" result, which is a positive step towards enlargement of the European Union. I attending the GAERC in place of the Foreign Secretary and also met the Irish Foreign Minister.

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the progress of the reform agenda in the EU. [76096]

Peter Hain: Following the Council reforms agreed at the Seville European Council in June, the Danish Presidency has been taking forward further discussions on this issue. They will be submitting an initial report to the Copenhagen European Council in December.

There has also been progress on internal Commission reform. A new financial regulation has now been agreed. Comprehensive improvements to the Institutions' human resources policies are currently being negotiated.

The Convention on the Future of Europe is, of course, discussing reform of the EU across a wide range of issues. This work is due to conclude in time for the June 2003 European Council.

Indonesia

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what visits have been made to West Papua and Aceh by representatives of the UK Embassy in Indonesia; what groups they met; and what contact they had with the Indonesian military; [76333]

(2) what recent meetings have taken place with representatives of *(a)* Freeport Mine and *(b)* BP and UK diplomatic representatives in Indonesia; and what the nature of the discussions was. [76332]

Mr. Macshane *[holding answer 23 October 2002]:* The information requested is held by the British Embassy in Jakarta. I will write to my hon. Friend when the Embassy staff have addressed this issue.

Diplomatic Service

Sandra Gidley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list by

career grade *(a)* the total number and *(b)* the percentage of women employed in the diplomatic service in each of the last five years for which figures are available. [76536]

Mr. MacShane *[holding answer 22 October 2002]:* Listed by career grade the total and the percentage of women employed in the Foreign and Commonwealth Office, including FCO Services at Hanslope Park, for each of the last five years is:

Grade	*1997*	*%*	*1998*	*%*	*1999*	*%*	*2000*	*%*	*2001*	*%*
A1	100	43	98	40	116	44.1	155	47.3	178	47.1
A2	827	63	770	60	750	60.7	655	62.9	660	62.4
B3	616	42	622	45	628	44.3	608	48.3	618	49.2
C4	234	9.7	264	24	313	27.4	350	30.4	369	31.3
C5	51	15	55	15	45	13	77	16	83	16.9
D6	114	20	118	21	123	21.3	127	21.1	144	22.9
D7	18	22	22	23	27	28.4	39	31	42	27.3
SMS	26	6	30	7	28	6.2	38	8.5	44	9.8
Total	*1986*	*36*	*1979*	*36*	*2030*	*36.7*	*2049*	*37.7*	*2138*	*38.2*

Note:
The 2002 figures are not yet available.

Sandra Gidley: To ask the Secretary of State for Foreign and Commonwealth Affairs how many women have been recruited into the diplomatic service in each of the last five years for which figures are available, broken down by grade. [76535]

Mr. MacShane *[holding answer 22 October 2002]:* The number of women recruited into the Diplomatic Service in each of the last five years, broken down by grade, is provided below.

No. of Woman	*Year*					
Grade	*1998*	*1999*	*2000*	*2001*	*2002*	*Grand Total*
A2	32	19	25	42	54	172
B3	15	13	15	22	25	90
C4	11	16	14	16	19	76
C5	2	1	1	2	3	9
D6	2	4	2	7	1	16
D7		1			3	4
Grand Total	62	54	57	89	105	367

NORTHERN IRELAND

Decommissioning

Miss McIntosh: To ask the Secretary of State for Northern Ireland, what recent progress has been made towards decommissioning. [74002]

Jane Kennedy: The IRA has engaged in two acts of decommissioning. It is imperative that all paramilitary organisations now, as the Prime Minister said, move to acts of completion of the transition to exclusively peaceful means, real, total and permanent.

Terrorist Activity

Sir Sydney Chapman: To ask the Secretary of State for Northern Ireland, if he will make a statement about the level of terrorist activity in Northern Ireland. [74003]

Jane Kennedy: In recent weeks loyalist groups have continued their feuding, resulting in three murders and six attempted murders. Dissident republicans are believed to have been responsible for 12 attacks this year including the murder of David Caldwell in Londonderry.

There is widespread public concern over the extent of continuing PIRA involvement in targeting and intelligence gathering activity.

Good Friday Agreement

Mr. Michael Foster: To ask the Secretary of State for Northern Ireland, what aspects of the Good Friday Agreement remain to be implemented; and if he will make a statement [74004]

Dr. John Reid: The Government are determined to press forward with all aspects of the Agreement. The key priority now is to restore the devolved institutions. Essential to that is the restoration of trust that all parties remain committed to fulfilling their obligations, and crucially the commitment to exclusively democratic and peaceful means.

Performance Improvement

Andrew Stunell: To ask the Secretary of State for Northern Ireland if he will make a statement about peer review as applied to improving performance in the Northern Ireland Office and its funded bodies. [74005]

John Reid: A Peer Review of the Northern Ireland Office, headed by Sir Stephen Lander, took place in October 2001. The team made helpful recommendations on a range of management, personnel and other issues, and the Department launched a major change planning exercise to take these forward.

Patsy Calton: To ask the Secretary of State for Northern Ireland, what performance incentives are in place at the Northern Ireland Office. [74010]

Jane Kennedy: The Northern Ireland Office's pay system offers the incentive of increases in salary each year depending on performance—the higher the level of performance the higher the reward. The Department also has a recognition scheme for incentivising and rewarding staff with a modest bonus payment for special performance or contribution.

Provisional IRA Army Council

David Burnside: To ask the Secretary of State for Northern Ireland, if he will make a statement on the membership of the Provisional IRA Army Council. [74006]

Jane Kennedy: In accordance with part 2 of the Code of Practice of access to Government information, it is not government policy to comment on intelligence matters.

Peace Process

Andrew Selous: To ask the Secretary of State for Northern Ireland, what plans he has to set deadlines for measuring further progress by parties to the peace process [74008]

Dr. John Reid: The progress that matters now is to re-establish confidence in the commitment of all parties to the obligations of the Agreement, and crucially the commitment to exclusively peaceful means. I do not believe that deadlines are necessarily helpful in securing this, but the time for decision has come.

Devolved Institutions

Fiona McTaggart: To ask the Secretary of State for Northern Ireland, if he will make a statement on the prospects for the devolved institutions over the next 12 months [74009]

Dr. John Reid: We will be applying every effort to the restoration of the devolved institutions, and to moving beyond the recent impasse. The people of Northern Ireland support devolved government, and want to see local Ministers making local decisions.

Criminal Justice Review

Mr. Chaytor: To ask the Secretary of State for Northern Ireland if he will make a statement on the implementation of the Criminal Justice Review. [74011]

Desmond Browne: The Justice (Northern Ireland) Bill, carrying the legislative provisions required to give effect to the recommendations of the Review, passed through the House of Commons and the House of Lords with few amendments and widespread support. It received Royal Assent on 24 July and is now the Justice (Northern Ireland) Act 2002.

We consulted widely during the passage of the Bill with most of the political parties in Northern Ireland, a wide range of statutory, voluntary and community sector organisations, and human rights lobby groups. The responses received were extremely useful in shaping the plans for implementing the Review's recommendations, and we are very grateful to all the individuals and organisations who contributed.

Fostering public trust in the criminal justice system is one of the core aims of the Review and it is with this aim in mind that we intend to publish a revised Implementation Plan by early 2003. This plan will update the original Implementation Plan published in November 2001 and set out in greater detail again how the Review recommendations are being taken forward.

Belfast Agreement

Kevin Brennan: To ask the Secretary of State for Northern Ireland, What recent estimate he has made of the economic impact of the Belfast Agreement [74012]

Dr. John Reid: Northern Ireland has among the fastest economic growth rates in the United Kingdom. Visitors to Belfast are struck by the amount of building activity all around the city, as construction companies try to keep apace with the demand for office and retail space. Since the Belfast Agreement there has been high inward investment, particularly in the IT and hospitality industries.

I believe that economic development is closely related to the overall success of the police process.

Mr. Wright: To ask the Secretary of State for Northern Ireland, if he will make a statement on progress on the implementation of the Belfast Agreement. [74018]

Dr. John Reid: The Government are determined to press forward with all aspects of the Agreement. The key priority now is to restore the devolved institutions. Essential to that is the restoration of trust that all parties remain committed to fulfilling their obligations, and crucially the commitment to exclusively democratic and peaceful means.

Castlereagh Police Station

Mr. Beggs: To ask the Secretary of State for Northern Ireland, if he will make a statement on the investigation into the break-in at Castlereagh Police Station on 17 March and the interim report from Sir John Chilcot. [74013]

Jane Kennedy: I can confirm that the Secretary of State has received a progress report from Sir John. The nature of the material it contained means it is not appropriate to be published.

Human Rights

Linda Gilroy: What steps is the Secretary of State taking to ensure that Human Rights are respected in Northern Ireland. [74014]

Desmond Browne: The introduction of the Human Rights Act plays a major role in safeguarding human rights throughout the UK as a whole, including Northern Ireland. The Human Rights Act puts human rights at the heart of policy making and operations for all public authorities and means that all public authorities, including courts and the police, must act compatibly with the Convention rights. It gives further effect throughout the UK to the rights and freedoms set out in the ECHR and provides the basis for a new culture of rights and responsibilities.

The Northern Ireland Act 1998 restricts the Northern Ireland Assembly's powers to ensure it can only pass legislation that is compatible with Convention Rights and requires all NI Ministers and Departments to act compatibly. The Act also created the Northern Ireland Human Rights Commission whose remit includes making sure laws and practices conform to the European Convention, promoting awareness of human rights and offering advice and guidance to individuals. The Northern Ireland Human Rights Commission is currently considering the scope for a Bill of Rights to reflect the particular circumstances of Northern Ireland.

As part of the Patten Report there has been a comprehensive programme of action to focus policing in Northern Ireland on a human rights-based approach.

The Criminal Justice Review Group recommended that human rights be made central to the justice system. In formulating their recommendations, the Review Group looked not only at the European Convention on Human Rights, but also at fifteen other international human rights standards and instruments. The entire Review was drafted with these principles in mind.

Tony Cunningham: What steps is the Secretary of State taking to promote Human Rights in all communities in Northern Ireland. [74015]

Desmond Browne: The introduction of the Human Rights Act plays a major role in safeguarding human rights throughout the UK as a whole, including all parts of the community in Northern Ireland. The Human Rights Act puts human rights at the heart of policy making and operations for all public authorities and means that all public authorities, including courts and the police, must act compatibly with the Convention rights. It gives further effect throughout the UK to the rights and freedoms set out in the ECHR and provides the basis for a new culture of rights and responsibilities.

The Northern Ireland Act 1998 created the Northern Ireland Human Rights Commission whose remit includes making sure laws and practices conform to the European Convention, promoting awareness of human rights and offering advice and guidance to individuals. The Northern Ireland Human Rights Commission is currently considering the scope for a Bill of Rights to reflect the particular circumstances of all parts of the community in Northern Ireland. All sides are being encouraged to take part in the consultation process.

Ceasefire

Simon Hughes: To ask the Secretary of State for Northern Ireland, what his assessment is of compliance with the ceasefire by paramilitaries since his statement of 24 July. [74016]

Jane Kennedy: Ceasefires, however defined, are not by themselves enough to sustain confidence in the process. The transition from violence to democracy must be completed. There is no authority, legitimacy or political basis for anyone to have recourse to violence or paramilitary activity. All paramilitary groups must now decide whether they are committed to exclusively democratic and non-violent means.

Recruitment

Lady Hermon: To ask the Secretary of State for Northern Ireland if he will make a statement on the recruitment procedure for the Police Service of Northern Ireland. [74017]

Jane Kennedy: The new recruitment arrangements have now been operating successfully for almost a year and to date almost 500 police trainees have been appointed on a 50 per cent. Catholic, 50 per cent. non-Catholic basis. Whilst firm figures are not yet available, it is understood that the response to the fourth competition, which has recently closed, has again been encouraging.

Civil Disorder

Mr. Allen: To ask the Secretary of State for Northern Ireland, what steps he is taking to reduce civil disorder arising from religious intolerance in Northern Ireland. [74019]

Jane Kennedy: We have all been appalled and shocked at the nightly scenes of violence we have witnessed during the summer at interface areas in North and East Belfast. The Government has been proactive in attempting to bring calm and restore order to these areas. During September, my colleague the Parliamentary Under Secretary of State held a series of meetings with elected and community representatives.

A number of security fences have been heightened and the police have introduced a matrix of CCTV cameras in North Belfast which has resulted in a number of arrests. A similar project is underway for the Cluan Place/ Clandeboye interface in the east of the city. Recently the police and army established a high profile presence on both sides of the community in East Belfast. All of these measures have contributed to a degree of peace that now exists at these interfaces.

Police Ombudsman

Mr. Luke: To ask the Secretary of State for Northern Ireland, if he will make a statement on the first annual report of the Police Ombudsman for Northern Ireland. [74020]

Jane Kennedy: Copies of the first annual report of the Police Ombudsman for Northern Ireland, which covers the discharge of the functions of the Police Ombudsman's office during the first 17 months since its establishment in November 2000, were laid in the Libraries of the House on 23 July.

The Government's support for this new and completely independent police complaints investigation system reflects our commitment to ensuring the highest standards of policing for Northern Ireland.

Counterfeit Goods

Mr. Tynan: To ask the Secretary of State for Northern Ireland, what measures are in place to raise public awareness concerning the dangers of counterfeit goods. [74021]

Jane Kennedy: In Northern Ireland we are trying to tackle and confront the trade of counterfeit goods through the co-ordinated efforts of the Organised Task Force which I chair.

One of the main objectives of the Task Force is to raise public awareness concerning the dangers of counterfeit goods. I am keen to highlight the menace of organised crime to the public, which is why I am undertaking to host regional awareness evenings, on the threat from organised crime and the dangers from counterfeit goods. The next awareness evening will take place on the 28 of October.

On 23 September the OCTF launched its web-site, which provides a further two way communication between it and the public. This is an important development, which will open a "shop window" for the task force. In addition it is a dynamic medium that will

permit the Task Force to communicate its message and should both educate people and enhance information gathering.

The Publicity Sub-Group which forms an integral part of the OCTF looks for every opportunity to highlight to the public the Task Force's three key messages:

Organised crime is dangerous; never victimless; and we need everyone's support to tackle organised crime.

PSNI and Customs & Excise are doing excellent work, every week to tackle the trade in counterfeit goods. There have been some tremendous operational successes this year. On 28 June police found counterfeit clothing worth hundreds of thousands of pounds in Belfast. This is reported to be the biggest seizure ever found in Northern Ireland. Also at the Aul Lammas Fair in August 300k of counterfeit goods were confiscated following a request from the public to the Police Service of Northern Ireland for action.

Fuel Oils

Phil Sawford: To ask the Secretary of State for Northern Ireland, if he will make a statement on progress made with combating the illegal trade in fuel oils in Northern Ireland. [74022]

Jane Kennedy: On 23 May, the Secretary of State launched the second annual Organised Crime Task Force threat assessment and strategy. The OCTF threat assessment provided an overview of the scale and scope of organised crime in Northern Ireland and highlighted trends and developments in the preceding year.

The threat assessment tells us that oils fraud continues to be a problem although there is evidence that the position has stabilised and slightly improved. The latest figures show that deliveries of legal product to Northern Ireland have risen for the first time in five years.

The Government believe however that oils related fraud remains unacceptably high. On 4 July as chair of the OCTF, and on behalf of the Financial Secretary to the treasury too, I opened an Oils Fraud Expert Group Seminar. This drew together a wide range of agencies with an aim to develop a multi-agency strategy for tackling oil frauds in Northern Ireland. This group will meet again on 30 October.

There have been some tremendous operations this year in this field. In June Customs & Excise detected a fuel laundering plant, seized 137 vehicles, including taxis, commercial and private vehicles and three filling stations all using illegal fuel.

Illegal Drugs

Mr. Bellingham: "To ask the Secretary of State for Northern Ireland, when he next expects to meet representatives of the security forces to discuss measures to combat the illegal drugs trade. [74023]

Jane Kennedy: I can confirm that the Organised Crime Task Force, which I chair, next meets on 29 October. Representatives of the security forces will be in attendance and I can inform you that in the second annual threat assessment and strategy of the OCTF, which was launched on 23 May one of the areas for action is the illegal drugs trade.

Northern Ireland is not threatened by the illegal drug trade to the same degree as other parts of the UK or the Western world and it is the aim of the Government to keep it that way.

Electoral Fraud and Voter Intimidation

Mike Gapes: To ask the Secretary of State for Northern Ireland, what measures he is taking to combat electoral fraud and voter intimidation. [74024]

Desmond Browne: It is the Government's intention that all the provisions of the Electoral Fraud (Northern Ireland) Act 2002 will be in place in time for the scheduled Northern Ireland Assembly election on 1 May 2003.

The Act requires a canvass form and an application for voter registration to be signed by, and to include the date of birth and national insurance number (or a statement that he/she does not have a national insurance number) of, each of the persons to whom the form or application relates. The annual canvass, currently underway, is being conducted on the basis of these requirements.

In addition, by the time of the next scheduled Assembly election it remains the Government's target that all voters will have to produce a form of photographic ID from the list of specified documents acceptable as proof of identity at the polling station. The photographic electoral identity card provided for by the Act will be required for by those voters who do not have a passport, photo driving licence or a Senior SmartPass (issued under the Northern Ireland Concessionary fares scheme for use from 1 May 2002). The electoral identity card will be issued to all those electors who require one following the publication of the electoral register on 1 December.

Electoral Fraud

Stephen Hesford: To ask the Secretary of State for Northern Ireland what measures to combat electoral fraud will be in place in time for the scheduled Northern Ireland Assembly election on 1 May 2003. [74273]

Desmond Browne: It is the Government's intention that all the provisions of the Electoral Fraud (Northern Ireland) Act 2002 will be in place in time for the scheduled Northern Ireland Assembly election on 1 May 2003. The annual canvass, currently under way, is being conducted on the basis of the requirements laid down by the Act. The next scheduled Assembly election will also remain our target for the removal of all forms of non-photographic ID from the list of specified documents acceptable as proof of identity at the polling station.

Security

Sir Teddy Taylor: To ask the Secretary of State for Northern Ireland, If he will make a statement on the security situation since 24 July. [74025]

Jane Kennedy: The Government abhor the hate-inspired violence which predominated in the interface areas of North and East Belfast during the summer months. Police were repeatedly attacked with blast bombs, petrol bombs, acid bombs, bricks and other missiles. They also came under live gunfire from both communities. However, the security forces established a high profile on both sides of the community and the adoption of a number of physical security measures and the introduction of CCTV have brought a measure of calm to these troubled areas.

Budget

Sue Doughty: To ask the Secretary of State for Northern Ireland, how much of the 2002–03 budget for the Northern Ireland Office is earmarked for policing. [74026]

Jane Kennedy: The DEL (Departmental Expenditure Limit) for the NIO for 2002–03 is as follows:

Resource DEL	*£1,068,689,000*
Capital DEL	*£55,494,000*
	£1,124,183,000

The following is earmarked for policing*:

Resource	*£592,159,000*
Capital	*£19,907,000*
	£612,066,000

Note
(*This is for direct policing only—these figures do not include Patten redundancy and non-redundancy money)

Human Rights Commission

Mr. Cawsey: To ask the Secretary of State for Northern Ireland when the Northern Ireland Human Rights Commission will submits its third annual report as required by paragraph 5(1) of Schedule 7 to the Northern Ireland Act 1998. [77014]

Desmond Browne: I have today laid before Parliament the Northern Ireland Human Rights Commission's third Annual Report.

PRIME MINISTER

Palestine

David Winnick: To ask the Prime Minister if he will state Her Majesty's Government's policy towards a viable and sovereign Palestinian state in the occupied territories; and what recent discussion he has had with President Bush on this issue. [76307]

The Prime Minister: By this year's end, we must have revived final status negotiations and they must have explicitly as their aims: an Israeli state free from terror, recognised by the Arab world, and a viable Palestinian state based on the boundaries of 1967. I have had several recent conversations with President Bush on this issue. We share the aim, set out in his statement on 24 June, of a final status agreement within three years. We will continue to work closely and urgently with the US, EU, UN, Russia and regional States to realise this goal.

Organisation on Security and Co-operation in Europe

Mr. Michael Jabez Foster: To ask the Prime Minister what changes there are in the composition of the United Kingdom Delegation to the Parliamentary Assembly of the Organisation on Security and Co-operation in Europe. [77264]

The Prime Minister: The hon. Member for Congleton (Mrs. Winterton) replaces the hon. Member for Mid Sussex (Mr. Soames) as a full member of the Delegation.

LORD CHANCELLOR'S DEPARTMENT

Asylum Seekers

Mr. Malins: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the circumstances in which asylum applicants from abroad will be entitled to advice from lawyers who would be publicly funded to travel abroad to take instructions and give advice. [75417]

Ms Rosie Winterton: Lawyers in England and Wales wanting to travel abroad to see the client in person need the prior authority of the Legal Services Commission (LSC) if they wish to claim the expense from public funds.

The LSC would only authorise expenditure in exceptional circumstances—if an interview was absolutely necessary, and there was no reasonable alternative such as communication by telephone, post, fax or video link. Sponsors, relatives or friends of a client based in the UK could also be used as a channel for instructions. Lawyers abroad could also be used as agents and paid out of public funds. In most cases where asylum applicants have been removed, the client would have been able to discuss his or her case in detail with a legal adviser before removal.

Children and Family Court Advisory and Support Service

Siobhain McDonagh: To ask the Parliamentary Secretary, Lord Chancellor's Department when he will publish the Children and Family Court Advisory and Support Service's annual report and accounts 2001–02. [77265]

Ms Rosie Winterton: The Children and Family Court Advisory and Support Service (CAFCASS) has published its Annual Report and Accounts 2001–02 today. Copies of the Annual Report and Accounts 2001–02 have been placed in the libraries of both Houses. Further copies may be obtained from the Stationery Office.

EDUCATION AND SKILLS

School Census

Mr. Wiggin: To ask the Secretary of State for Education and Skills if *(a)* pupils and *(b)* the parents of pupils can access information gathered by the Pupil Level Annual School Census. [73755]

Mr. Miliband: Pupils, or in certain circumstances their parents, can obtain a copy of their record in the National Pupil Database which combines information from the Pupil Level Annual Schools Census with details of their Key Stage results and, in future, examination results. Some aspects of the arrangements, including how the role of the parents as opposed to the pupil may vary for pupils of different ages, are still being considered.

Advertising

Chris Grayling: To ask the Secretary of State for Education and Skills how much money her Department has spent on advertising in the *Guardian* in *(a)* the current and *(b)* the past financial year. [75629]

Stephen Twigg: Departmental spend on advertising in the *Guardian* for the periods specified are as follows:

2001–2002 = £334,062.93

2002–2003 (to end Sept) = £79,429.

The Department uses national press advertising, including the *Guardian*, for a variety of reasons, including informational or publicity purposes and for internal and external recruitment exercises.

School Transport

Mr. Don Foster: To ask the Secretary of State for Education and Skills what are the *(a)* current and *(b)* potential future funding opportunities for local authorities to offer home to school transport for those currently not entitled to free transport under the Education Act 1996. [75599]

Stephen Twigg: Compulsory school age pupils are entitled to free transport if their nearest suitable school is beyond statutory walking distance from their home. In other circumstances, LEAs have the discretion to provide help with travel in accordance with their own locally determined policies and priorities. Although we keep the arrangements under regular review we will not consider changing the current system for compulsory school age children unless we have clear evidence that an alternative system is fairer.

For post-16 students, there is a duty on LEAs to determine what is necessary to meet their particular local circumstances. In addition, as a result of a recommendation from the study commissioned by DfES into transport support and services for post 16 students in further education, £9 million has been made available in 2002–03 to 60 LEAs under the Transport Pathfinder Initiative. The initiative will run from April 2002 to July 2003. Their purpose is to test and develop different approaches to transport support and services and will be evaluated in order to inform future transport policy.

Worship (Schools)

Bob Spink: To ask the Secretary of State for Education and Skills what her policy is on collective acts of worship in *(a)* primary and *(b)* secondary schools; and if she will make a statement. [75477]

Mr. Miliband: The current policy regarding collective worship is set out in the Department for Education and Skills circular 1/94. All registered pupils attending a maintained school, primary or secondary, should take part in a daily act of collective worship. This act of collective worship should be wholly or mainly of a broadly Christian character.

Exam Marks

Mr. Rosindell: To ask the Secretary of State for Education and Skills what action is being taken to improve the efficiency of the way exam marks are related to pupils. [75097]

Stephen Twigg: The Qualifications and Curriculum Authority is responsible for ensuring the efficient delivery of exam results in England. We have recently strengthened their powers in the Education Act 2002. An Examinations Taskforce, which will include the awarding bodies, QCA and representatives of teachers, schools and colleges, is being established to oversee the delivery of examinations in 2003.

Teaching Vacancies (Essex)

Bob Spink: To ask the Secretary of State for Education and Skills if she will give special assistance to schools in Essex which are encountering difficulty in filling teaching staff vacancies. [75471]

Mr. Miliband: Essex has benefited from the full range of Government measures introduced since 1997 to improve teacher recruitment—Training Salaries, Golden Hellos, extra pay flexibilities, an enhanced Graduate Teacher Programme, and funding for Recruitment Strategy Managers within local education authorities. In 2001–02 Essex schools received £1,867,000 from the Recruitment and Retention Fund, and in 2002–03 this was increased to £2,120,000. Essex schools will also benefit, from April 2003, from the increased spending on education announced in the Comprehensive Spending Review.

New School Building, Milton Keynes

Dr. Starkey: To ask the Secretary of State for Education and Skills when funds will be made available for new school building in Milton Keynes. [75909]

Mr. Miliband: Applications from all Local Education Authorities (LEAs) for three-year funding commencing in 2003–04 for New Pupil Places (Basic Need) were invited in September. These applications are currently being assessed. This support is for additional school places in areas of population growth where there is no more capacity in all schools in the surrounding area. The funding is not necessarily for new schools, and can be used to increase the number of places at existing schools. We will be announcing Basic Need allocations for 2003–04 in December.

The building of new schools and additional accommodation at existing schools can also be funded from other capital programmes provided by the Department, including the Private Finance Initiative and Targeted Capital Fund (for which applications should be received by 3 January 2003), and from formulaic funding allocated to all LEAs and schools.

Foreign Teachers

Mr. Gummer: To ask the Secretary of State for Education and Skills (1) how many foreign teachers in full-time education in the state sector are from *(a)* European Union countries and *(b)* non-European Union countries; [75934]

(2) how many teachers from abroad are employed in the full-time teaching of non-linguistic subjects within the state sector. [75935]

Mr. Miliband: The information is not collected centrally.

Teacher Qualifications

Mr. Gummer: To ask the Secretary of State for Education and Skills (1) with which countries the UK shares reciprocity in the field of teacher qualifications; [75936]

(2) which countries' teacher qualifications are recognised and accepted in the United Kingdom. [75937]

Mr. Miliband: European Community law provides for the mutual recognition of school teaching qualifications gained within the territory of the European Economic Area. Under the Education (Teachers' Qualifications and Health Standards) (England) Regulations 1999, as amended, teachers with qualifications from other countries may work as instructors in maintained schools in England for up to four years without gaining Qualified Teacher Status.

Additional Educational Needs

Mr. Gordon Marsden: To ask the Secretary of State for Education and Skills what links her Department has identified between additional educational needs and social and economic factors and indicators, other than parental take-up of income support and working families tax credit. [75978]

Mr. Miliband: To investigate the links between additional educational needs (AEN) and deprivation indicators, the department commissioned PricewaterhouseCoopers to research the incidence of pupils with AEN and the costs of meeting their needs. They found that the number of pupils eligible for Free School Meals (FSM) was the strongest factor explaining variation in reported social need. They also found that the number of pupils with English as an additional language was strongly linked to non-social measures of AEN. They also looked at several ward based measures such as Long term unemployment, the Index of Multiple Deprivation (IMD) and the Access domain from the IMD, but found that these indicators were not as good at explaining variations in reported need as the standard FSM data.

The department also considered a number of other measures of deprivation: from the 1991 census, such as rented accommodation or low social class; and from the Labour Force Survey, such as the proportion of working age adults with no qualifications. Many of these measures showed some statistical relationship with low attainment suggesting they could be used as a proxy for AEN. However, they are also all highly related to parental take up of income support, which is the most consistently strong factor explaining variation in low attainment between different authorities, schools and pupils.

Teachers' Pension Fund

Mr. Oaten: To ask the Secretary of State for Education and Skills what discussions she has had with the Treasury on the future of the Teachers' Pension Fund. [75980]

Mr. Miliband *[holding answer 21 October 2002]:* The Teachers' Pension Scheme (TPS) is an unfunded scheme. Periodic valuations of the scheme are carried out by the Government Actuary to establish the liabilities and notional assets of the scheme. The valuation determines the contribution rate paid by the employers of TPS members.

With the agreement of Treasury, I am currently consulting teacher and employer representatives and other interested parties on changes to the valuation methodology. Under the existing provisions of the Teachers' Pensions Regulations, the notional fund is deemed to have delivered the average rate of return achieved by the largest invested pension funds. However, likely interest returns to the stock market performance of notional assets is unlikely to produce a stable assessment of the cost of providing public service pensions, particularly over the short to medium term, or to reflect the risks and costs to government of financing the pensions in payment. The Government wishes to reflect these costs more appropriately, remove the financial uncertainty about the performance of notional assets, and provide greater stability in employer contribution rates. I am, therefore, consulting on the proposal that, instead of tracking the returns of invested pension funds, the method of crediting investing returns to the notional fund should be based on a rate of returns which the Government Actuary advises as being appropriate for the valuation of a public service pension scheme. The consultation period ends on 8 November.

Dyslexic Teachers

Mr. Liddell-Grainger: To ask the Secretary of State for Education and Skills (1) how many dyslexic teachers there are in English schools; and how many there are in each county; [76134]

(2) who is responsible for recruiting dyslexic teachers in English schools, broken down by type of school. [76135]

Mr. Miliband: Responsibility for the employment of teachers in maintained schools in England rests with Local Education Authorities and school governing bodies. It is for employers to determine whether a prospective teacher is medically fit to carry out their duties in accordance with the Education (Teachers' Qualifications and Health Standards) (England) Regulations 1999, as amended. Information on the number of dyslexic teachers employed at schools in England is not collected centrally.

ASACs

Mr. Gerrard: To ask the Secretary of State for Education and Skills under what circumstances a school will have a duty to admit a child living in an asylum seekers' accommodation centre. [76143]

Mr. Miliband *[holding answer 21 October 2002]:* The Department intends to ensure that the education of children in the accommodation centres will be provided, wherever possible, in-house. However, there may be some circumstances, for example, if a child has severe or complex Special Educational Needs that would be met more appropriately through provision available in a special school; or a child fluent in English who could benefit from the education available in a mainstream school; when the learning needs of a child requires provision to be made available outside the centre.

Computers

Lynne Jones: To ask the Secretary of State for Education and Skills, pursuant to the written answer of 24 July 2002, *Official Report*, column 1369W, on computers, what evaluation has been made of the success of the Computers Within Reach scheme; and how this will inform future policy on the Computers Within Reach concept. [76026]

Mr. Ivan Lewis: The Computers Within Reach Scheme closed on 31 October 2001 having delivered over 24,000 recycled computers to people in 22 pilot areas, at a cost of £7.1 million over two years. Those eligible were in receipt of certain working age benefits or a State Pension with minimum income guarantee.

An evaluation was conducted, and a copy has been placed in the Libraries. Positive findings included:

83 per cent. of recipients surveyed were satisfied with their computer;

the average weekly usage of the computer by recipients stood at just over 8 hours per week; and

on average 3 other individuals, besides the recipient, were making use of the computer in each household.

However, the report also highlighted difficulties with the scheme, which included:

there being no cost-effective solution for delivery of units to individuals;

even though 83 per cent. of recipients surveyed were satisfied with their computer, just under half had experienced problems with it and nearly 75 per cent. of those people said they were not supported to overcome the difficulties; and

only 51 per cent. were satisfied with the level of service provided.

In view of these difficulties, we considered carefully whether to repeat the scheme against alternatives that might provide more effective access to ICT and learning opportunities for those currently without access.

We concluded that we should not run another phase of the Computers Within Reach Scheme but channel the remaining £7.9 million into purchasing wireless technology equipment and laptops for Adult and Community Learning Centres serving deprived wards around the country. This will open up access to equipment and training for an estimated 335,000 learners over a three year period—far more than the number who would have benefited from an extension of the Computers Within Reach Scheme. These learners will be offered regular, supported access to the learning potential of the Internet and the communication potential of e-mail. Access to the Internet will mean that, for the first time for many, access to e-Government and e-Democracy can be a reality.

School Funding

Mr. Paterson: To ask the Secretary of State for Education and Skills (1) how she will change the education funding formula to provide a more even funding system for pupils in rural and inner city schools; [75886]

(2) what steps she will take to ensure that current proposals for funding in schools will not accelerate increased spending for inner city pupils over those students in rural areas; [75887]

(3) what steps she is taking to secure more even distribution of funding for pupils and schools in rural and inner city areas; [75888]

(4) if she will consider Option 5, put forward by the F40 Group, to secure a more even distribution of funding for pupils between rural and inner city schools; [75889]

(5) what plans she has to improve the basic allowance per pupil in the worst-funded education authorities, with specific reference to Shropshire; [75890]

(6) what steps she is taking to reduce the funding gap between education authorities in urban and rural areas. [75891]

Mr. Miliband: The Government will consider carefully all responses to the consultation on Local Government Finance, and all suggested further options before taking decisions on the new Local Government funding system, to be introduced for 2003–04. Decisions on the balance between the basic entitlement and extra funding for additional educational needs will be decided on the basis of evidence about pupil characteristics and cost of provision: this will determine the distribution of funding between urban and rural authorities and will be announced by early December with the local authority finance settlement.

Promotions in Schools

Mr. Barnes: To ask the Secretary of State for Education and Skills what assessment she has made of the amount of commercial activity and sponsorship targeted at children through their schools in each of the last five years and the amount of money such promotional activity has raised. [76388]

Mr. Miliband: We do not collect data centrally on the amount of commercial activity and sponsorship, or funds raised, locally in schools. Well thought-out commercial support can add value to school life and provide welcome additional resources. Last Autumn, we issued guidelines—"*Commercial activities in schools: Best practice principles*"—so that schools can make informed and sensible decisions about the nature of business involvement. The guidelines make clear that schools should satisfy themselves that the educational benefits of the commercial activity outweigh the potential disbenefits; that it is free of incentives to children to engage in unhealthy, unsafe or unlawful

activities; that explicit sales messages are avoided wherever possible; and that the level of any branding is appropriate to the activity.

Pupil Funding

Mr. Watts: To ask the Secretary of State for Education and Skills if she will list the total grant per pupil allocated to each local education authority. [76275]

Mr. Miliband: The table below shows the Department's total recurrent grant per pupil allocated to each local education authority for the current financial year, 2002–03. This does not include funding through SSAs and Revenue Support Grant.

2002–03	*Per Pupil*
201 City of London	1,300
202 Camden	660
203 Greenwich	640
204 Hackney	740
205 Hammersmith and Fulham	660
206 Islington	730
207 Kensington and Chelsea	730
208 Lambeth	680
209 Lewisham	630
210 Southwark	650
211 Tower Hamlets	810
212 Wandsworth	590
213 Westminster	640
301 Barking and Dagenham	450
302 Barnet	380
303 Bexley	310
304 Brent	480
305 Bromley	330
306 Croydon	400
307 Ealing	460
308 Enfield	440
309 Haringey	640
310 Harrow	360
311 Havering	330
312 Hillingdon	350
313 Hounslow	470
314 Kingston upon Thames	380
315 Merton	390
316 Newham	600
317 Redbridge	340
318 Richmond upon Thames	330
319 Sutton	310
320 Waltham Forest	570
330 Birmingham	560
331 Coventry	440
332 Dudley	350
333 Sandwell	460
334 Solihull	360
335 Walsall	390
336 Wolverhampton	540
340 Knowsley	620
341 Liverpool	600
342 St. Helens	450
343 Sefton	460
344 Wirral	450
350 Bolton	420
351 Bury	370
352 Manchester	670
353 Oldham	500
354 Rochdale	520
355 Salford	600
356 Stockport	360
357 Tameside	400
358 Trafford	350
359 Wigan	390
370 Barnsley	440
371 Doncaster	400
372 Rotherham	510
373 Sheffield	560
380 Bradford	580
381 Calderdale	410
382 Kirklees	450
383 Leeds	520
384 Wakefield	400
390 Gateshead	490
391 Newcastle upon Tyne	530
392 North Tyneside	470
393 South Tyneside	500
394 Sunderland	460
420 Isles of Scilly	2,370
800 Bath and North East Somerset	350
801 Bristol, City of	480
802 North Somerset	360
803 South Gloucestershire	350
805 Hartlepool	440
806 Middlesbrough	540
807 Redcar and Cleveland	480
808 Stockton-on-Tees	540
810 Kingston Upon Hull, City of	470
811 East Riding of Yorkshire	360
812 North East Lincolnshire	400
813 North Lincolnshire	390
815 North Yorkshire	370
816 York	380
820 Bedfordshire	390
821 Luton	460
825 Buckinghamshire	370
826 Milton Keynes	370
830 Derbyshire	360
831 Derby	440
835 Dorset	370
836 Poole	320
837 Bournemouth	320
840 Durham	430
841 Darlington	390
845 East Sussex	370
846 Brighton and Hove	410
850 Hampshire	320
851 Portsmouth	390
852 Southampton	340
855 Leicestershire	330
856 Leicester	490
857 Rutland	440
860 Staffordshire	320
861 Stoke-on-Trent	520
865 Wiltshire	340
866 Swindon	330
867 Bracknell Forest	330
868 Windsor and Maidenhead	360
869 West Berkshire	360
870 Reading	450
871 Slough	480
872 Wokingham	320
873 Cambridgeshire	330
874 Peterborough	390
875 Cheshire	340
876 Halton	480
877 Warrington	330
878 Devon	350
879 Plymouth	340
880 Torbay	340
881 Essex	330
882 Southend-on-Sea	360
883 Thurrock	390
884 Herefordshire	410
885 Worcestershire	350
886 Kent	330
887 Medway	340
888 Lancashire	380

2002–03	Per Pupil
889 Blackburn with Darwen	560
890 Blackpool	390
891 Nottinghamshire	340
892 Nottingham	630
893 Shropshire	370
894 Telford & Wrekin	400
908 Cornwall	370
909 Cumbria	400
916 Gloucestershire	360
919 Hertfordshire	320
921 Isle of Wight	390
925 Lincolnshire	360
926 Norfolk	400
928 Northamptonshire	340
929 Northumberland	420
931 Oxfordshire	350
933 Somerset	360
935 Suffolk	340
936 Surrey	300
937 Warwickshire	360
938 West Sussex	310

Notes:
1 Figures reflect all revenue grants in DfES's DEL relevant to pupils aged 4–19.
2 Grant figures exclude funds that include ages below 4 year olds EMA and LSC.
3 Pupil numbers underlying the £s per pupil are those underlying the SSA settlement calculations (all sub-blocks).
4 Figures rounded to nearest £10. Difference figures may not sum due to rounding
5 2002–03 figures are provisonal estimates as decisions on some funding allocations have yet to be finalised.
The figures are thus liable to be revised later on in the year.

LEA Costs

Mr. Laws: To ask the Secretary of State for Education and Skills if she will estimate for the latest year for which information is available the total amount not devolved by each local education authority to its schools; and if she will estimate in each case the amount of money spent by the LEA on its staff and other overheads and administration costs. [76160]

Mr. Miliband *[holding answer 22 October 2002]:* The information requested has been placed in the Libraries.

Beacon School

Mr. Brady: To ask the Secretary of State for Education and Skills if she will list *(a)* primary and *(b)* secondary schools in Trafford which have been awarded Beacon status. [76403]

Mr. Miliband *[holding answer 22 October 2002]:* There are 5 Beacon schools in Trafford:

Primary

King's Road Primary School

St Mary's Church of England Primary School

Wellfield Infant and Nursery School

Woodhouse Primary School

Secondary

Ashton on Mersey School

Mr. Brady: To ask the Secretary of State for Education and Skills if she will list the grammar schools which have been awarded Beacon status, giving the local authority area in each case. [76404]

Mr. Miliband *[holding answer 22 October 2002]:* 30 grammar schools have been awarded Beacon status. They are:

Aylesbury High School	Buckinghamshire
Caistor Grammar School	Lincolnshire
Chelmsford County High School for Girls	Essex
Colyton Grammar School	Devon
Dartford Grammar School	Kent
Dartford Grammar School for Girls	Kent
Devonport High School for Girls	Plymouth
Kendrick Girls' Grammar School	Reading
King Edward VI Camp Hill School for Girls	Birmingham
Maidstone Grammar School for Girls	Kent
Nonsuch High School for Girls	Sutton
Parkstone Grammar School	Poole
Pate's Grammar School	Gloucestershire
Queen Elizabeth Grammar School	Cumbria
Queen Elizabeth's School, Barnet	Barnet
Queen Mary's High School	Walsall
South Wilts Grammar School for Girls	Wiltshire
St Bernard's Convent School	Slough
Sutton Coldfield Grammar School for Girls	Birmingham
The Crossley Heath School	Calderdale
The Folkestone School for Girls	Kent
The King's School, Grantham	Lincolnshire
The Rochester Grammar School for Girls	Medway
The Tiffin Girls' School	Kingston upon Thames
Tonbridge Grammar School for Girls	Kent
Torquay Boys' Grammar School	Torbay
Wellington High School for Girls	Sutton
Westcliff High School for Boys	Southend-on-Sea
Westcliff High School for Girls	Southend-on-Sea
Wolverhampton Girls' High School	Wolverhampton

Child Mental Health

Mr. Willis: To ask the Secretary of State for Education and Skills, pursuant to her answer of 19 September, *Official Report*, column 121W, on mental health, if schools *(a)* are obliged to promote the mental health of their pupils, *(b)* have a mechanism for detecting mental health problems and *(c)* have regular contact with the local Child and Adolescent Mental Health Services. [76579]

Stephen Twigg: My hon. Friend David Miliband, in his written answer of 19 September, outlined the ways the Secretary of State aims to ensure that children's mental health needs are being met. In June 2001 the Department issued guidance, *Promoting Children's Mental Health within Early Years and School Settings*. This is strongly recommended and we would expect schools to have regard to it.

The guidance is designed to help teachers and others working alongside mental health professionals to identify children and young people's mental health needs, and sets out useful approaches for how these needs might be met. The advice in the guidance is backed up by illustrative case studies.

The guidance also includes a section on the work of the Child and Adolescent Mental Health Services (CAMHS). The Department commissioned a research project into effective collaboration between schools and CAMHS which will be available later this year.

Mr. Willis: To ask the Secretary of State for Education and Skills, pursuant to her answer of 19 September, *Official Report*, column 121W, on mental health if *(a)* BEST teams members will receive training in children's mental health and *(b)* BEST teams will contain mental health specialists. [76580]

Stephen Twigg: The aims of Behaviour and Educational Support Teams (BESTs) are to promote emotional well-being, positive behaviour and school attendance among children and young people. They help in the identification and support of those with, or at risk of developing, emotional and behavioural problems, through the provision of multi-agency support in schools and to individual families.

BESTs will take part in training which covers many areas of multi-agency working and related subject areas. This will include children's mental health issues.

There are a number of professional disciplines which may be appropriately represented within the BEST. The precise skills balance will be decided locally, in line with the priorities agreed for the BEST, provision already available in schools and the resource available across the LEA and partner agencies. DfES guidelines suggest teams should contain a complementary mix of education, social work and health skills in order to meet the multi-faceted needs of children, young people and their parents.

Mr. Willis: To ask the Secretary of State for Education and Skills, pursuant to her answer of 19 September, *Official Report*, column 121W, on mental health, if Ofsted's draft framework for inspection requires an inspection of schools' ability to promote pupils' mental health and detect and handle pupils' mental health problems. [76581]

Stephen Twigg: This is a matter for the Office for Standards in Education (Ofsted). HM Chief Inspector for Schools, David Bell will write to the hon. Gentleman and a copy will be placed in the Library.

Returning Teachers

Mr. Willis: To ask the Secretary of State for Education and Skills how many teachers returning to teaching this academic year have claimed the returner bonus. [76587]

Mr. Miliband: Approximately one thousand claims for reimbursement of Welcome Back Bonus payments made by Local Education Authorities have so far been processed by my Department.

Teachers' Pay

Mr. Willis: To ask the Secretary of State for Education and Skills what recommendations of the Pay Review report of January 2002 her Department adopted in calculating teacher pay scales. [76588]

Mr. Miliband: My right hon. Friend accepted all recommendations made by the School Teachers' Review Body in January 2002 that fell within their statutory remit.

Mathematics

Mr. Willis: To ask the Secretary of State for Education and Skills what plans she has to commission a mathematics working group to look at the problem of recruitment of mathematics teachers. [76590]

Mr. Miliband: My right hon. Friend has no present plans to set up any further working groups to look at the recruitment of maths teachers.

Home Education

Mr. Willis: To ask the Secretary of State for Education and Skills what plans she has to allow parents who opt to educate their children at home to access Government-sponsored National Curriculum materials. [76591]

Stephen Twigg: Home educating parents are not required to teach the National Curriculum but the Government recognises their right and supports them in this matter.

The recent developments of the Department's website allow all children, those attending schools as well as those educated at home, to access:

The National Curriculum, which sets out the knowledge, skills, understanding and breadth of study for each subject, at each key stage;

The Schemes of Work and programmes of study, which are designed to help teachers plan lessons and are published by the QCA;

A series of Parent Topic guides which link to aspects of the National Curriculum.

The Department has compiled a fact sheet regarding home education which is available to parents and local education authorities on request and can be downloaded from the Department's web site at: www.dfes.gov.uk/parents/learning/home Documents are also available by telephoning our Department stationery office at Prolog on 0845 602 2260.

Education Expenditure

Mr. Willis: To ask the Secretary of State for Education and Skills what percentage of the total education budget in 2001–02 was taken up by *(a)* assessment of students, *(b)* assessment of teachers and schools through inspection and *(c)* assessment of teacher training through inspection. [76597]

Mr. Miliband: The cost of overseeing the assessment of students through the Qualifications and Curriculum Authority represented 0.2 per cent. of the total education budget of almost £40 billion for England in 2001–02. No data is held centrally on the overall costs of exam fees and associated assessment costs payable by schools. OfSTED, working with the Adult Learning Inspectorate in some circumstances, is responsible for *(b)* and *(c)*. The sum of the Inspectorates' budgets was £183 million in 2001–02 or 0.5 per cent. of the total education budget, although some of this was spent on inspecting pre-school and non-schools post-16 providers as well as schools and teachers.

Lone Parents

Mr. Hepburn: To ask the Secretary of State for Education and Skills what proportion of lone parents exclusively *(a)* use registered childcare services and *(b)* rely on informal childcare in (i) Jarrow constituency, (ii) the North East and (iii) the UK. [76623]

Mr. Miliband: This data is unavailable at constituency or regional level. The latest national survey carried out by the National Centre for Social Research on behalf of DfES shows that in England, 29 per cent. of all lone parents had used formal childcare in the past

year and 73 per cent. of all lone parents had used informal childcare in the past year. There is no information on exclusive usage. The study "Repeat Study of Parents Demand for Childcare" was published by the DfES in May 2002.

Teacher Assaults

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many teachers have been the subject of *(a)* physical assaults, *(b)* verbal assaults and *(c)* other threatening behaviour from (i) children and (ii) parents in each year since 1988. [76776]

Mr. Miliband: The Department has not collected this information. However, 135 serious injuries to teachers in Great Britain caused by physical violence were reported to the Health and Safety Executive in both 1999–2000 and 2000–01; data for 2001–02 are not yet available. This figure includes major injuries, and also injuries which resulted in more than three days' absence from work, as a result of assault reported to the HSE under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995. Information is not available on whether the assaults were carried out by children, parents or others.

Teachers (Criminal Checks)

Mr. Hancock: To ask the Secretary of State for Education and Skills what the cost of the delay to the completion of the checks on newly qualified teachers by the Criminal Records Bureau has been; and if she will make a statement. [76804]

Mr. Miliband: We have asked a number of Local Education Authorities to provide estimates of the costs incurred by schools as a result of delays by the Criminal Records Bureau in the completion of checks, but it will not be possible to identify separately the cost incurred as a result of delays in completing checks on newly qualified teachers only.

CABINET OFFICE

Public Services (Electronic Access)

Mr. Spring: To ask the Minister for the Cabinet Office if he will make a statement on the level of electronic access to the main public services. [75727]

Mr. Douglas Alexander: The latest survey of departments shows that 52 per cent. of government services are available online. The full results of the survey are available on the website of the Office of the e-Envoy at http://www.e-envoy.gov.uk/oee/oee.nsf/sections/reports-esd-spring-2002/$file/esdrep-spring-2002.htm.

DEPUTY PRIME MINISTER

Web Sites

Dr. Cable: To ask the Deputy Prime Minister if he will list the web site links associated with his Department, including sites now dormant or closed, and indicating whether they are live, dormant or closed; what the start up costs were for each site listed; what the operating costs were in each year since start up for each site; which company hosted each site; what assessment takes place for each site; which company does the assessment; if he will place the assessment reports in the Library; and if he will make a statement. [75586]

Mr. Christopher Leslie: The Office of the Deputy Prime Minister has responsibility for a number of primary web sites in addition to the main Office of the Deputy Prime Minister's web site (www.odpm.gov.uk). It is not possible to state the start up costs as the site has been created out of the former DTLR (and before that, DETR) web site. The annual cost of running the web site is currently £85,000 (excluding staff costs). The web hosting company is EduServ, who are based in Bath. There has been no assessment of the ODPM web site, as it has only existed since the creation of the Office earlier this year. Because not all sites are managed centrally, information about every web site could only be provided at disproportionate cost. However, the following are primary sites listed on our main web site and are live unless specified:

Fire safety Campaign web sites	www.firekills.gov.uk
	www.community-fire-safety.org.uk
	www.community-fire-safety.co.uk
	www.arsoncontrolforum.gov.uk
	www.firesafetytoolbox.org.uk
Department for Transport, Local Government and the Regions (dormant)	www.dtlr.gov.uk
Urban Summit event web site	www.urbansummit.gov.uk
Independent review of the Fire Service	www.irfs.org.uk
Government Office regional Co-ordination Unit and Government Offices	www[illegible].gov.uk
	www.go-east.gov.uk
	www.goyh.gov.uk
	www.go-em.gov.uk
	www.go-london.gov.uk
	www.go-nw.gov.uk
	www.go-ne.gov.uk
	www.gosw.gov.uk
	www.go-wm.gov.uk
	www.go-se.gov.uk
Neighbourhood Renewal web sites	www.neighbourhoodrenewal.gov.uk
	www.neighbourhood.gov.uk
Best Value Performance Indicators (BVPI) interactive web site	www.bvpi.gov.uk
Central government information for local government	www.info4local.gov.uk
Supporting People web sites	www.spkweb.org.uk
	www.bmespark.org.uk (live from 1 November 2002)
Fire Service College	www.fireservicecollege.ac.uk
Planning Inspectorate	www.planning-inspectorate.gov.uk
Queen Elizabeth II Centre	www.qeiicc.co.uk
The Rent Service	www.therentservice.gov.uk

Local Government

Mr. Clifton-Brown: To ask the Deputy Prime Minister how many English local authorities who were debt-free were *(a)* Conservative, *(b)* Liberal, *(c)* Labour and *(d)* under no overall control in the latest year for which figures are available. [76381]

Mr. Raynsford: 104 directly elected English local authorities have reported that they had debt-free status as at 1 April 2002. On 10 May 2002, 49 were

Conservative, 10 were Liberal Democrat, six were Labour, seven were Independent and 32 were under no overall control.
Source: Capital Estimates Return 2002–03

For the purposes of this return, an authority is "debt-free" only if:

(a) at 31 March 2002, the authority's credit ceiling was nil or a negative amount and

(b) at 1 April 2002, the authority had no money outstanding by way of external borrowing other than short-term borrowing or hard to redeem debt, as defined in Regulation 154 of the Local Authorities (Capital Finance) Regulations 1997.

Regional Assemblies

Andrew George: To ask the Deputy Prime Minister (1) how many responses to the Government's regional Government White Paper *(a)* favoured, *(b)* opposed and *(c)* suggested alternatives to devolved regional assemblies based on the Government's favoured boundaries, broken down by the region of the address of each response. [76088]

(2) how many responses to the White Paper, Your Region: Your Choice, as a proportion of the total *(a)* were from Cornwall and (i) favoured the concept of setting up an elected Cornish Assembly and (ii) favoured regional Government based on the Government's favoured boundaries, *(b)* were from addresses outside Cornwall and favoured an elected Cornish Assembly, *(c)* were from the Government's South West zone and favoured a regional assembly based on the Government's favoured boundaries, *(d)* were from Cornwall and opposed any form of regional assembly and *(e)* were from addresses outside Cornwall but within the Government's South West zone and opposed any form of regional assembly. [76091]

Mr. Raynsford: The Government did not formally consult on any specific aspects of the White Paper other than on involvement of stakeholders in the work of elected regional assemblies. Nevertheless, we are currently undertaking an analysis of all of the 1,100 formal responses received on the White Paper—I will write to the hon. Member once this has been completed and will place a copy of the letter in the library of the House.

Mr. Gummer: To ask the Deputy Prime Minister what role he envisages for English regional assemblies in the governance of *(a)* trading standards and *(b)* the meat inspection service. [75931]

Mr. Raynsford: The Meat Hygiene Service is an executive agency of the Food Standards Agency and provides consistent standards of inspection and enforcement services across England, Scotland and Wales. Enforcement of trading standards is the responsibility of local authorities. The Government has no plans to transfer these functions to elected regional assemblies in England. Our current proposals for the powers and responsibilities of elected regional assemblies are set out in chapter 4 of the White Paper *Your Region, Your Choice* (Cm 5511), which was published on 9 May.

Mr. Gummer: To ask the Deputy Prime Minister what plans he has for regional assemblies in England to administer the inspection of non-animal foodstuffs upon arrival at a dock or airport within their region. [75918]

Mr. Raynsford: The enforcement and inspection of non-animal food[illegible] from third countries is the responsibility of local authorities at their point of import. The Government has no plans to transfer this function to elected regional assemblies.

Mr. Gummer: To ask the Deputy Prime Minister what plans he has for the financial responsibility of the inspection of non-animal feedstuffs to be placed in the hands of regional assemblies in England. [75938]

Mr. Raynsford: This function is primarily the responsibility of the local authority trading standards services. The Government has no plans to transfer it to elected regional assemblies.

Homeless Families

Sandra Gidley: To ask the Deputy Prime Minister how many families, not including couples and single persons without children, were in bed-and-breakfast accommodation in each of the last three years for which figures are available. [76481]

Ms Barbara Roche: Information distinguishing the number of households with dependent children being accommodated in bed and breakfast has been collected this year for the first time. Based on responses from local authorities it is estimated that some 6,700 families were in such accommodation at the end of June 2002, unchanged from the corresponding March estimate. This was reported in the most recent quarterly Statistical Release on statutory homelessness, issued on 11 September.

Mixed Communities

Martin Linton: To ask the Deputy Prime Minister what assessment he has made of the use of *(a)* vacant land and *(b)* unused buildings within council house estates in (i) Wandsworth and (ii) London by local planning authorities; and what further action he plans to encourage local authorities in London to develop a strategy for creating mixed communities using their planning powers. [76231]

Mr. McNulty: My right hon. Friend, the Deputy Prime Minister has made no specific assessment of the use of vacant land and unused buildings by local planning authorities within council house estates in Wandsworth or London. However, a national survey of brownfield land published in September 2002 showed that in 2001 some 4590 hectares of brownfield land were available for development in London. Planning Policy Guidance note 3 (Housing) states that all Local Planning Authorities should undertake urban housing capacity studies, coordinated by the Regional Planning Body. The studies should provide information about vacant land and properties in each authority's area. Detailed good practice guidance on capacity studies is provided in the PPG3 companion guide "Tapping the Potential". The last capacity assessment for all the

Boroughs in London was supervised by the London Planning Advisory Committee and published by the GLA in September 2000.

PPG3 also requires authorities to promote mixed and balanced communities both through their plans and in deciding individual planning applications. This includes securing an appropriate mix of dwelling size, type, and affordability.

Starter Homes

Mr. Breed: To ask the Deputy Prime Minister how many key workers have received financial support through the Starter Homes Initiative in rural settlements; and how much has been spent by region in *(a)* 2001–02 and *(b)* 2002–03 to date. [76251]

Mr. McNulty: The information requested is not held centrally and could only be provided at disproportionate cost. However information can be provided on Starter Home Initiative purchases in local authority areas containing rural settlements. I will write to the hon. Member when the information has been collated.

Council Tax

Mr. Spring: To ask the Deputy Prime Minister what the average Band D council tax was in *(a)* Suffolk, *(b)* Newcastle and *(c)* England for (i) 1996–97, (ii) 1997–98, (iii) 1998–99, (iv) 1999–00, (v) 2000–01, (vi) 2001–02 and (vii) 2002–03. [75038]

Mr. Leslie: The average Band D area council tax for *(a)* Suffolk, *(b)* Newcastle upon Tyne and *(c)* England for 1996–97 to 2002–03 is as follows:

All Figures are Rounded to the Nearest £

		Suffolk	*Newcastle Upon Tyne*	*England*
(i)	1996–1997	610	771	646
(ii)	1997–1998	651	831	688
(iii)	1998–1999	706	906	748
(iv)	1999–2000	761	978	798
(v)	2000–2001	816	1,006	847
(vi)	2001–2002	873	1,050	901
(vii)	2002–2003	982	1,129	976

Source:
Budget Requirement returns provided by local authorities

HEALTH

Radiotherapy

Gregory Barker: To ask the Secretary of State for Health (1) which health authorities have patients waiting for over 20 weeks from the time of referral following surgery to the time that radiotherapy treatment begins; [75761]

(2) If he will list the NHS health authorities that measure waiting time *(a)* from the day radiotherapy treatment is prescribed and *(b)* from the time that planning and simulation is complete. [75750]

Ms Blears: Waiting times for radiotherapy treatment are not collected centrally. In order to tackle radiotherapy waiting times, we are making unprecedented investment in new radiotherapy facilities, streamlining care processes through the cancer services collaborative and working to best utilise the current workforce and to increase the number of staff in post and in training.

Cancer Research

Gregory Barker: To ask the Secretary of State for Health how the Government make choices in prioritising the allocation of its cancer research funding to tumour specific areas; and how needs-based access to these funds is ensured. [75746]

Ms Blears: The total Government expenditure on research into individual diseases, including cancer and different types of cancer, is not normally specifically allocated in advance. Expenditure is related to many variables, such as the quality of research proposals received and the relevance to National Health Service priorities.

The Government supports health related research through three routes. The Medical Research Council (MRC), which is funded by the Department of Trade and Industry, is the main agency through which the Government supports research into the causes and treatment of disease including cancer. Some of the other research councils, especially the biotechnology and biological sciences research council, also fund relevant research.

The Department and its equivalents in the devolved administrations meet the NHS support costs of the research councils' and charities' projects. The Department also funds research into policy development and the delivery of effective practice in health and social care. The higher education funding council for England and its equivalents in the devolved administrations fund the university academic base.

Access to all these different forms of funding is by various means, with the mechanism depending on the nature and purpose of the research funding stream involved. The Government set up the national cancer research institute (NCRI) in April 2001, in partnership with the charities and the pharmaceutical industry. The NCRI is providing strategic oversight of cancer research across the United Kingdom. This will help to ensure that the nation's total investment in cancer research is directed to best effect.

Children's Hospices

Dr. Cable: To ask the Secretary of State for Health if he will list the children's hospices broken down by region; and if he will make a statement. [75117]

Ms Blears: The association of children's hospices currently lists twenty eight children's hospices in England providing either hospice or hospice at home services. These are listed below by directorates of health and social care.

North

Brian House, Blackpool, Lancs
The Butterwick Children's Hospice, Stockton on Tees
Claire House Children's Hospice, Wirral
Derian House Children's Hospice, Chorley, Lancs
Eden Valley Children's Hospice, Carlisle

Francis House Children's Hospice, Stockport
Martin House, Wetherby
Midlands and Eastern
Acorns Children's Hospice (Selly Oak)
Acorns Children's Hospice (Walsall)
The Donna Louise Trust, Stoke-on-Trent*
East Anglia Children's Hospices, Norwich
East Anglia Children's Hospices, Cambridge
East Anglia Children's Hospices, Ipswich
Hope House, Nr Oswestry
Iain Rennie Hospice at Home, Tring, Herts*
Keech Cottage Children's Hospice, Nr Luton
Little Haven Children's Hospice, Westcliff-on-Sea, Essex
Rainbows Children's Hospice, Leicester
South
CHASE Children's Hospice (Christopher's), Guildford
Chestnut Tree House, Worthing, West Sussex*
Children's Hospice South West, Fremington, North Devon
Demelza House Children's Hospice, Sittingbourne, Kent
The Ellenor Foundation, Dartford, Kent*
Helen House, Oxford
James House Children's Hospice in the Home, Etchingham, East Sussex*
Naomi House, Winchester
St Andrew's Children's Hospice, Grimsby, North East Lincolnshire
London
Richard House, London
Note:
* Currently offering a hospice at home service.

There are in addition a number of children's hospice projects at various stages of development, and organisations, which while not providing hospice services as such, contribute to the invaluable work of supporting children with serious and life threatening illnesses.

NHS Ambulances

Dr. Evan Harris: To ask the Secretary of State for Health how many NHS ambulances have been *(a)* decommissioned, *(b)* sold, *(c)* lost, *(d)* vandalised and *(e)* stolen in each year for the last six years in (i) England and (ii) each NHS region. [75646]

Mr. Lammy: The information requested is not available centrally.

District Nurses

Dr. Evan Harris: To ask the Secretary of State for Health (1) if he will list the whole-time equivalent number of qualified district nurses in *(a)* England, *(b)* each NHS region and *(c)* each health authority in each of the last six years; [75644]

(2) how many district nurses retired in *(a)* England, *(b)* each NHS region and *(c)* each health authority in each of the last six years. [75642]

Mr. Hutton: Information about the number of district nurses working in the National Health Service has been placed in the Library.

Information about the number of district nurses retiring from the NHS is not collected centrally.

Dr. Evan Harris: To ask the Secretary of State for Health how many entered training to be a district nurse in England in each of the last six years. [75643]

Mr. Hutton: The number of nurses starting district nurse training in each of the last six years is shown in the table.

Year	*Number of nurses starting practice nurse training*
1997–1998	574
1998–1999	529
1999–2000	524
2000–2001	535
2001–2002*	570
2002–2003**	597

Notes:
* Figures for 2001–02 have not yet been validated
** Figures for 2002–03 are forecast and subject to change
Source:
Financial and Workforce Information Return

Food Labelling

Mr. Lidington: To ask the Secretary of State for Health (1) what plans he has to change the law governing the labelling of *(a)* lemon curd and *(b)* mincemeat; [74863]

(2) what his policy is on the labelling of *(a)* lemon curd and *(b)* mincemeat. [74864]

Ms Blears: The Food Standards Agency has recently sought views on whether or not to retain regulations, which define the minimum content of key ingredients, such as lemon or dried fruit respectively, in lemon curd and mincemeat. When the responses to the consultation have been analysed the Agency will decide whether to propose changes to the rules.

Hospices

Mrs. Browning: To ask the Secretary of State for Health how much of the money allocated to the NHS Cancer Plan for Specialist Palliative Care has gone to hospices. [76171]

Ms Blears *[holding answer 21 October 2002]:* The NHS Cancer Plan, published in September 2000, pledged that the National Health Service contribution to the costs of specialist palliative care, including hospices, would increase by £50 million by 2004.

Progress to date has been slow. We have therefore asked Professor Mike Richards, the National Cancer Director, to work with the NHS and the voluntary sector to develop proposals for a new approach to specialist palliative care funding that will ensure delivery of the £50 million increase and develop a mechanism to secure long term investment. Professor Richards has been asked to report to Ministers later this autumn.

To support this initiative, my right hon. Friend, the Secretary of State for Health announced on 2 October that we are making available an extra £10 million for specialist palliative care services in 2002–03. It will be for local health communities, with their voluntary sector partners, to decide how this funding should be deployed in support of the Cancer Plan objectives.

Mrs. Browning: To ask the Secretary of State for Health how much money has been received by the Exeter Hospice from the NHS Cancer Plan for Specialist Palliative Care. [76170]

Ms Blears *[holding answer 21 October 2002]:* I am advised by the South West Peninsular Strategic Health Authority that Exeter Hospiscare received £579,000 from the National Health Service this year. This is an increase of 3.6 per cent. and is in line with the current NHS funded inflation rate.

Mrs. Browning: To ask the Secretary of State for Health when he intends to respond to the letters of 7 May, 26 June and 2 September concerning hospice funding from the hon. Member for Tiverton and Honiton. [76172]

Ms Blears *[holding answer 21 October 2002]:* A reply was sent to the hon. Member on 17 October.

Heart Patients

Tim Loughton: To ask the Secretary of State for Health how many heart patients waiting for more than six months have subsequently opted to be treated in private hospitals in the last five years. [75529]

Ms Blears *[holding answer 21 October 2002]:* The information requested is not collected centrally.

Kidney Transplants

Tim Loughton: To ask the Secretary of State for Health how many kidney transplants were carried out in each of the last five years; and at what average cost. [75540]

Mr. Lammy *[holding answer 21 October 2002]:* Information on the number of kidney transplants in the United Kingdom over the last five years is shown in the table.

	1997	*1998*	*1999*	*2000*	*2001*
Cadaveric kidney only	1487	1330	1311	1323	1333
Living donor kidney	179	252	270	348	358
Total Kidney only	1666	1582	1581	1671	1691
Kidney/pancreas	21	22	31	32	41
Kidney/heart	2	3	2	—	4
Kidney/pancreas/liver	—	1	—	—	—
Total Kidney	1689	1608	1614	1703	1736

Data from the Reference Costs 2001 publication shows that average cost of an elective kidney transplant is £12,260. The annual cost of follow-up including the costs of anti-rejection therapy is £3,000 to £5,000 per patient.

Electronic Patient Records

Tim Loughton: To ask the Secretary of State for Health what training is available to medical students to enable them to write electronic patient records. [75509]

Mr. Lammy *[holding answer 21 October 2002]:* Individual university medical schools determine their own undergraduate medical curriculum in the light of recommendations from the General Medical Council's (GMC's) education committee, which has the statutory responsibility to determine the extent and knowledge and skill required for the granting of primary medical qualifications in the United Kingdom.

The education committee's most recent recommendations on undergraduate medical education are contained in *Tomorrow's Doctors* which was published in July 2002. It requires all graduates to be able to take and record a patient's history safely and effectively.

The GMC's recommendations on general clinical training in the pre-registration house officer (PRHO) year cover medical informatics including how to use information storage and retrieval systems effectively. As part of their in-service training PRHOs are expected to become familiar with the information technology facilities of the hospital or health centre in which they are training.

Eye Tests

Tim Loughton: To ask the Secretary of State for Health (1) how many people qualified for free NHS eye tests in the last year *(a)* as a percentage of the population and *(b)* broken down by patient type; [75544]

(2) how many people had free NHS eye tests in each of the last five years. [75545]

Mr. Lammy *[holding answers 21 October 2002]:* Information on the number of people having a National Health Service sight test is not available. Figures in the table relate numbers of NHS sight tests paid for by health authorities contracted under general ophthalmic services. Sight tests can not be equated to the numbers of patients. Although most people do not come back for a sight test within the year, some patients suffering from medical conditions are advised to have re-examinations sooner.

Table 1: Number of GOS Sight Tests Paid for by Health Authorities from 1997–98 to 2001–02

England *Year*	*millions* *Number of sight test*
1997–98	6.99
1998–99	6.99
1999–2000	9.40
2000–01	9.57
2001–02	9.81

Note:
Eligibility for NHS sight tests was extended to patients aged 60 and over from 1 April 1999.

Table 2: Number of GOS Sight Tests Paid for by Health Authorities, by Patient Eligibility for the Year Ending 31 March 2002.

England *Eligibility group*	*thousands* *Number of sight test*
Persons aged 60 and over	4,013
Children 0–15	2,375
Students 16–18	488
Adults receiving IS[1]	1,082
Adults receiving WFTC[1]	413
Adults receiving DPTC[1]	37
Adults receiving JSA[1]	230
Low income certificate holders (HC2)	164

Table 2: Number of GOS Sight Tests Paid for by Health Authorities, by Patient Eligibility for the Year Ending 31 March 2002.

England Eligibility group	*thousands* Number of sight test
Registered blind/partially sighted	19
Diabetics/Glaucoma sufferers	433
Needs complex lenses	61
Relatives 40 & over[2]	492
Total NHS sight test	9,807

Notes:
[1] Income Support, Working Families Tax Credit, Disabled Persons Tax Credit and Job Seekers allowance.
[2] Close relatives of glaucoma sufferers aged 40 and over.

Tim Loughton: To ask the Secretary of State for Health what assessment has been made by his Department of the cost to optometrists of operating each free NHS eye test. [75546]

Mr. Lammy *[holding answer 21 October 2002]:* The Department has not commissioned any recent surveys to identify and itemise the costs of these independent contractors, which will vary from practice to practice. In negotiating the National Health Service sight test fee, the Department and the representative bodies for optometrists and ophthalmic medical practitioners put forward the factors they consider should be weighed in determining an appropriate fee level. For the Department, these are the state of recruitment, retention and motivation within the general ophthalmic service, together with affordability.

GP Tsar

Tim Loughton: To ask the Secretary of State for Health how many visits the GP tsar has made to Worthing in that capacity since his appointment. [75512]

Ms Blears *[holding answer 21 October 2002]:* Professor David Colin-Thome, the National Clinical Director for Primary Care, has made two visits to Worthing since coming into office on the 1 May 2001.

Health Protection Agency

Tim Loughton: To ask the Secretary of State for Health what progress has been made with the transfer of the Public Health Authority to form the proposed new Health Protection Agency. [75507]

Ms Blears *[holding answer 21 October 2002]:* Following plans in "Getting Ahead of the Curve" to transfer functions of the public health laboratory service (PHLS) and a number of other bodies to the proposed Health Protection Agency, we issued a consultation document on the necessary legislation in June 2002. We are now considering the replies and will announce our final decisions as soon as possible. Decisions about the transfer of the majority of the PHLS laboratories to the National Health Service were announced in September.

Mr. Dismore: To ask the Secretary of State for Health where the headquarters of the new Health Protection Agency will be located. [74811]

Ms Blears: This would be for decision by the proposed Agency.

NHS Property Sales

Tim Loughton: To ask the Secretary of State for Health if he will list the NHS properties sold in each of the last five years, with the proceeds raised; and what further sites have been identified for future disposal. [75526]

Mr. Lammy *[holding answer 21 October 2002]:* Details of individual National Health Service properties sold and the proceeds raised in each of the last five years are not collected centrally. The table shows the total proceeds raised from the sale of NHS properties in each of the last five years.

Year	*Total Proceeds £million*
1997–1998	471
1998–1999	500
1999–2000	593
2000–2001	676
2001–2002	511

The total proceeds include transfers to and between trusts.

Attached is a list of major NHS properties that have either been identified as surplus to requirements or may become surplus has been placed in the Library. In some instances no formal decision to sell has been made. In some cases only part of a site will or is likely to be sold.

MRSA

Tim Loughton: To ask the Secretary of State for Health how many cases of MRSA have been reported in the last *(a)* six months and *(b)* year; and what new plans he has to combat this disease. [75567]

Mr. Lammy *[holding answer 21 October 2002]:* The most recent data available from the mandatory surveillance system are up to June 2002. The total number of methicillin-resistant staphylococcus aureus bacteraemia reports in England received during from January to June 2002 and July 2001 to June 2002 are shown in the table.

	No of MRSA bacteraemia reports
(a) Jan 2002–June 2002	3525
(b) July 2001–June 2002	7203

Source:
Public Health Laboratory Service

I refer the hon. Member to the reply I gave him on 15 Apr 2002, *Official Report*, column 790W, which set out the main policy initiatives. The Chief Medical Officer's infectious disease strategy, *Getting Ahead of the Curve*, identified healthcare associated infection and antimicrobial resistance as priority areas and new targeted action plans to address both areas are currently being developed.

Extending Patient Choice

Tim Loughton: To ask the Secretary of State for Health what hospitals were shortlisted by his Department to undertake heart operations under the Extending Patient Choice initiative. [75505]

Ms Blears *[holding answer 21 October 2002]:* Following a tender exercise to identify non-National Health Service hospitals for the treatment of patients under the coronary heart disease patient choice initiative, the following hospitals were shortlisted:

United Kingdom

BMI Park, Nottingham
BMI Priory, Birmingham
BMI, London Independent
BMI Thornbury, Sheffield
BUPA Bristol
BUPA Cambridge
BUPA Chalybeate, Southampton
BUPA Leeds
BUPA Leicester
BUPA Washington
HCA (Harley St Clinic, London Bridge Hospital, Wellington Hospital)
HCI, Glasgow
King Edward VII Hospital, Midhurst, Sussex
Nuffield Leicester
Yorkshire Clinic

This shortlist does not preclude local commissioners from contracting with other hospitals, provided they have satisfied themselves that the relevant units satisfy value for money, quality of care and patient convenience criteria.

European

Azienda Ospedaliera Niguarda, Milan, Italy
Clinique University UCL de Mont Godinne, Yvoir, Belgium
Hopital Foch, Paris, France
Imelda Hospital, Bonheiden, Belgium
St Jan, Brugge, Belgium
St Jean Hospital, Brussels, Belgium
UZ University Hospital Gent, Belgium

The shortlisted European hospitals are not guaranteed a contract and a team led by an NHS overseas treatment lead commissioner is taking forward discussions with these hospitals.

Renal Services

Tim Loughton: To ask the Secretary of State for Health what paediatric (renal services are available in *(a)* East Anglia and *(b)* Wales. [75541]

Mr. Lammy *[holding answer 21 October 2002]:* Paediatric renal services are highly specialised. Children in the East Anglia area requiring treatment in a paediatric renal unit are referred to one of the national centres.

The provision of health services in Wales is a matter for the Welsh Assembly.

Upper Age Bars

Mr. MacDougall: To ask the Secretary of State for Health for what reason there is an explicit upper age bar to *(a)* coronary care units and *(b)* cardiac rehabilitation units. [76131]

Ms Blears *[holding answer 21 October 2002]:* It is an underlying principle of National Health Service care that access to services is based on clinical need alone. We are not aware of any NHS coronary care unit or rehabilitation service in England that restricts access to its services on the basis of age.

Mr. MacDougall: To ask the Secretary of State for Health for what reason there is an explicit upper age limit for routine breast screening. [76130]

Ms Blears *[holding answer 21 October 2002]:* The Forrest report, on which the National Health Service breast screening programme was based when it began in 1988, recommend that women aged 50 to 64 should be invited for breast screening. The Forrest report found that, in view of poor response rates, there was insufficient benefit to be gained by actively offering screening to women aged 65 or over. Women aged 65 and over are able to self-refer for breast screening every three years. Women who have participated in the programme are informed of this right at the age of 64.

Government funded pilot studies have now shown that extending routine invitations for breast screening to women aged 65 to 70 is both feasible and cost-effective. The NHS Cancer Plan gave the commitment that the programme will be extended to women aged 70 by 2004.

There is little research evidence to show whether population screening in the over 70s is effective in reducing mortality. What little evidence there is suggests that screening in this way may not be effective and could even do more harm than good to some women. However, for some individual women there will always be a clear benefit in screening. Women aged over 70 will be offered free three yearly screening on request, as are women aged 65 and over now.

Hospital Trusts (West Surrey)

Mr. Wilshire: To ask the Secretary of State for Health (1) on what basis the £16.9 million cut in the income for 2002–03 was apportioned between the three acute hospital trusts in West Surrey; [75491]

(2) for what reason an extra £16.9 million has been added to the 2002–03 income of the primary care trusts in West Surrey; [75492]

(3) for what reason £7.9 million was cut from the 2002–03 income of the Ashford and St Peter's Hospitals NHS Trust in August; [75490]

(4) for what reason £16.9 million was cut from the 2002–03 income of the three acute hospital trusts in West Surrey in August. [75494]

Ms Blears *[holding answers 21 October 2002]:* The allocation to the local health community has, in real terms, increased by 6.89 per cent. over the previous year. The apportionment to the trusts of this increased income has been set on the basis of service level agreements and the additional investment will help deliver the NHS Plan targets locally.

However, these agreements and the related trust budgets have had to be set on the basis of managing a long standing underlying financial deficit for the West Surrey health service community. The financial position last year was only achieved through the use of non-recurrent support of £15.6 million.

Mr. Wilshire: To ask the Secretary of State for Health what additional financial and staff resources are being made available to the Ashford and St Peter's Hospitals NHS Trust to enable the implementation of its franchise plan. [75489]

Ms Blears *[holding answer 21 October 2002]:* Additional growth, modernisation and specific financial assistance is being made available to the local health community representing a real uplift in allocation of 6.89 per cent. over the last year. Special assistance is being made available to the trust for reforming emergency care from the modernisation agency and additional resource of £8.4 million is being made available.

Mr. Wilshire: To ask the Secretary of State for Health what plans he has to bring to an end the Ashford and St. Peter's Hospitals NHS Trust running a deficit budget. [75493]

Ms Blears *[holding answer 21 October 2002]:* The management of the trust is a matter for the local health community managing within the context of *Shifting the Balance of Power*, local partnership and agreement. The underlying deficit will be resolved by the primary care trusts and National Health Service trusts within their three year plans. This will be performance managed through the local development plan which is currently being formulated by the Surrey and Sussex Strategic Health Authority.

Mr. Wilshire: To ask the Secretary of State for Health why the Franchise Plan for the Ashford and St. Peter's Hospitals NHS Trust presented to the Government were not published until 10 October 2002. [75488]

Ms Blears *[holding answer 21 October 2002]:* I am advised by Surrey & Sussex Strategic Health Authority that this was the planned date for publication.

Mr. Wilshire: To ask the Secretary of State for Health on what dates the 2002–03 budget was *(a)* formally finalised and *(b)* published for (i) the Ashford and St Peter's Hospitals NHS Trust and (ii) North Surrey Primary Care Trust. [75487]

Ms Blears *[holding answer 21 October 2002]:* The financial framework was first received by the Ashford and St. Peter's Hospitals National Health Service Trust board in June 2002.

The allocation for the North Surrey Primary Care Trust, established in April 2002, was set in December 2001 and the primary care trust agreed the financial framework in September 2002.

Food Testing

Mr. Gummer: To ask the Secretary of State for Health what instructions have been given to the Food Standards Agency in relation to its support of local councils responsible for the testing of imported food of non-animal origin. [75920]

Ms Blears: I am advised by the Food Standards Agency, which is responsible for issues of food safety, that the Agency's Board has directed the Agency to take forward a ten point plan aimed at improving the co-ordination of enforcement actions and the effectiveness of inspection of imports. The aims of the measures being taken forward include assisting the work of the local food authorities responsible for inspecting imports of products of non-animal origin in the enforcement of such controls.

The Agency will be working closely with the local food authorities to ensure that their views are taken into account in developing the United Kingdom's position for imminent European Union negotiations on a proposed regulation for feed and food controls which will include rules on import controls for products of non-animal origin

Simian Diseases

Mr. Gummer: To ask the Secretary of State for Health which simian diseases are transmissible to man. [75932]

Ms Blears: There are a number of zoonotic diseases, which can be transmitted from simians to man. These are Simian Herpes B Virus (*Herpesvirus simiae*), Simian Immunodeficiency Virus (SIV), Tuberculosis, Salmonellosis, Campylobacteriosis, Monkeypox, Rabies, Ebola and Marburg viruses, parvoviruses, and helminthic and protozoal infections.

Pneumococcal Polysaccharide Vaccine

Mr. Hancock: To ask the Secretary of State for Health (1) what assessment his Department has made of the pneumococcal polysaccharide vaccine; and if he will make a statement; [75999]

(2) what plans he has for pneumococcal polysaccharide vaccine to be assessed by NICE; and if he will make a statement. [76006]

Ms Blears: The Department asked the Joint Committee on Vaccination and Immunisation (JCVI) an independent expert advisory group, to review all available data on the use of this vaccine and report back. This work has now been carried out and the Department are considering their advice.

Mr. Hancock: To ask the Secretary of State for Health how many people have been prescribed the pneumococcal polysaccharide vaccine in the last three years, broken down by NHS Trust; and if he will make a statement. [76007]

Ms Blears: The number of people who have received pneumococcal vaccine can be estimated by the number of prescription items dispensed in the community for pneumococcal vaccine. The amount of pneumococcal vaccine dispensed in England for the last three years is given below.

Number of Prescription Items Dispensed in the Community for Pneumococcal Vaccine, 1997 to 2001

England

Year	*1999*	*2000*	*2001*
Prescription items (thousands)	550.5	539.1	468.1
Net ingredient cost (£ thousands)	5,415.0	5,244.3	4,682.9
Number of vaccines (thousands)	551.8	540.3	468.4

Attention Disorders

Mr. Burstow: To ask the Secretary of State for Health if he will set out what measures his Department have taken to *(a)* inform and *(b)* train (i) GPs, (ii) nurses, (iii) social workers, (iv) teachers, (v) parents and (vi) children on the symptoms of ADD and ADHD. [75740]

Jacqui Smith: In recent years the Department has supported a number of initiatives taken by professional bodies and other agencies to raise awareness of attention deficit disorder (ADD) and attention deficit hyperactivity disorder (ADHD) and to facilitate accurate diagnosis and appropriate treatment. These include an evidence-base briefing for clinicians on the use of stimulant medication (1999) and factsheets for parents, teachers and young people on attention deficit problems and hyperactivity, both produced by the Royal College of Psychiatrists. We have also collaborated with the Department for Education and Skills in issuing guidance for teachers on promoting children's mental health, including attention deficit/ hyperactivity, within early years and school settings, in 2001. The National Institute for Clinical Excellence (NICE), at the suggestion of the Department, undertook an appraisal of the use of the drug methylphenidate for ADHD in children and issued clinical guidelines for its use, including information for patients, in 2000. This guidance was circulated widely among professional groups involved with attention deficit disorders. The Department has also grant-aided the ADHD national alliance, an organisation which helps to co-ordinate voluntary sector activity and development work in this field.

In general the content of professional training is a matter for the relevant professional bodies. However the Department's requirements for social work training from September 2003 will include elements covering child development and mental health and communication skills with children.

Mr. Burstow: To ask the Secretary of State for Health what estimates he has made of the number of children suffering from *(a)* ADD and *(b)* ADHD; and if he will make a statement. [75735]

Jacqui Smith: No estimates of prevalence that differentiate between attention deficit disorder (ADD) and attention deficit hyperactivity disorder (ADHD) have been commissioned centrally. The prevalence of ADHD of all types is estimated at around five per cent. of school-aged children, approximately 345,000 six to 16 year olds in England. A survey by the Office for National Statistics of the mental health of children and adolescents in Great Britain, published in 2000, found the prevalence of hyperkinetic disorders, including the severer forms of ADHD, to be 1.4 per cent. of five to 15 year olds.

Tinnitus

Mrs. Helen Clark: To ask the Secretary of State for Health what plans he has to provide Government support for tinnitus research. [74785]

Mr. Lammy: The main Government agency for research into the causes and treatments of disease is the Medical Research Council (MRC), which receives its funding from the Department of Trade and Industry. The MRC spent about £5 million in 2000–01 on hearing research generally, much of which is basic in nature but some of which may well have a bearing on the causes and treatment of tinnitus. Included in this figure is a major investment in the MRC Institute of Hearing Research.

The MRC is independent in its day-to-day research funding decisions, which take account of both health needs and scientific vision and opportunity. The MRC always welcomes high quality applications for financial support into any aspect of biomedical research and these are judged in open competition with other demands on funding. The MRC does not, as a rule, earmark funds for particular topics; research proposals in all areas will compete for the funding available.

The Department funds research to support policy and the delivery of effective practice in health and social care. The Department's research programmes are not funding any projects related to tinnitus, and there are no current plans to commission such work. The Department does, however, provide National Health Service support funding for research commissioned by the research councils and charities that takes place in the NHS.

Consultancies

David Davis: To ask the Secretary of State for Health if he will list external *(a)* public relations/ communications companies, *(b)* advertising and marketing companies, *(c)* management consultancies, *(d)* accountancy companies, *(e)* banking firms, *(f)* individual consultants and *(g)* other specialist consultancies used by his Department since June 2001; what actions those consultancies/companies have performed within his Department; and what costs have been incurred through use of these consultancies/ companies. [74680]

Mr. Lammy: Information is not held centrally in the form requested and could not be provided except at disproportionate cost.

Correspondence

Mr. Swayne: To ask the Secretary of State for Health when he plans to reply to Mr. J. A. Gibson's letter of Chiltern Drive, Barton on Sea, of 27 July, regarding the Access to Health Records Act 1990. [74659]

Mr. Lammy: The Department has no record of receiving this correspondence. The Department's Ministerial correspondence unit has requested a duplicate.

Paddy Tipping: To ask the Secretary of State for Health what performance targets have been set for answering correspondence; and to what extent these targets are being met. [74272]

Mr. Lammy *[holding answer 21 October 2002]:* The Department's target for answering correspondence is 20 days, set by the Cabinet Office and known as the Service First Targets. The Cabinet Office, on an annual basis, publishes a report on the performance of each Department. The Report for 2001 was published on Friday, 24 May 2002. Copies of previous reports are available in the Library.

Drug-resistant Bacterium

Mr. Wiggin: To ask the Secretary of State for Health what organisations the Government fund that conduct research into drug resistant bacterium; and if he will list the annual amounts. [73841]

Mr. Lammy: Information on research into antimicrobial resistance is not collated centrally. The table below shows the estimated spend on drug resistant bacteria for the main Government funding organisations for 2002–03. This research will be carried out by a variety of organisations including university departments, the Public Health Laboratory Service and the Royal Veterinary College. The research councils also support basic research, which underpins work on drug resistance.

Estimated Spend for the Financial Year 2002–03

Biotechnology and Biological Sciences Research Council	£998,000
Department for Environment Food and Rural Affairs	£1,630,000
Department of Health	£408,000
Food Standards Agency	£305,000
Medical Research Council	£1,200,000
Scottish Executive Environment and Rural Affairs Department	£233,404
Scottish Executive Health Department	£106,000

Public Health Laboratory Service

Mr. Dismore: To ask the Secretary of State for Health what assessment he has made of his Department's ability to counter the risks and effects of bioterrorism *(a)* with the existing Public Health Laboratory Service arrangements, *(b)* after completion of the reorganisation of the Public Health Laboratory Service and *(c)* during the transitional period whilst new arrangements settle down; and if he will make a statement. [74815]

Ms Blears: The Department works closely with the Public Health Laboratory Service (PHLS) and with the National Health Service to ensure that biological threats are rapidly identified and dealt with. We are confident that the United Kingdom is as well prepared as any country could be to protect the health of its citizens in the event of bioterrorism.

The transfer of most PHLS general microbiology services to the NHS will strengthen the public health outputs of the NHS. It will also improve surveillance and linkages between human, veterinary, food, water, and environmental surveillance systems, which are essential to identify new events and monitor the effectiveness of interventions.

In considering the transfer of the PHLS laboratories to the NHS, the Department is ensuring that there will be dedicated public health microbiology support at local and regional levels to make sure that incident response and public health surveillance continues.

Mr. Dismore: To ask the Secretary of State for Health what arrangements will be put in place to require local public health laboratories to respond to requests for information and samples from the central Public Health Laboratory Service after reorganisation; and if he will make a statement. [74810]

Ms Blears: All National Health Service laboratories as well as laboratories in the proposed Health Protection Agency will be able to respond to requests for information and samples from one central public health laboratory. These arrangements will be a continuation of the current system.

Mr. Dismore: To ask the Secretary of State for Health what plans he has to visit Public Health Laboratory Service, Colindale. [74808]

Ms Blears: My right hon. Friend the Secretary of State has no current plans to visit the Public Health Laboratory Service (PHLS). The then Parliamentary Under Secretary of State for Public Health (Yvette Cooper) visited the PHLS on 6 November 2000 and I plan to visit on 28 October 2002.

Mr. Dismore: To ask the Secretary of State for Health what assessment he has made of the impact on the National Vaccination Campaign of the proposals to reorganize the Public Health Laboratory Service; and if he will make a statement. [74812]

Ms Blears: We do not anticipate any negative impact and hopefully there will be positive impact from the incorporation of Public Health Laboratory Service into the proposed new Health Protection Agency. It is clear that the immunisation priorities will remain priorities of the Agency.

Mr. Dismore: To ask the Secretary of State for Health what arrangements he has made to consult trade unions and professional bodies over the reorganisation of Public Health Laboratory Service. [74816]

Ms Blears: A consultation document on the proposed establishment of the Health Protection Agency (HPA), which would assume many of the functions of the Public Health Laboratory Service (PHLS) and a discussion document about proposals to transfer a number of PHLS laboratories to the National Health Service was issued in June 2002. Both were sent to relevant trades unions and professional bodies.

A trades union liaison group has been established between the relevant trades unions, officials and the current employing organisations to co-ordinate consultation and discussion about the proposed HPA. There are regular meetings with trades unions or professional bodies on a range of relevant issues.

Cancer

Gregory Barker: To ask the Secretary of State for Health (1) what representations his Department has received concerning the efficiency of systems in place to report results from radiotherapy and X-rays; [75765]

(2) what representations his Department has received concerning the failure of radiology departments to record all results of diagnostic tests leading to investigations being unnecessarily repeated; and what representations his Department has received concerning the risks associated with increasing the radiation exposure of the patient due to repetition of diagnostic tests; [75751]

(3) what representations his Department has received concerning *(a)* the failure of radiology departments to record all results of diagnostic tests leading to investigations being unnecessarily repeated and *(b)* the risks associated with increasing the radiation exposure of the patient due to the unneccessary repetition of diagnostic tests. [75755]

Ms Blears: The Department has received no representations concerning the efficiency of systems to report results from radiotherapy, X-rays and other diagnostic tests using ionising radiation. The use of ionising radiation in healthcare is governed by legislation.

The Ionising Radiation (Medical Exposure) Regulations 2000, which came into force on 1 January 2001, require that all exposures to ionising radiation are justified and that a clinical evaluation of each exposure is recorded. A major intention of the legislation is to minimise the inappropriate use of ionising radiation in patients' exposures.

The regulations also require that where an employer, such as a trust, believes that a person may have been exposed to a dose of radiation greater than intended, from a repeat diagnostic test or other error, it must report such an incident to the appropriate authority. In England this authority is the Secretary of State's Inspectorate for the Ionising Radiation (Medical Exposure) Regulations 2000.

Gregory Barker: To ask the Secretary of State for Health what proportion of child patients receive treatment for *(a)* testicular cancer and *(b)* acute leukaemia within one month of initial GP referral. [75777]

Ms Blears: The targets of a maximum one month wait from urgent general practitioner referral to first treatment for children's cancers, testicular cancer and acute leukaemia were introduced in December 2001. Central monitoring of the targets began in January 2002 and the table below shows performance for the three cancer sites in the last two quarters for which data are available. The table shows the proportion of patients treated within the target time.

One Month from Urgent Referral to First Treatment

	Quarter 4 2001–02	*Quarter 1 2002–03*
Children's cancers	100%	100%
Testicular cancer	92%	93.5%
Acute Leukaemia	100%	99%

Linear Accelerators

Gregory Barker: To ask the Secretary of State for Health (1) what representations his Department has received concerning the replacement linear accelerators that have been in service for 11 years or more; [75756]

(2) what representations his Department has received concerning the cost of replacing sub-standard radiotherapy equipment in use within the NHS; and what the cost is for each NHS health authority; [75764]

(3) what linear accelerators are due for replacement within the next 12 months, broken down by health authority; and how many years they will have been in service when replaced; [75758]

(4) what representations his Department has received concerning sub-standard radiotherapy equipment in the NHS; and what steps are being taken to ensure that radiotherapy equipment is *(a)* monitored and *(b)* maintained, and that machines identified for replacement are decommissioned and replaced when necessary; [75762]

(5) what linear accelerators have been replaced since the introduction of the NHS Cancer Plan broken down by health authority; and how many years they had been in service when replaced; [75757]

(6) if he will state, by health authority, the linear accelerators that *(a)* have been in service for more than 11 years, *(b)* the total number of years that they have been in service, and *(c)* the date that they are due for replacement; [75759]

(7) what representations his Department has received concerning the state of radiotherapy equipment within the NHS; [75767]

(8) what representations his Department has received concerning the number of linear accelerators in need of renewal within the NHS; and if he will list the NHS health authorities they belong to. [75763]

Ms Blears: The age of each linear accelerator in service in the National Health Service in January 2001 was published at www.canceruk.net. This lists each linear accelerator installed in the NHS along with the dates when each machine was commissioned. This database is expected to be updated in the next few months and will provide comprehensive details of equipment installed since the introduction of the NHS Cancer Plan, including those provided under the new opportunities fund cancer initiative.

The criteria for replacement of radiotherapy equipment will take into account age and whether spare parts can still be supplied by the original equipment manufacturer. There is no formal recommended replacement age for linear accelerators within the NHS in England. Older equipment is capable of delivering safe and appropriate treatment to many cancer patients. Careful maintenance can ensure that radiotherapy equipment can remain in service for periods in excess of 11 years and this is reflected in the age of some machines identified in the survey. It is recognised however that equipment older than 11 years may not be capable of providing the latest treatment techniques.

Standards regarding maintenance and safety of equipment are high in the United Kingdom and these are met by a combination of local scientific and technical staff and manufacturers providing servicing and quality assurance systems.

The Department is aware of the high cost of radiotherapy equipment and has initiated a number of central purchasing initiatives designed to exploit economies of scale. The new opportunities fund.

announced in September 1999, funded 42 replacement and 15 additional linear accelerators. The NHS Cancer Plan, published in September 2000, made a commitment for a further 20 replacement and 25 additional linear accelerators to be installed in the NHS by 2004. My right hon. Friend the Secretary of State announced the location of these machines in July 2002. Others will be replaced through local means. The 20 replacement machines under the Cancer Plan have been allocated to the 17 trusts identified in the table.

Strategic Health Authority	*Trust*	*Installation date*
Avon, Gloucestershire & Wiltshire	Gloucestershire Hospitals NHS Trust	1993
Avon, Gloucestershire & Wiltshire	United Bristol Healthcare NHS Trust	1998
Bedfordshire & Hertfordshire	West Hertfordshire Hospitals NHS Trust	1991
Birmingham & the Black Country	University Hospital Birmingham NHS Trust	1991
Greater Manchester	Christie Hospital NHS Trust	1987
Hampshire & Isle of Wight	Portsmouth Hospitals NHS Trust	1990
Kent & Medway	Maidstone & Tunbridge Wells NHS Trust	1994
Norfolk, Suffolk & Cambridgeshire	Addenbrooke's NHS Trust	1994
North Central London	Royal Free Hampstead NHS Trust	1990
North Central London	University College London Hospitals NHS Trust	1983
Northumberland, Tyne & Wear	The Newcastle upon Tyne Hospitals NHS Trust	1991
Northumberland, Tyne & Wear	The Newcastle upon Tyne Hospitals NHS Trust	1992
Northumberland, Tyne & Wear	The Newcastle upon Tyne Hospitals NHS Trust	1993
Shropshire & Staffordshire	North Staffordshire Hospital NHS Trust	1992
South East London	Guy's & St Thomas' NHS Trust	1990
South East London	Guy's & St Thomas' NHS Trust	1993
South Yorkshire	Sheffield Teaching Hospitals NHS Trust	1990
Southern West Midlands South	University Hospitals Coventry & Warwickshire NHS Trust	1993
Thames Valley	Oxford Radcliffe Hospitals NHS Trust	1991
Trent	Nottingham City Hospital NHS Trust	1993

Final equipment costs are dependent on local circumstances such as equipment specification and are subject to commercial confidentiality. It is therefore not possible to provide accurate costs by individual strategic health authority.

Radiographers

Gregory Barker: To ask the Secretary of State for Health how many radiographer vacancies there are for each NHS health authority; and what the figures were for each year since 1997. [75790]

Mr. Hutton: The information requested has been placed in the Library.

Between September 1997 and September 2001, the number of diagnostic radiographers has increased by 800 from 10,360 to 11,160 and the number of therapeutic radiographers has increased by 130 from 1,410 to 1,540.

Cancer Care

Gregory Barker: To ask the Secretary of State for Health what the *(a)* total number and *(b)* proportion of suspected cancer patients being seen by a cancer surgeon within two weeks of referral by their GP, for each health authority; and what the figures were for each months since July 1997. [75782]

Ms Blears: The information collected centrally on urgent cancer referrals seen by a specialist within two weeks does not distinguish between surgeons and other specialists. The two week outpatient waiting time standard was introduced for urgent cases of suspected breast cancer from April 1999 and was extended to all urgent cases of suspected cancer from December 2000. Performance data is published quarterly. Information on the total number and percentage achievement of the two week standard for breast cancer since April 1999 and for all suspected cancer referrals since January 2001 has been placed in the Library.

Public Service Agreements

Mr. Laws: To ask the Secretary of State for Health, how many and what proportion of the public service agreements of his Department set out in the document Public Services for the Future 1998 have been met; and if he will make a statement [68714]

Mr. Lammy *[holding answer 15 October 2002]:* Information relating to the Department's public service agreement targets can be found in the Department's departmental report 2002.

Gastrointestinal Endoscopy

Gregory Barker: To ask the Secretary of State for Health (1) how many gastrointestinal cancer patients are awaiting gastrointestinal endoscopy; and what the comparative figures were for each month since July 1997; [75776]

(2) what the average waiting time is for patients awaiting gastrointestinal endoscopy; and what the figures were for each month since July 1997. [75768]

Ms Blears: Information is not collected centrally on patient waiting times for gastrointestinal endoscopy.

Dermatologists

Mrs. Gillan: To ask the Secretary of State for Health, what steps he is taking to fill vacant dermatology positions in the NHS; and what plans he has to increase the trainee posts in dermatology. [69517]

Mr. Hutton: Pursuant to my answer 15 July 2002, Column 122W: I regret that my previous reply was incorrect.

The last paragraph should read, "As at 30 September 2001 there were 133 specialist registrars in dermatology in the National Health Service in England. The output from these existing specialist training places, when combined with other increases through increased recruitment and retention, international recruitment, and promotion of flexible retirement, are expected to result in a 27 per cent. increase in the number of trained specialists in dermatology by 2010."

Source: Department of Health Medical and Dental census September 2001

Written Answers to Questions

Thursday 24 October 2002

HOME DEPARTMENT

Correspondence

Mr. Kaufman: To ask the Secretary of State for the Home Department when he intends to reply to the letter to him dated 5 August from the right hon. Member for Manchester, Gorton with regard to Mr. Amanat Ullah. [74860]

Mr. Blunkett: I refer my right hon. Friend to the answer I gave him on 22 October 2002, *Official Report*, column 230W.

Mr. Sanders: To ask the Secretary of State for the Home Department when he expects to reply to the letter of 19 June from the hon. Member for Torbay regarding Mrs. Shyla Selvasenthil. [75000]

Beverley Hughes: I wrote to the hon. Member on 6 August 2002.

Yarlswood

Mr. Malins: To ask the Secretary of State for the Home Department what the latest estimated cost is of the Yarlswood fire; and what proportion is anticipated to be borne by the Exchequer. [75432]

Beverley Hughes: For legal reasons I am unable to comment on the costs of the Yarlswood incident and who will bear responsibility for those costs.

Asylum Seekers

Mr. Malins: To ask the Secretary of State for the Home Department what negotiations he has had with insurers concerning insurance cover for *(a)* Yarlswood and *(b)* the proposed pilot accommodation centres for asylum seekers; and if he will make a statement. [75430]

Beverley Hughes: Officials have held discussions with Group 4 Amey Immigration Limited (GAIL) and their insurers. Tenders have yet to be issued for the proposed accommodation centres.

Mr. Mudie: To ask the Secretary of State for the Home Department how many asylum seekers have been directed to Leeds, broken down by each Leeds constituency. [75001]

Beverley Hughes: As at the end of June 2002 the National Asylum Support Service (NASS) was supporting 1,485* asylum seekers (including dependants) in accommodation in Leeds.

Some asylum seekers supported by NASS find their own accommodation and receive subsistence only support from NASS. As at the end of June 2002 there were 570* asylum seekers (including dependants) in receipt of subsistence only support in the Yorkshire and Humberside region (which includes Leeds).

Figures are not currently available by constituency for those asylum seekers supported by the NASS.

Statistics on the number of asylum seekers accommodated by NASS in each cluster area are available on the Home Office's Immigration and Asylum Statistics website: http://www.homeoffice.gov.uk/rds/immigration1.html

Note:

* Figures have been rounded to the nearest five. Figures exclude cases where the asylum seekers support has been ceased.

Mrs. Anne Campbell: To ask the Secretary of State for the Home Department what the Government's policy is on the detention of pregnant women seeking asylum; and how many pregnant women are detained while their asylum applications are considered. [76280]

Beverley Hughes: Pregnant women are not normally considered suitable for detention under the Immigration Acts unless there is a clear prospect of early removal from the United Kingdom and medical advice suggests no question of confinement prior to this. In addition, women in the early stages of pregnancy may be detained briefly at Oakington Reception Centre as part of the fast-track asylum process. Statistics for the number of pregnant women detained under Immigration act powers are not available.

Annabelle Ewing: To ask the Secretary of State for the Home Department to ask the Home Secretary how much he has paid in non-domestic rates for each asylum detention centre in each of the last four years; and how much he will pay in 2002–03. [76545]

Beverley Hughes *[holding answer 23 October]:* The table outlines the expenditure paid for Non-Domestic Rates (NDR) for each Detention/Removal Centre across the Immigration Service, in each of the last four years, together with how much we will pay in Financial Year 2002–03.

Detention Centre Rates—1998 to 2002

Detention Centre/Unit	*Non-Domestic Rates (NDR)/Contribution in lieu of Rent (CILOR) (Account Type: P406)*				
	2002–03 £	*2001–02* £	*2000–01* £	*1999–2000* £	*1998–99* £
Dover RC (Rochester)	0.00	0.00	0.00	0.00	0.00
Tinsley House	415,150.00	408,500.00	399,594.19	345,659.89	410,316.21
Manchester Airport Detention Unit	0.00	0.00	0.00	0.00	0.00
Haslar Detention Unit	0.00	0.00	0.00	0.00	0.00
Yarl's Wood DC	299,345.00	107,329.00	0.00	0.00	0.00
Dungavel DC	83,172.00	81,780.00	10,480.04	0.00	0.00
Lindholme DC	0.00	0.00	0.00	0.00	0.00

Detention Centre Rates—1998 to 2002

Detention Centre/Unit	Non-Domestic Rates (NDR)/Contribution in lieu of Rent (CILOR) (Account Type: P406)				
	2002–03 £	2001–02 £	2000–01 £	1999–2000 £	1998–99 £
Oakington RC	240,350.00	0.00	170,477.37	0.00	0.00
Campsfield House	25,127.50	0.00	49,729.37	55,611.72	49,196.90
Queen's Buildings	0.00	0.00	0.00	0.00	0.00
Aldington DC	18,850.06	15,774.44	13,278.71	0.00	0.00
New Harmondsworth DC	1,165,042.00	528,963.62	0.00	0.00	0.00
Harmondsworth DC (Old)	0.00	0.00	278,666.92	94,560.07	91,351.20
Totals	2,247,036.56	1,142,347.06	922,226.60	495,831.68	550,864.31

Source:
BASS

Annabelle Ewing: To ask the Secretary of State for the Home Department to ask the Home Secretary if he will list each key performance indicator in the contract for the Dungavel asylum detention centre and the number of performance penalty points incurred for each key performance indicator by the operators of the detention centre in each year since it began operation. [76543]

Beverley Hughes *[holding answer 23 October 2002]:* A copy of the contract with Premier Detention Services Ltd has been placed in the Library. Schedule G "Performance Evaluation" of this contract contains all the information required.

Information relating to the number of performance points incurred by each Removal Centre operator is commercially confidential and so cannot be disclosed.

Annabelle Ewing: To ask the Secretary of State for the Home Department to ask the Home Secretary what the cost to his Department has been of monitoring private finance initiative contracts for each asylum detention centre in each of the last five years. [76544]

Beverley Hughes *[holding answer 23 October 2002]:* The Immigration and Nationality Directorate does not currently hold any Private Finance Initiative contracts for Removal Centres.

Departmental Websites

Dr. Cable: To ask the Secretary of State for the Home Department if he will list the website links associated with his Department, including sites now dormant or closed, and indicating whether they are live, dormant or closed; what the start up costs were for each site listed; what the operating costs were in each year since start up for each site; which company hosted each site; what assessment takes place for each site; which company does the assessment; if he will place the assessment reports in the Library; and if he will make a statement. [75583]

Beverley Hughes: Since January 2001 to the present the total design and development costs for the website are £1,024,228, whilst running costs (hosting and maintenance, excluding staff costs) are £551,986 to date.

Sites are assessed in-house using market intelligence, consumer feedback forms and Webtrends software, and, as of August 2002, monthly figures are submitted to the Cabinet Office.

The table shows the capital and running costs for all Home Office websites, excluding the Immigration & Nationality; Passports and Crime Reduction websites.

The web plays an invaluable role in providing information to the public and stakeholders across the range of Home Office responsibilities, and we are fully committed to developing our service to the public through it still further.

PQ–M 08533 HO managed websites costs

2001	Capital Costs	Running costs (ex staff)	Hosted by	State
www.policereform.gov.uk	£3,000	absorbed by Core HO	CCTA/Globix	Live
www.policecouldyou.co.uk	£15,200	absorbed by Core HO	CCTA/Globix	Live
www.secureyourmotor.gov.uk	£100,000	£8,000	CCTA/Globix	Live
www.hmprisonservice.gov.uk	£46,000	£10,800	CCGXM	Live
www.hmenterprises.gov.uk	unknown	absorbed by Core HO	CCTA/Globix	Live
www.drugs.gov.uk	£300,000	£200,000	CCTA/Globix	Live
www.sentencing-advisory-panel.gov.uk	prior to 2001	absorbed by Core HO	CCTA/Globix	Live
www.apc.gov.uk	prior to 2001	absorbed by Core HO	CCTA/Globix	Live
www.ask-the-football-fans.gov.uk	prior to 2001	absorbed by Core HO	CCTA/Globix	Live
www.fairersentencing.gov.uk	£1,200	absorbed by Core HO	CCTA/Globix	Closed
www.crimereduction.gov.uk	£83,000	£48,000	CCTA/Globix	Live
www.ppo.gov.uk	prior to 2001	absorbed by Core HO	CCTA/Globix	Live
www.ind.homeoffice.gov.uk	£100,000	£15,000	CCGXM	Live
www.homeoffice.gov.uk	£50,000	£75,000	CCTA/Globix	Live
	£698,400	*£356,800*		
2002	*Capital Costs*	*Running costs*		
www.policereform.gov.uk	£15,000	absorbed by Core HO	Globix/BT	Live
www.policecouldyou.co.uk	£1,683	£686	Globix/BT	Live

PQ–M 08533 HO managed websites costs

2001	*Capital Costs*	*Running costs (ex staff)*	*Hosted by*	*State*
www.secureyourmotor.gov.uk	£65,400	absorbed by Core HO	Globix/BT	Live
www.thinkyouknow.co.uk	£25,000	absorbed by Core HO	Globix/BT	Live
www.hmprisonservice.gov.uk	£0	£15,060	Globix/BT	Live
www.hmenterprises.gov.uk	£0	absorbed by Core HO	Globix/BT	Live
www.drugs.gov.uk	£100,000	£50,000	Globix/BT	Live
www.surveillancecommissioners.gov.uk	£25,616	absorbed by Core HO	Globix/BT	Live
www.probation.gov.uk/estates	£30,000	absorbed by Core HO	Globix/BT	Live
www.technicaladvisoryboard.gov.uk	£400	absorbed by Core HO	Globix/BT	Live
www.onlinemappa.org.uk	£400	absorbed by Core HO	Globix/BT	Live
www.sentencing-advisory-panel.gov.uk	£21,229	absorbed by Core HO	Globix/BT	Live
www.apc.gov.uk	£0	absorbed by Core HO	Globix/BT	Live
www.ask-the-football-fans.gov.uk	£0	absorbed by Core HO	Globix/BT	Live
www.crimereduction.gov.uk	£0	£54,000	Business Info	PubliLive
www.ppo.gov.uk	£0	absorbed by Core HO	Globix/BT	Live
www.ind.homeoffice.gov.uk	£0	£1,500	CCGXM	Live
www.homeoffice.gov.uk	£41,100	£74,000	Globix/BT	Live
	£325,828	*£195,186*		
Total costs to date:	*£1,024,228*	*£551,986*		

Drug Treatment and Testing Orders

Hugh Robertson: To ask the Secretary of State for the Home Department how many drug treatment and testing orders have been issued in the UK since their introduction; how many have been revoked for non-compliance; and what these figures are for Kent. [75190]

Mr. Bob Ainsworth *[holding answer 21 October 2002]:* The Drug Treatment and Testing Order was introduced under the Crime and Disorder Act 1998 and rolled out to courts in England and Wales on 1 October 2000, after successfully being piloted.

Between 1 October 2000–31 July 2000 (which is the latest month for which complete figures are available) 8,071 orders have been made nationally, of which 2,369 orders have been revoked for non-compliance. This represents 29 per cent. of the total number of orders made. In Kent 196 orders have been made over the same period, of which 64 have been revoked for failure to comply; this represents 32 per cent. of total orders made in the area.

Mr. Ebrahim Solta

Keith Vaz: To ask the Secretary of State for the Home Department if he will make a statement on the case of Mr. Ebrahim Solta of Leicester who was detained at Charles Street Police Station in October. [76310]

Beverley Hughes: I wrote to my hon. Friend on 15 October setting out the circumstances that led to the detention of Mr. Ebrahim Sotta at Charles Street Police Station.

Chief Charity Commissioner

Mr. Andrew Turner: To ask the Secretary of State for the Home Department, pursuant to his answer to the hon. Member for the Isle of Wight of 19 September 2002, *Official Report*, column 40W, on what date a copy of the reply of the Chief Charity Commissioner was placed in the Library. [76537]

Beverley Hughes *[holding answer 22 October 2002]:* A copy of the letter from the Chief Charity Commissioner was placed in the Library on 14 October.

Human Trafficking

Mr. Hancock: To ask the Secretary of State for the Home Department what funding has been given to agencies to provide support and assistance to victims of trafficking in the last five years; and if he will make a statement. [76792]

Beverley Hughes: The White Paper "Secure Borders Safe Haven", published earlier this year, set out a comprehensive approach for supporting the victims of trafficking. We will make arrangements for their protection and support by providing access to safe accommodation and services such as medical care, legal advice, and counselling. We are working with the voluntary sector to set up these arrangements and hope to set up a pilot scheme next year, which will initially run on a trial basis for a period of six months so that we can evaluate its impact.

The Department for International Development and the Foreign and Commonwealth Office are running a number of prevention projects aimed primarily at raising awareness and educating potential victims (mostly women and children) of the dangers of being trafficked. We have given £3 million for the International Labour Organisation's International Programme on the Elimination of Child Labour (IPEC) programme in the Greater Mekong region (parts of Cambodia, China, Laos, Thailand and Vietnam). This involves a number of inter-linked interventions to raise awareness, prevent trafficking and to support community reintegration for victims of trafficking. The United Kingdom is also contributing to the European Union STOP Programme, which provides support to Member State organisations responsible for action against the trade in human beings and the sexual exploitation of children.

Terrorism

Mr. Grieve: To ask the Secretary of State for the Home Department what plans there are to expand the UK and EU lists on proscribed terrorist organisations; what criteria must be met in order for someone to be added to the list; how often the list is reviewed; when the list was last updated; what discussions he has had with the *(a)* US Administration and *(b)* Governments in South East Asia and Australia regarding the proscription of terrorist groups. [76167]

Mr. Blunkett *[holding answer 22 October 2002]:* I will be laying an Order next week for the proscription of the terrorist organisation Jeemah Islamiyah (JI).

Under Part II of the Terrorism Act 2000, I have the power to recommend to Parliament the proscription of any organisation which is "concerned in terrorism", as defined in the Act, if I am satisfied that the statutory criteria are fulfilled.

Under the Terrorism Act, an organisation is "concerned in terrorism" if it:

commits or participates in acts of terrorism;

prepares for terrorism;

promotes or encourages terrorism, or

is otherwise concerned in terrorism.

In considering which international terrorist organisations should be subject to proscription, I take the following factors into account:

the nature and scale of an organisation's activities;

the specific threat that it poses to the UK;

the specific threat that it poses to British nationals overseas;

the extent of the organisation's presence in the UK and

the need to support other members of the international community in the global fight against terrorism.

The list of proscribed organisations is kept under constant review. There have been no changes to the list since the Order proscribing 21 international terrorist organisations which came into force on 29 March 2001. We remain in constant contact with the international community in the global fight against terrorism.

Mr. Malins: To ask the Secretary of State for the Home Department how many persons have been detained without charge under the recent anti-terrorism legislation, and in each case *(a)* what access to legal advice has existed, *(b)* whether criminal charges are anticipated, *(c)* the length of time spent in custody and *(d)* whether bail applications have been made; and if he will make a statement. [75424]

Mr. Blunkett: Twelve foreign nationals have so far been detained using powers in Part IV of the Anti-terrorism, Crime and Security (ATCS) Act 2001. Eight were detained in December 2001, one in February 2002, two in April 2002, and a further one yesterday.

Of the total detained, two have voluntarily left the United Kingdom. The other 10 remain in detention.

All of those detained have had access to legal advice throughout the detention period. There is no limit to the number of legal visits the detainees may receive.

The persons detained have been detained under a primarily immigration power. They are not being held pending criminal charges.

My decision to detain these individuals was made on the basis of detailed and compelling evidence. That evidence will be examined by the Special Immigration Appeals Commission when the individuals' appeals are heard, as provided for under the ATCS Act. The Commission is equivalent to the High Court. It has the power to overturn my decisions.

There have been five bail applications in total made by three individuals. The first bail application was made by one of the appellants in December 2001—this was declined and the appellant subsequently voluntarily left the United Kingdom (UK). An application by a second detainee was withdrawn after the appellant voluntarily left the UK. A third detainee made three bail applications—two of these failed and a third, scheduled to be heard in August 2002, was subsequently withdrawn by the appellant's legal representatives and has not been resubmitted.

Where terrorism is concerned our paramount responsibility is to ensure public safety and national security. So long as the public emergency subsists, where a person is suspected of terrorism but cannot currently be removed and for whom a criminal prosecution is not an option, we believe that it is necessary and proportionate to provide for extended detention, pending removal.

Given the nature of these cases, I am unable to comment in any further detail on individual cases.

Passport Fees

Mr. Dismore: To ask the Secretary of State for the Home Department if he will make a statement on passport fees. [77744]

Beverley Hughes: The Privy Council has made an Order in Council, the Consular Fees (No. 2) Order 2002, which gives authority for a revision in passport fees. The revision will take effect on 21 November 2002. The fee for a standard 32 page passport will increase from £30 to £33 while the fee for a 48 page passport will remain at £40. The fee for amending an existing passport will increase from £18 to £22.50. The cost of a passport for a child will increase from £16 to £19. The additional charges for those making use of the guaranteed fast track and premium services available from the United Kingdom Passport Service (UKPS) counters remain unchanged at £30 and £45 respectively. The fee for a collective passport, for organised trips for schools and youth groups, will decrease from £42 to £39. The Order also increases fees for passport applications made overseas to British consular posts. These will be an increase from £49 to £54.40 for a standard 32 page passport, an increase from £60 to £65.20 for a 48 page passport, an increase from £29 to £34.70 for a child passport and an increase from £30 to £33.90 for an emergency passport.

Passport fees are set at the level needed to cover the costs of passport issuing, including—in this case—the recovery of certain deficits accrued before 1999, and the costs of providing overseas consular protection services which are not covered by other fees. The changes set out in the Order follow a careful review of costs to ensure that the fee for each type of passport service closely reflects the production costs and past deficits accrued by that service and bears its share of the cost of consular protection services. In relation to the cost of travel abroad, the new fees still represent very good value for money.

TRADE AND INDUSTRY

Liquid Petroleum Gas

Mr. Weir: To ask the Secretary of State for Trade and Industry how many vehicles have been converted to use liquid petroleum gas in each of the last two years. [74974]

Mr. Wilson: The numbers of new and converted vehicles on the road using liquid petroleum gas has doubled since 1999 as confirmed by the table below:

	1999	*2000*	*2001*	*2002*
Vehicles on the Road	13,000	39,000	65,000	Figures available in FEB: 2003
Vehicles Converted	13,000	26,000	26,000	Figures available in FEB: 2003

Sources:
The figures above were from the Liquid Petroleum Gas Association website updated on 11 October 2002.
These figures compare with 3500 LPG vehicles on the road in 1998

Mr. Weir: To ask the Secretary of State for Trade and Industry (1) how many businesses in Scotland are authorised to carry out conversion of vehicles to enable them to use liquid petroleum gas; [74971]

(2) what the locations are of the businesses in Scotland authorised to carry out conversion work on vehicles to enable them to use liquid petroleum gas. [74972]

Mr. Wilson: The number of businesses authorised to convert vehicles for the use of liquid petroleum gas (LPG) in Scotland currently stands at twelve (12), and are located as follows:

Perth & Kinross—1
Moray—1
Highland Region—1
Edinburgh—1
Ayrshire—1
Aberdeenshire—1
Scottish Border—1
Dundee—2
Glasgow—3

The above information is based on data from the LPGA website which was updated on 11 October 2002.

Mr. Weir: To ask the Secretary of State for Trade and Industry what grants are available for individuals to convert vehicles to run on liquid petroleum gas. [74973]

Mr. Wilson: The DfT sponsored PowerShift programme, administered by the Energy Saving Trust's TransportEnergy team provides grants towards the conversion of vehicles to run on LPG. These grants are available for vehicles up to five years old for which good quality LPG conversions are available.

Mr. Weir: To ask the Secretary of State for Trade and Industry what targets her Department has for the number of vehicles to be converted to run on liquid petroleum gas by the end of the current financial year. [74970]

Mr. Wilson: The government has not set a target on the number of vehicles to be converted to use LPG. However it is working with the energy and transport industries, to promote, and raise the awareness of alternative fuels—in particular LPG.

Mr. Weir: To ask the Secretary of State for Trade and Industry what plans she has to increase the number of businesses in Scotland able to carry out conversions to allow vehicles to run on liquid petroleum gas. [74969]

Mr. Wilson: I refer the hon. Member to the answer I gave to my hon. Friend, the Member for Fife, Central (Mr. MacDougall) on 7 May 2002, *Official Report*, columns 6–7W, in which I explained the incentives and the encouragement this department is offering to retailers on the sale of LPG.

MOX Shipments

Llew Smith: To ask the Secretary of State for Trade and Industry what representations have been received by HM Government in respect of safety and security concerns expressed in regard to the shipment of rejected plutonium MOX fuel from Japan to Sellafield; and what the cost is of the security provisions in place to protect the nuclear cargo. [75457]

Mr. Wilson: Representations have been received by our Diplomatic Missions overseas and by the Department from hon. Members, their constituents, non-government organisations and others over safety and security over the return transport of MOX fuel to the UK from Takahama in Japan.

Costs of compliance with regulatory nuclear security requirements are borne by the company. Details of those costs are a matter for BNFL.

Petro-chemical/Biotechnology Plants

Llew Smith: To ask the Secretary of State for Trade and Industry how many petro-chemical and biotechnology plants in the United Kingdom have the technical capacity for dual civil/military use. [75836]

Ms Hewitt: Petro-chemical plants in the United Kingdom are designed to process crude oil for the production of fuels, lubricants and other hydrocarbon chemicals. Although such facilities, given access to the appropriate raw materials, could potentially be used for the production of chemical weapons or their precursors, in the UK their only dual civil/military use is for the production of fuels, lubricants etc. which are required for normal military as well as civil purposes.

Biotechnology facilities in the United Kingdom having the requisite safety infrastructure, equipment and starting materials may have the technical capacity to produce biological agents and other products which have dual civil/military use. Vaccines are an example of such products. Such facilities in the United Kingdom are subject to extensive regulation and inspection.

The UK abandoned its offensive biological and chemical weapons programmes many years ago.

Renewable Energy

Dr. Cable: To ask the Secretary of State for Trade and Industry when she expects the 5 per cent. target of renewable energy contribution to electricity supplies to be reached; and if she will make a statement. [75125]

Mr. Wilson: I would refer the hon. Member to my reply on 15 October 2002, *Official Report*, column 672W, to the hon. Member for Ribble Valley (Mr. Evans).

Dr. Cable: To ask the Secretary of State for Trade and Industry what percentage of electricity was generated from renewable resources in 2001; and if she will make a statement. [75124]

Mr. Wilson: I would refer the hon. Member to my reply on 15 October, *Official Report*, columns 671–672W, to the hon. Member for Lewes (Norman Baker).

Waste Electrical and Electronic Equipment

Dr. Cable: To ask the Secretary of State for Trade and Industry (1) what plans her Department has to include industrial kitchen equipment within the EU WEEE directives and restrictions on use of substances covering electrical and electronic equipment; and if she will make a statement; [75133]

(2) which EU member states have included industrial kitchen equipment within the current EU WEEE directives and restrictions on the use of substances; and if she will make a statement. [75134]

Mr. Wilson: The Waste Electrical and Electronic Equipment (WEEE) Directive and the Restriction on the use of certain Hazardous Substances in electrical equipment (ROHS) Directive completed the conciliation process on 11 October. Following legal checking and translation the final texts should be presented to the European Parliament and Council for approval around the end of this year.

The scope of these Directives is very wide. To fall within the scope electrical and electronic equipment must rely on either an AC current of up to 1000 volts or a DC current of up to 1500 volts to operate correctly. It must also fall within one of the ten broad categories the WEEE Directive outlines. These categories apply to equipment intended for use by the consumer or for professional use. On this basis it is likely that at least some industrial kitchen equipment will fall within the scope of the Directives. Detailed guidance on scope can start to be developed once the final text is available and we have consulted business further. The Department will also monitor closely developments in other member States to help ensure a consistent application of the Directives.

We are not aware of any other member State who has taken specific decisions on the inclusion or otherwise of industrial kitchen equipment at this time.

Research and Development

Mr. Blunt: To ask the Secretary of State for Trade and Industry if she will list the 10 most successful commercial applications of research programmes funded by the European Union's first five framework programmes for research and development. [74915]

Ms Hewitt: Business, large and small, competes fiercely to take part in EU Framework programmes and derive wider benefits from participation: for example in increasing research skills, helping to access international collaboration, alliances or markets, sharing project risks and costs, or helping to develop key industry standards.

However, the research carried out in the EU Framework Programmes focuses primarily on longer term pre-competitive, collaborative research rather than leading directly to commercial products.

The UK is strongly encouraging the Commission in its work to develop better ways to track and assess the impact of the Framework programmes. However, successful commercial applications often depend on bringing together a number of technological innovations from different sources (which might include, among other sources, elements drawn from the wide range of outputs from successive Framework Programmes) with the aim of meeting a particular user need. Under these circumstances, it is very difficult to compile a restrictive, ranked list of commercial successes.

Nevertheless, it is possible to give some general examples where Framework programmes have contributed significantly to subsequent successful commercial applications: for example, underpinning development of GSM telephony (mobile phones), production of new generations of microchips, competitiveness of European Aerospace industry, improved energy technologies, and a much-improved understanding of life sciences and global climate change.

The Commission provides details of all projects funded under FP4 and FP5 on its website www.CORDIS.lu together with a range of technology brokering services to assist with the further exploitation of EU funded research.

Mineworkers' Pensions

Mr. Blunt: To ask the Secretary of State for Trade and Industry how many women pensioners the National Coal Board are waiting for their equal pay status to be reflected in their pensions; and what percentage of women pensioners this represents. [74902]

Mr. Wilson: None. Neither the DTI nor the two British Coal pension schemes, the Mineworkers' Pension Scheme and the British Coal Staff Superannuation Scheme, are aware of any current cases where women pensioners are waiting for equal pay status to be reflected in their pensions.

BT

Mr. Todd: To ask the Secretary of State for Trade and Industry what statutory minimums of service BT is obliged to abide by in standard telephone line provision. [76159]

Mr. Timms: The Office of Telecommunications (Oftel) requires BT to provide telephony services including the ability to make and receive national and international calls and calls employing facsimile or voice band data at a minimum of 2400bit/s at any place in the licensed area. The EC Directive on Universal Service and Users' Rights, due to be implemented in mid 2003, requires the connection to permit functional Internet access. Oftel will consult on the implementation of its provisions.

European Court of Justice

Mr. Waterson: To ask the Secretary of State for Trade and Industry what representations she has received on the impact of the judgment of the European Court of Justice in Aventis Pharma Deutschland GmbH *v.* Kohpharma GmbH. [76306]

Ms Hewitt: I have received no representations regarding the impact of the judgment of the European Court of Justice in Aventis Pharma Deutschland GmbH *v.* Kohpharma GmbH (Case C-433/00). The judgment was delivered on 19 September 2002, and deals with questions regarding the interpretation of Council Regulation (EEC) No 2309/93.

Energy Review

Lynne Jones: To ask the Secretary of State for Trade and Industry when she expects to publish her Department's analysis of the responses to the energy review consultation document. [76397]

Mr. Wilson: The Government has recently completed its consultation on energy policy. It proposes to take the responses to the consultation into account in its work leading to a White Paper in the New Year.

Reports on a series of seminars and conferences associated with the consultation are being published on the DTI's web site.

The results of consulting the general public through focus groups, deliberative workshops and the questionnaire made available at the Tomorrow's World Live road show were published on 10 October. The questionnaire was also made available on the DTI's web site. The results of these responses will be published shortly.

We have received over 2000 written responses to the consultation document. We expect to publish a summary of these responses shortly on the DTI's web site along with the individual responses that are already being published there.

British Energy

Mr. Liddell-Grainger: To ask the Secretary of State for Trade and Industry what meetings she has held with British Energy since September. [76132]

Ms Hewitt: My Department holds regular meetings with British Energy.

Paul Flynn: To ask the Secretary of State for Trade and Industry what decisions have been taken regarding future financial support for British Energy and other energy companies; and what return taxpayers will receive on moneys given to British Energy. [75023]

Ms Hewitt *[holding answer 21 October 2002]:* I refer my hon. Friend to the answer I gave on 15 October, *Official Report*, column 666W on the recent support for British Energy. No decisions have been taken and no commitments given on British Energy's long term future at this time.

The circumstances in relation to other energy companies do not raise the same issues. The Government's overriding priority for nuclear safety in relation to BE does not apply.

The Government has taken security over British Energy's assets for the credit facility agreement in the interests of the taxepayer. Full details of the agreement are commercially confidential unless and until it is made public by British Energy.

Export Promotion

Mr. Blunt: To ask the Secretary of State for Trade and Industry how many country specific enterprise initiative schemes there are; and if she will list them and their budgets. [75860]

Ms Hewitt: British Trade International has a number of country specific Trade Development schemes designed to help British businesses export for the first time or access certain new markets. The schemes are listed below together with the total budget allocation in Financial Year 2002–2003.

1.	Export Explorer: Belgium, Denmark, Finland, France, Germany, Iceland, Ireland, Luxembourg, Netherlands, Norway, Spain, Sweden.	£500,000
2.	Export USA	£145,000
3.	Export Canada	£15,000
4.	First Timers Programme: Brazil	£70,000
5.	Enterprise Initiative: India	£20,000
6.	Cuba Trade Development Programme	£30,000
7.	Thailand British Business Mentoring Scheme	£1,500
8.	UK–South Africa SME Partnership Programme	£93,000

In addition, British Trade International also conducts campaigns to raise British exporters' awareness of opportunities in particular markets. There is a budget of £669,000 available in Financial Year 2002–2003 to support campaigns in the following markets.

1. Australia
2. Brazil
3. Egypt
4. Israel
5. Malaysia
6. Mexico
7. Morocco
8. Saudi Arabia
9. Singapore
10. South Africa
11. South Korea

12. Taiwan
13. Thailand
14. United Arab Emirates

Since the Cabinet Secretary's Review of Export Promotion in 1999 and the subsequent establishment of British Trade International, the focus of Government support for trade has shifted from promoting overseas markets to British business to developmental work in order to improve the ability of companies to export and trade overseas successfully. There is also a greater emphasis on identifying and exploiting specific sectoral opportunities within overseas markets where they correspond to sectoral strengths in the British economy.

Trade Partners UK

Mr. Blunt: To ask the Secretary of State for Trade and Industry how frequently Trade Partners UK updates its website. [75865]

Ms Hewitt: The Trade Partners UK website has approximately 16,000 pages of information and advice. The website is updated on a daily basis.

Regional Venture Capital Funds

Brian Cotter: To ask the Secretary of State for Trade and Industry how many of the regional venture capital funds have been established. [76825]

Nigel Griffiths: Currently seven of the nine Regional Venture Capital Funds are now operational and available to make investments into SME's with growth potential in the English regions.

THE REGIONAL VENTURE CAPITAL FUND PROGRAMME

The seven Regional Venture Capital Funds that are operational and available to make investments into SME's with growth potential are in the regions below.

£30 million for the North West (Fund reached £35 million at first closing in April 2002. With subsequent closings the Fund now stands at £35.5 million)

£15 million for the North East (Fund reached £15 million at first closing in January 2002)

£25 million for Yorkshire and Humberside (Fund reached £25 million at final closing in July 2002)

£20 million for the East Midlands (Fund reached £30 million at final closing in January 2002)

£25 million for the South West (Fund reached £25 million at first closing October 2002)

£30 million for the South East (Fund reached 22.56 million at first closing October 2002)

£50 million for London (Fund reached £50 million at first closing in July 2002)

Oil Emergency Stock

Dr. Cable: To ask the Secretary of State for Trade and Industry whether the national oil emergency stock is above the level required by international obligations; and if she will make a statement. [75177]

Mr. Wilson *[holding answer 21 October 2002]:* At 31 August 2002 the UK provisionally had stocks equivalent to 76 days consumption of petroleum products, which is above the stock level of 67½ days worth of consumption of oil products that the UK is obliged to hold at any one time in accordance with EU legislation.

Broadband

Annabelle Ewing: To ask the Secretary of State for Trade and Industry what plans her Department has to compile figures for broadband connections broken down by individual constituencies. [76910]

Stephen Timms: The Department has no plans for compiling figures for broadband connections broken down into individual constituencies.

Information on broadband availability is depicted on a map of the UK and is available in the UK Online Annual Report (http://www.e-envoy.gov.uk/oee/oee.nsf/sections/reports-anrep20011-images/$file/fig01.pdf).

National Minimum Wage

Annabelle Ewing: To ask the Secretary of State for Trade and Industry what plans she has to end the age differential in the operation of the national minimum wage. [76913]

Alan Johnson: National minimum wage rates are set by Government following recommendations from the independent Low Pay Commission. The Commission has been asked to produce a Fourth Report on the minimum wage by February 2003 and we will carefully consider any recommendations that they make on this issue.

Small Business

Annabelle Ewing: To ask the Secretary of State for Trade and Industry how many small business closures there were in each year since 1997 in *(a)* Scotland and *(b)* the rest of the UK. [76859]

Nigel Griffiths: VAT de-registrations are the only official measure of business closures. Business de-registrations are not available by size of business and there is no requirement for small businesses to supply the information separately.

Dr. Cable: To ask the Secretary of State for Trade and Industry how much was allocated to small firms throughout the United Kingdom using the Research and Development tax credit in financial years *(a)* 2000–01 and *(b)* 2001–02; and if she will make a statement. [75119]

Ruth Kelly: I have been asked to reply.

For companies claiming the R&D tax credit for small or medium sized companies in 2000/01, the cost to the Exchequer was £75 million. Figures are not yet available for 2001/02.

Parental Rights

Mr. Hendrick: To ask the Secretary of State for Trade and Industry if she will make a statement on her plans to introduce *(a)* enhanced maternity rights, *(b)* new paternity rights and *(c)* rights for adoptive parents. [77828]

Alan Johnson: I have today laid before Parliament three draft affirmative Statutory Instruments which:

amend existing regulations to extend current rights to maternity leave; provide for new rights to paternity and adoption leave; and establish the rates of statutory adoption pay and statutory paternity pay.

These regulations, subject to their approval by both Houses, will be followed by negative Statutory Instruments setting the other details of the new statutory adoption and paternity pay regimes.

These new regulations give detailed effect to provisions set out in broad terms in the Employment Act 2002, which received Royal Assent in July. The measures have been developed as a result of extensive public consultation over recent times, and are designed to provide significantly improved choices for working parents, to help them balance their work and family lives, without imposing undue burdens and administrative complexity on business.

A Regulatory Impact assessment has been placed in the Libraries of both Houses.

Uranium

Llew Smith: To ask the Secretary of State for Trade and Industry if she will list the non-military uses of uranium for which the metal is used in the United Kingdom. [75835]

Mr. Wilson: I am advised that in the UK uranium ore is used to produce fuel for nuclear reactors. In its depleted form its main non-military applications are:

transportable shielded containers for radioactive sources;
aircraft counterbalance weights;
piling equipment (civil engineering); and
radiation shielding (hospitals, universities etc).

E-Commerce

Mr. Spring: To ask the Secretary of State for Trade and Industry what proportion of the world's e-commerce is estimated to be conducted in *(a)* Britain and *(b)* the European Union. [75729]

Mr. Timms *[holding answer 23 October 2002]:* Reliable global e-commerce statistics that would allow a comparison between the UK and global levels of e-commerce value are not available.

E-commerce figures for the UK (excluding the financial sector) have just been released by ONS and show a good increase on previous figures:

There has been a 42 per cent. increase in online sales up from £12 billion in 2000 to £17 billion in 2001—according to the latest ONS e-business survey.

Business to consumer last year was £6.1 billion, up 53 per cent.

Business to Business last year was £10.9 billion up 36 per cent.

We understand that Eurostat will be producing figures for the relative proportions of electronic commerce within the EU early next year.

CABINET OFFICE

Rural Policy

Miss McIntosh: To ask the Minister for the Cabinet Office when he last had bilateral meetings with the Secretary of State for Environment, Food and Rural Affairs and the Secretary of State for Transport, to discuss regional co-ordination of rural policy. [63078]

Mr. Alexander: Ministers in the Cabinet have regular meetings with ministerial colleagues to discuss a wide range of issues. As with previous Administrations it is not this Government's practice to provide details of all such meetings.

DEFENCE

Training

Angus Robertson: To ask the Secretary of State for Defence what steps his Department is taking to ensure that training backlogs owing to unavailability of aircraft are cleared. [69994]

Mr. Ingram: Training priorities are matched to operational requirements. In the approach to, or during operations, aircrew training is refocused to reinforce critical skills. Subsequently, tactical air training reverts to normal patterns, and support to exercises resumes. Those Field Training Exercises cancelled as a result of non-availability of air transport will, in some cases, have been refocused and other means of meeting the training requirement explored. This being the case, there is no backlog as such.

Sponsored Reserves

Mr. Hancock: To ask the Secretary of State for Defence how the monitoring selection of sponsored resource will operate; what guidelines his Department have produced to monitor their performance; and if he will make a statement. [76494]

Dr. Moonie: Sponsored Reserves are selected for their specialist skills by their civilian employer. However, in order to enlist as a Sponsored Reserve, they must meet appropriate entry criteria for the Reserve Force they are volunteering to enter into, taking account of the operational environment in which they are likely to work. The entry criteria are laid down by the appropriate Single Service. Once enlisted as a Sponsored Reserve, the civilian employer remains responsible for maintaining the individual's specialist skills, but the relevant Single Service trains and monitors each Sponsored Reserve in the military skills he or she will need on operations as a serviceman or woman. Having been called out for operations, the performance of a Sponsored Reserve is monitored by the relevant Single Service in the same way as for any other Reservist.

Joint Strike Fighter

Mr. Gerald Howarth: To ask the Secretary of State for Defence whether the specification for marinised carrier-based F35 aircraft will differ from that for land-based aircraft; and what the cost of marinisation will be. [75954]

Dr. Moonie: We have selected the Short Take-Off and Vertical Landing (STOVL) variant of the F35 Joint Strike Fighter (JSF) to meet our Future Joint Combat Aircraft (FJCA) requirement. The STOVL variant of

JSF was designed from the outset to be able to operate in the maritime environment. Under current plans the United Kingdom will be able to deploy any aircraft from within the FJCA fleet to the new carriers, as all STOVL JSF are intended to be equally capable of sea or land deployment.

The unit cost of the Conventional Take-Off and Landing (CTOL) variant of JSF, which is under development to meet primarily the requirements of the United States Air Force, may prove cheaper than STOVL. As this aircraft is not capable of operating from aircraft carriers, it was not considered as a solution to the FJCA requirement.

Mr. Gerald Howarth: To ask the Secretary of State for Defence what payments he has made in previous financial years in respect of the design, development and manufacture of the F35 aircraft. [75950]

Dr. Moonie: The assessment phase of the Future Joint Combat Aircraft (FJCA) programme (formerly known as Future Carrier Borne Aircraft) began in November 1996 and finished in October 2001. During the phase we spent some £127 million in resource terms, with the competing Joint Strike Fighter (JSF) prime contractors (Lockheed Martin and Boeing). In addition approximately £8 million was spent during Financial Year 2001–2002 as part of the current System Development and Demonstration phase, which began in November 2001.

The year-by-year break down of expenditure is as follows:

Year	*Figure £M*
1996–1997	9
1997–1998	47
1998–1999	34
1999–2000	21
2000–2001	16
2001–2002	8

Mr. Jenkin: To ask the Secretary of State for Defence what factors are taken into consideration in the assessment of the requirement of the numbers of Joint Strike Fighter aircraft. [76368]

Dr. Moonie: Our current planning assumption is that up to 150 Joint Strike Fighters (JSF) will be required to meet our through life Future Joint Combat Aircraft requirement. However, no final decision on numbers has yet been taken and detailed work is currently ongoing.

The decision will take into account a wide variety of factors including: the number of pilots required to man the aircraft on operations; the number of peace time flying hours required to train and maintain those pilots at combat ready status; expected rates of attrition; and the expected airframe life of JSF.

Future Rapid Effect System

Mr. Jenkin: To ask the Secretary of State for Defence when the Future Rapid Effect System will enter service with the armed forces. [76367]

Dr. Moonie: No decision has yet been made on the in service date for the Future Rapid Effect System.

Firefighting

Mr. Jenkin: To ask the Secretary of State for Defence how many Royal Navy ships have been recalled from sea so that crew members can be trained in firefighting duties in the last 12 months. [76357]

Mr. Ingram: No Royal Navy ships have had to be recalled from sea so that crew members can be trained in firefighting duties. However, the planned activities of the Fleet's ships have inevitably had to be re-prioritised due to the need to train and deploy personnel in anticipation of the Fire Brigades Union strike.

Mr. Jenkin: To ask the Secretary of State for Defence (1) how many personnel from each service have been trained in firefighting duties in each of the past six months; [76356]

(2) which Fire Service roles service personnel will take on should they be required to cover firemen's duties in the event of a national firemen's strike; [76374]

(3) if he will make a statement on the nature and duration of firefighting training being undertaken by service personnel. [76377]

Mr. Ingram: Armed Forces personnel will provide emergency fire and rescue cover during the fire brigades dispute. Whilst this cover cannot replace in full the service provided by professional firefighters, it will be designed to ensure that the loss of life which may be occasioned by the dispute is minimised, drawing on the proven effectiveness and dedication of the Armed Forces in serving the public. Cover will be provided by 827 Green Goddess crews, 331 Specialist Breathing Apparatus Rescue Teams, and 59 Rescue Equipment Support Teams.

About 3,000 RN personnel, 7,700 Army personnel and 2,300 RAF personnel have been trained to provide this front line emergency cover. The training lasts up to five weeks, depending on the skill and role of the individual. Information on the monthly breakdown of these figures is not readily available and could only be provided at disproportionate cost.

The specialist teams will have all the skills required to use breathing apparatus necessary for fire rescue and the use of cutting equipment required to free people from damaged buildings and vehicles. Green Goddess crews are being trained to control fires from outside the building. Other training includes specialist driver training, first aid training and specialist equipment maintenance training.

A further 6,500 personnel from all three services will be engaged in administrative, security, command and control and other duties drawing on normal Armed Forces skills and training. A total of more than 19,000 Armed Forces personnel will therefore be engaged in providing emergency cover during a strike.

Mr. Jenkin: To ask the Secretary of State for Defence from which Royal Air Force squadrons personnel will be taken in the event of armed forces personnel taking on national firefighting duties. [76373]

Mr. Ingram: RAF manpower is being drawn from the following squadrons: 1, 2, 3, 4, 6, 8, 9, 10, 11, 13, 15, 16, 18, 20, 22, 23, 25, 27, 31, 33, 37, 39, 41,

47, 51, 54, 56, 70, 99, 101, 120, 201, 202, 203, 206, 216 and 2623, as well as from ground based Air Defence Headquarters and the Joint Nuclear, Biological and Chemical Regiment. Manpower will also be drawn from units at Cranwell, Digby, Cosford, Brampton, Wyton, Henlow, Uxbridge, Innsworth, Halton, St. Athan, Sealand, Valley, Shawbury and Linton-on-Ouse.

In common with all Armed Forces personnel deployed on firefighting duties, RAF personnel will only provide emergency cover, designed to reduce the loss of life which may be occasioned by the strike.

Mr. Jenkin: To ask the Secretary of State for Defence what flying operations will be affected if RAF personnel have to cover firemen's duties in the event of the national firemen's strike. [76375]

Mr. Ingram: The expected reduction in fire cover at RAF stations will result in some loss of flying hours. A prolonged strike will also have some impact on engineering support, which will adversely affect aircraft serviceability and also lead to some loss of flying hours.

Mr. Jenkin: To ask the Secretary of State for Defence what plans he has to call up reservists in the event of a national firemen's strike. [76378]

Mr. Ingram: Reserves may be used on a voluntary basis in supporting roles during the strike. None have been called upon to provide front line cover.

Mr. Keith Simpson: To ask the Secretary of State for Defence how many service men have had their post-operational tour leave cancelled as a consequence of preparing to train for firefighting duties. [76668]

Mr. Ingram: In order to train for emergency firefighting duties, nearly a thousand personnel who have recently returned from the Balkans have had some or all of their post-operational tour leave delayed. It is intended that all post-operational tour leave will be taken as soon as these troops can be released. In the meantime, some leave is being taken as opportunities arise, within the constraints of preparations for firefighting duties, and the Ministry of Defence is actively pursuing options in order to reduce the impact to a minimum. Depending upon the duration of strike action, further personnel may also be affected.

Mr. Letwin: To ask the Secretary of State for Defence what provision will be made, and in what locations, for emergency fire services in rural Dorset in the event of a strike by firemen. [76862]

Mr. Ingram: Emergency cover in Dorset, as in the rest of the country, will consist of a number of elements including Green Goddess crews, breathing apparatus teams, rescue teams (equipped with specialist equipment) and the police. The provision of Ministry of Defence emergency fire cover has been planned in consultation with the Chief Fire Officer and local police to minimise call-out response times and maximise the availability of the range of firefighting capabilities.

Three temporary fire stations will be located in Dorset itself, at Weymouth, Poole and Bournemouth. The operational control centre, based at Winfrith, will be responsible for co-ordinating emergency response in the quickest time possible, either through the deployment of assets based in Dorset or by requesting assistance from other operational areas.

The Ministry of Defence's emergency cover will not replicate the fire fighting capabilities of the Fire Service, but will minimise as far as possible the danger to human life. Service personnel will provide basic fire and rescue cover.

Challenger II

Mr. Jenkin: To ask the Secretary of State for Defence if he will make a statement on levels of Challenger II spares; and what surge capacity exists in event of conflict. [76352]

Dr. Lewis Moonie: Challenger II was purchased with an initial spares package and sufficient repairables to cover planned activity and anticipated operations. These holdings are supplemented by further purchases as and when required.

ISTAR

Mr. Jenkin: To ask the Secretary of State for Defence what systems will take over the capabilities previously to be provided by the TRACER system. [76365]

Mr. Adam Ingram: These capabilities—the Land Commander's Intelligence, Surveillance, Target Acquisition and Reconnaissance (ISTAR) requirements—will be met principally by a combination of the WATCHKEEPER Unmanned Aerial Vehicle and manned ground reconnaissance. We expect the latter to be provided by the ISTAR variant of the Future Rapid Effect System (FRES). Arrangements have been put in place to utilise key technologies developed in the TRACER programme in new programmes such as FRES.

ASTOR

Mr. Jenkin: To ask the Secretary of State for Defence what the ISD is of ASTOR. [76364]

Dr. Moonie: There has been no change in the approved In Service Date of September 2005, as reported in the National Audit Office's Major Projects Report 2001. The ASTOR programme is currently on course to meet this ISD.

AMRAAM Missile

Mr. Jenkin: To ask the Secretary of State for Defence on which operations and deployments the AMRAAM missile has been equipped to *(a)* Tornado F3 and *(b)* Sea Harrier aircraft. [76344]

Dr. Moonie: To date, the Tornado F3 has not been equipped with the AMRAAM missile on operations.

The Sea Harrier is equipped with the AMRAAM missile on Operation SOUTHERN WATCH, patrolling the no-fly zone over southern Iraq. The aircraft was also equipped with the AMRAAM missile during Operation DELIBERATE FORCE (Kosovo) and Operation DENY FLIGHT (Bosnia) between 1995 and 1999.

A400M

Mr. Jenkin: To ask the Secretary of State for Defence what is the current ISD of the A400M. [76363]

Dr. Moonie: The current In Service Date (ISD) for the A400M is 2010. However, as the Contract has not yet been activated, we will continue to keep the ISD under review.

HMS Fearless

Mr. Jenkin: To ask the Secretary of State for Defence whether representatives from the Brazilian *(a)* Government and *(b)* armed forces have visited onboard HMS Fearless in the past year. [76347]

Dr. Moonie: A team of five Brazilian Naval Officers visited HMS Fearless on 18, 19 and 20 June 2002. I am not aware of any Brazilian Government visitors to the ship during the past year.

Eurofighter

Mr. Jenkin: To ask the Secretary of State for Defence if he plans to purchase 232 Eurofighter aircraft; and if he will make a statement. [76369]

Dr. Moonie: As my right hon. Friend the Prime Minister told the House on 10 July this year *Official Report* column 878W, there has been no change in the Government's commitment to the Eurofighter project, which has now been re-designated Typhoon.

Tornado F3

Mr. Jenkin: To ask the Secretary of State for Defence if he will make a statement on the programme to maximise the effectiveness of AMRAAM equipped Tornado F3 aircraft; how much this will cost; and when he expects the work to be completed. [76343]

Dr. Moonie: Work is continuing on the AMRAAM Optimisation Programme which will optimise the effectiveness of the missile system on Tornado F3. The programme is expected to cost under £30 million and is on course to achieve In Service Date at the end of this month. Work on the programme, which will comprise a number of incremental capability enhancements, is due to complete on schedule in 2004.

Nimrod MRA4

Mr. Jenkin: To ask the Secretary of State for Defence what the in-service date is of the Nimrod MRA4; and if he will make a statement. [76380]

Dr. Moonie: The contractual in-service date for the Nimrod MRA4 is March 2005, though risk analysis suggests the date will be later in 2005. BAE SYSTEMS have recently acknowledged a delay in the programme for the first flight of Nimrod MRA4. The consequences of first flight slippage on ISD and potential mitigation action are being urgently examined by the Ministry of Defence and the Company. The results of this work will be available at the end of the year. It would therefore be premature to speculate on the impact of this slippage on the in-service date for the MRA4.

Apache Helicopters

Mr. Jenkin: To ask the Secretary of State for Defence how many Apache helicopters are held in storage. [76353]

Mr. Ingram: The Ministry of Defence has 11 Apache helicopters, maintained and supported in an operationally available condition, in storage at RAF Shawbury.

Mr. Jenkin: To ask the Secretary of State for Defence what sea trials have taken place in respect of the Apache helicopter operating from aircraft carriers and helicopter carriers. [76346]

Dr. Moonie: The Ministry of Defence has not yet conducted sea trials in respect of the Apache Helicopter operating from aircraft carriers or helicopter carriers. We are planning to conduct appropriate trials on HMS Ocean in March 2004.

Primary Casualty Receiving Ship

Mr. Jenkin: To ask the Secretary of State for Defence when the Primary Casualty Receiving Ship capability will enter service. [76360]

Dr. Moonie: I refer the hon. Member to the answer I gave on 19 September 2002, *Official Report* column 325W, to the hon. Member for Gosport (Mr. Viggers).

Veterans Agency

Mr. Webb: To ask the Secretary of State for Defence if he will place in the Library a copy of the letter sent to Veterans Agency customers informing them of their options for receiving benefit from April 2003. [76107]

Dr. Moonie: I am making arrangements to place in the Library of the House a copy of the letter sent to Veterans Agency customers, informing them of their options for receiving benefit from April 2003.

Sellafield

Llew Smith: To ask the Secretary of State for Defence what the cost was of scrambling an RAF aircraft following the breach of the air exclusion zone around Sellafield in August by a light aircraft; and what provisions exist to recharge BNFL for this security action. [75883]

Mr. Ingram: Air Defence of the United Kingdom is a core Ministry of Defence task and there is no provision for charging others for this activity.

Iraq

Ms Walley: To ask the Secretary of State for Defence if the decision to bomb command-and-control posts in Iraq was a joint decision of the US and UK Governments; and if he will make a statement. [76240]

Mr. Hoon: Coalition aircraft conduct patrols of the Iraqi no fly zones in support of UN SCR 688, which demanded an end to Saddam's repression of his own people. The aircrew conducting those patrols are regularly subjected to sustained attacks from Iraqi integrated air defences. The United States and United Kingdom government are in agreement that the coalition pilots facing such threats should be allowed to

respond in self defence against legitimate targets within the Iraqi Integrated Air Defence System posing a direct threat to them, as is permitted under international law.

Harrier

Mr. Jenkin: To ask the Secretary of State for Defence for what reasons the ASRAAM missile is not to be equipped to Harrier *(a)* GR7 and *(b)* GR9 variants. [76345]

Dr Lewis Moonie: We are currently upgrading our Harrier GR7 fleet to GR9. Shortly before such a major upgrade, it was not considered cost effective to carry out such substantial modifications.

Consideration was given to equipping the Harrier GR9 with ASRAAM as part of the upgrade programme. However, as the Harrier GR fleet is already equipped with the Sidewinder AIM9-L for defensive purposes, and the purpose of the GR9 upgrade is to improve offensive capability, it was concluded that fitting of ASRAAM would not represent the best use of Ministry of Defence resources.

Armed Forces Strength

Mr. Keetch: To ask the Secretary of State for Defence (1) if his Department *(a)* has and *(b)* has had a policy of trying to alter the number of members of the Armed Forces within specific age groups; and if he will make a statement; [76165]

(2) what annual targets he sets for the establishment strength of the Armed Forces with specific targets for different age brackets; and if he will make a statement; [76164]

(3) what recruitment and retention targets his Department sets for specific age brackets within the Armed Forces; and if he will make a statement. [76163]

Mr. Ingram *[holding answer 22 October 2002]:* The Armed Forces do not set recruitment or retention targets based on, or related to, specific age brackets other than specifying minimum and maximum age limits (and waivers may be obtainable for the latter category in certain instances).

The annual targets prepared by the Armed Forces are based on detailed calculations of the numbers required to deliver military capability, in accordance with the Government's defence policy. Each Service prepares detailed manpower plans to provide the numbers and skills it requires in each branch and trade group.

Detailed manpower planning by the Principal Personnel Officer in each Service aims to sustain military capability, and at the same time provide careers for their people that will satisfy personal aspirations and withstand competition in the labour market place. It has not always been possible to maintain ideal career structures in all parts of the Services through the rapid changes which took place in the last decade, and past failures to achieve recruiting and retention targets can create imbalances that last a generation. Occasionally the Services have to resort to targeted retention incentives in order to sustain operational capability, and length of service can be a factor in the targeting process. Before taking this course we carefully assess the impact of such incentives on all the people who may be directly or indirectly affected.

The Ministry of Defence has not, and has never had, a policy aimed at trying to alter the number of members of the Armed Forces within specific age groups, although previous policies may have had this incidental effect. Our policies in relation to recruitment, career management and resettlement are based on the principle of maintaining sustainable experience profiles within each branch of the Armed Services. We see this principle as fundamental to operational effectiveness, and to attracting and retaining the people we need to deliver it.

Currently, the Naval Service has a Three-Tier Commission for officers and RN ratings and RM other ranks serve on a time to serve basis ie 22 years. In the Army both officers and soldiers now serve on a Length of Service based career structure. For the RAF with the exception of a retirement age of 55, most control/exit points are linked to length of service and rank, not age.

RAF Training

Mr. Willis: To ask the Secretary of State for Defence pursuant to his answer of 1 July, *Official Report*, column 37W, on RAF training (1) how many additional instructors will be required to meet the tasks transferred from RAF Church Fenton; [76575]

(2) how many qualified flying instructors and ground instructors there are in the university air squadrons; [76576]

(3) how many staff at RAF Church Fenton will be subject to Transfer of Undertakings (Protection of Employment) legislation as a result of transferring the Joint Elementary Training School tasks to the university air squadrons; [76577]

(4) whether the cost effectiveness has been assessed of transferring the duties of the Joint Elementary Flying Training School at RAF Church Fenton to the university air squadrons. [76578]

Mr. Ingram: No additional instructors will be required when the tasks are transferred from RAF Church Fenton as the Qualified Flying Instructors at the University Air Squadrons will absorb the task.

The total number of qualified flying instructors at the University Air Squadrons is 69. However, the additional duties of the Squadron Commanders and Chief Flying Instructors reduce the available flying training time to the equivalent of 50. There are currently no ground instructors at the University Air Squadrons.

No staff at RAF Church Fenton will be subject to Transfer of Undertakings (Protection of Employment) legislation. It is expected that their task will be absorbed into the existing arrangements for the University Air Squadrons. This means the task will be done in a different manner and location rather than simply transferring to another contractor.

Contract negotiations are still underway. The actual savings will not be known until they are complete, but significant annual savings are anticipated.

Indian National Liberation Army

Syd Rapson: To ask the Secretary of State for Defence whether membership of the Indian National Liberation Army disqualifies former Far East prisoners of war from eligibility under the Ex Gratia Payment Scheme announced on 7 November 2000. [77534]

Dr. Moonie: During the Second World War, the Japanese recruited a considerable number of servicemen from Far Eastern countries who they had taken Prisoner of War, to serve alongside them in the Indian National Liberation Army.

The Ex Gratia Payment Scheme was established to recognise the circumstances of the captivity of those taken prisoner by the Japanese. Anyone who would otherwise be eligible under the Ex Gratia Payment Scheme but who joined the Indian National Liberation Army had removed themselves from that captivity which the Ex Gratia Payment Scheme recognises. Their inclusion in the scheme would not be compatible with its purpose and therefore those Prisoners of War who joined the Indian National Liberation Army are not entitled to any payment under the Scheme.

Deepcut Army Barracks

Annabelle Ewing: To ask the Secretary of State for Defence if he will make a statement on the fatalities at the Deepcut Army Barracks. [76908]

Dr. Moonie: The deaths of Privates Sean Benton, Cheryl James, Geoff Gray and James Collinson at Deepcut remain subject to ongoing investigations by the Surrey Police, who are keeping the families informed of developments. The Ministry of Defence has given full co-operation to the police in the course of their enquiries, which will not be complete until the New Year. The MOD is unable to discuss the specific circumstances surrounding the deaths whilst the police investigations continue.

Gulf War

Mr. Keetch: To ask the Secretary of State for Defence what vaccination programmes were undertaken for UK armed forces in the build up to the Gulf War; and if he will make a statement. [76290]

Dr. Moonie: The Ministry of Defence paper: "Implementation of the Immunisation Programme Against Biological Warfare Agents for UK Forces During the Gulf Conflict 1990–1991" dated 20 January 2000, provides the information requested. A copy of the paper is in the Library of the House. It is also on the Internet at: www/mod.uk/issues/gulfwar/info/medical/bwa.htm and available from the Ministry of Defence's Gulf Veterans' Illnesses Unit (Freephone 0800 169 1645).

El Alamein

Mr. Keith Simpson: To ask the Secretary of State for Defence which departmental Minister represented Her Majesty's Government at the 60 anniversary commemoration of the Battle of El Alamein in Egypt. [76669]

Dr. Moonie: I did. In addition to this, my right hon. Friend the Secretary of State for Defence, my right hon. Friend the Minister for the Armed Forces and I also attended the Commemoration in London.

Drug Seizures

Mr. Keetch: To ask the Secretary of State for Defence if he will list drug seizures made by Royal Navy vessels since 1997; where the seizures took place; what the value of each seizure was; and if he will make a statement. [76289]

Mr. Ingram: The Royal Navy vessel regularly deployed to the Caribbean conducts counter-narcotics patrols, working in conjunction with HM Customs and Excise, the Foreign and Commonwealth Office and national authorities in the region. Whilst there were no interdictions in 1997 and 1998, there have been a number of successful operations in the Caribbean since then. These are as follows:

Date	*Ship*	*Value*	*Type*
May 1999	HMS Marlborough	£1 billion+	Cocaine
17 November 1999	HMS Northumberland	£135 million	Cocaine
July 2001	HMS Coventry	£80 million	Cocaine
21 July 2002	HMS Newcastle	£1.5 million	Marijuana
22 July 2002	HMS Newcastle	£42 million	Cocaine
5 Sept 2002	HMS Grafton	£7.5 million	Marijuana
7 Oct 2002	HMS Grafton	£65 million	Cocaine

Arms Exports

Angus Robertson: To ask the Secretary of State for Defence what systems are in place for monitoring *(a)* use and *(b)* onward sales of arms components sold abroad by UK companies. [76532]

Mr. MacShane: I have been asked to reply.

The Government focuses its efforts on assessment of potential end-use at the export licensing stage, including where needed through checks made by our Posts overseas. Carrying out effective risk assessment on end-users before making the export licensing decision is the surest way of preventing arms from falling into the wrong hands.

As set out in the statement made by my right hon. Friend the Foreign Secretary on 8 July, *Official Report*, columns 650–52W; where components are for incorporation and reexport to a third party, we will also have regard to the export control policies and effectiveness of the export control system of the incorporating country.

Proactive monitoring of defence exports is only carried out in those cases of greatest concern. Our overseas posts have standing instructions to report on allegations of misuse of any UK-origin defence equipment. We take these reports into account in our assessment.

TREASURY

EU Enlargement

Tim Loughton: To ask the Chancellor of the Exchequer when he last met the leaders of *(a)* Slovakia, *(b)* the Czech Republic and *(c)* Poland concerning their applications for EU membership. [75698]

Ruth Kelly *[holding answer 24 October 2002]:* The Chancellor of the Exchequer has met leaders from these countries on a number of occasions. For example he attended the Barcelona European Council earlier this year, to which Heads of Government from all the candidate countries were invited.

E-Procurement

Mr. Spring: To ask the Chancellor of the Exchequer if he will make a statement on e-procurement in Government purchasing. [75728]

Mr. Boateng *[holding answer 23 October 2002]:* The Office of Government Commerce has successfully completed all its pilot e-Procurement projects. As a result valuable information has been gained about the practicalities and potential that e-Procurement offers. The Office of Government Commerce is currently developing its strategy to further deploy e-Procurement across government departments and agencies.

Departmental Schemes

Mr. Andrew Turner: To ask the Chancellor of the Exchequer if he will list the schemes and initiatives sponsored by his Department and its agencies which are not the subject of national roll out, showing *(a)* the authorities or areas covered by the scheme and *(b)* the budget of the scheme in the last year for which information is available. [75675]

Dawn Primarolo: This information is not held centrally.

Tax Returns

Mr. Wiggin: To ask the Chancellor of the Exchequer what criteria are used to separate errors in tax returns from deliberate late payments; and what interest rates are applied to these different categories. [75147]

Dawn Primarolo: No distinction is made between the categories for the purposes of interest rates.

Mr. Wiggin: To ask the Chancellor of the Exchequer what interest rate is paid on sums collected in taxes in error and in advance. [75148]

Dawn Primarolo: If the Inland Revenue issues a request for tax which is found later not to be due, the money is repaid with interest. The rate of interest depends upon the type of tax. For income tax and capital gains tax the rate is 2.5 per cent. For corporation tax and inheritance tax it is 3 per cent.

Money paid in error or in advance of tax becoming due generally does not attract interest.

Mr. Wiggin: To ask the Chancellor of the Exchequer upon what criteria the interest rates for the late payment of taxes are determined. [75149]

Dawn Primarolo: The criteria are contained in regulations which were laid before the House on 28 July 1989 (SI 1989 No. 1297). These regulations set down formulae for the calculation of interest rates. The basis of the formulae is the average of the base lending rates of 6 major banks.

International Debt

Ross Cranston: To ask the Chancellor of the Exchequer what recent assessment he has made of the operation of vulture funds; and if he will make a statement. [76278]

John Healey: Following requests from UK and other G7 partners, the IMF and the World Bank have comprehensively addressed the issue of creditor litigation in their report on the status of implementation of the Heavily Indebted Poor Countries Initiative. The report looks at vulture funds and other debt brokers purchasing debt in the secondary market and seeking recovery through litigation.

10 HIPCs responded that they were facing litigation on credits held by commercial creditors and the governments of Iraq and Burundi.

Some countries are burdened with several cases—for example Uganda is facing 6 cases of litigation and Sierra Leone five cases. A copy of the full Report is available on the IMF website at: http://www.worldbank.org/hipc/progress-to-date/Final—Full—Revised—Status—of—Implementation.pdf

At the Annual meeting the UK continued to press for the establishment of technical assistance to help countries being sued by creditors.

Final Salary Pension Schemes

Miss McIntosh: To ask the Chancellor of the Exchequer what recent representations he has received concerning the change in the number of final salary pension schemes; and if he will make a statement. [76686]

Ruth Kelly: I receive representations on a wide range of pensions issues. We will publish a Green Paper on pensions later this year.

Miss McIntosh: To ask the Chancellor of the Exchequer what recent discussions he has had with employers about their plans to continue final salary pension schemes; what recent representations he has received concerning the abolition of final salary pension schemes by solvent employers; and what recent representations he has received concerning the possibility of companies becoming insolvent who access pension funds for purposes other than paying pensions. [76895]

Ruth Kelly: I receive representations on a wide range of pensions matters. All such representations will be taken fully into consideration when we publish the Pensions Green Paper later in the year.

Private Finance Initiative

Mr. Jon Owen Jones: To ask the Chancellor of the Exchequer, what the total value of PFI and PPP schemes *(a)* completed and *(b)* signed are in (i) each of the regions of England, (ii) Scotland and (iii) Wales. [75855]

Mr. Boateng: A region-by-region breakdown of the total capital value of English PFI and PPP projects, both signed and completed, will be published in a series of forthcoming Treasury publications, entitled "Public Private Partnerships: helping to deliver public services". One such booklet is being prepared for each English region. The booklets will be published shortly, and copies will be deposited in the Library.

The capital value of both signed and completed Scottish PFI projects, along with a departmental breakdown, is published by the Scottish Executive on their website. (The number of projects signed and completed is listed at http://www.scotland.gov.uk/pfi/facts—01.asp, while a department-by-department list is available at http://www.scotland.gov.uk/pfi/project—list.xls.)

A list of Welsh PFI and PPP projects, both completed deals and deals in procurement, including capital values, is published by the National Assembly for Wales on their website. (This can be found at http://www.pfu.wales.gov.uk/scripts/pfilist.asp.)

Mrs. Jackie Lawrence: To ask the Chancellor of the Exchequer, what targets have been set for the OGCbuying.solutions trading fund for 2002–03. [77535]

Mr. Boateng: I have set the following challenging targets for the trading fund for 2002–03:

i. The Agency will facilitate at least £8omillion value for money improvements for central civil government over the 2002–3 year.

ii. The Agency will continue to achieve levels of customer satisfaction above 90%.

iii. The Agency will generate 8% Return On Capital Employed.

iv. The Agency will reduce by 5% the ratio of internal costs over value for money improvements compared with the outturn for the same ratio in 2001–02.

A copy of the Agency's Business Plan for 2002 can be found on their website: http://www.ogcbuyingsolutions.gov.uk.

HOUSE OF COMMONS

Digital Radio and Television

Kevin Brennan: To ask the Chairman of the Information Committee if he will take steps to provide to hon. Members the facility of digital radio and television coverage from the nations and regions of the United Kingdom. [77030]

Mr. Fabricant: The special annunciator televisions on the Parliamentary video network have 24 channels. The Information Committee reflects the views of hon. Members on how these channels should be used, and it considers individual representations. The radio and television programmes from which the selection can be made at reasonable cost are those transmitted by satellite to the London area. Channel 22 on the annunciator already carries the Welsh station S4C2. However, not all regional broadcasters make their local news programmes available by satellite, and the cost to the House of providing a specialised television landline link to regional television stations from Westminster would be prohibitive.

Catering Subsidy

Mr. Stunell: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, (1) what plans the Commission has to cap the subsidy for catering over the period of the Three Year Strategic Plan; [73759]

(2) what steps the Commission is planning to reduce the annual subsidy for catering set out on page 16 of the 24th Annual Report of the Commission. [73760]

Mr. Kirkwood *[pursuant to his reply, 21 October 2002, c. 6W]:* I should have made it clear that we expect the Finance and Services Committee's consideration to arise primarily in the context of the three-year financial plans. The Commission is still considering the Report of the Catering Committee.

CULTURE, MEDIA AND SPORT

Focus Group Research

Mr. Allen: To ask the Secretary of State for Culture, Media and Sport what use she and her Department has made of focus group research since June 2001; if she will identify for each research project the topics covered, the person or organisation carrying out the research, and the total cost; and if she will publish the research on her Department's website. [74988]

Dr. Howells: Since June 2001 my Department has made use of focus group research in 2 cases. In both cases the focus group research formed only one part of a larger project, but it is not possible to itemise this cost.

(1) A quantative survey into consumer attitudes into digital television made use of 3 focus groups including two groups exploring issues of concern to the blind/partially sighted viewers and deaf/hard of hearing viewers. The survey was conducted by MORI and the total cost was £32,547. The research is published in full at http://www.digitaltelevision.gov.uk.

(2) The Regional Data Framework project, which is aiming to identify data sources and methodologies for gathering information at both regional and national level in general support of policy development across the DCMS sectors, made use of a number of focus groups. The project is being carried out by a consortium of consultants lead by Positive Solutions and the total cost

of the consultancy is £61,000. The findings from the Regional Data Framework project will be published on the Department's website http://www.culture.gov.uk in 2003.

Web Sites

Dr. Cable: To ask the Secretary of State for Culture, Media and Sport if she will list the web site links associated with her Department, including sites now dormant or closed, and indicating whether they are live, dormant or closed; what the start up costs were for each site listed; what the operating costs were in each year since start up for each site; which company hosted each site; what assessment takes place for each site; which company does the assessment; if she will place the assessment reports in the Library; and if she will make a statement. [75588]

Dr. Howells: The information is as follows

Website	*URL*	*Status*	*Start-up cost*	*Running cost/year*	*Current ISP*
Communications Bill	http://www.communicationsbill.gov.uk	Live	Zero (in house)	*	UUNET
Communications White Paper	http://www.communicationswhitepaper.gov.uk	Dormant	£13,000	*	UUNET
Culture Online	http://www.cultureonline.gov.uk/	Live	£24,500	£2,000 01/02 £2,000 02/03	UUNET UUNET
DCMS (main site)	http://www.culture.gov.uk	Live	£81,134	*	UUNET
DCMS (lottery site)	http://www.lottery.culture.gov.uk	Live	£60,000	*	UUNET
Digital Television	http://www.digitaltelevision.gov.uk	Live	Zero (in house)	*	UUNET
Gambling Review**	http://www.gamblingreview.gov.uk	Live	Zero (in house)	£200 01/02 £200 02/03	BTIgnite BTIgnite
Golden Jubilee**	http://www.goldenjubilee.gov.uk	Live	£200,000	£25,000 01/02 £12,000 02/03	Globix UUNET
Golden Jubilee Media Site	http://www.media.goldenjubilee.gov.uk	Dormant	Zero (In house)	£12,000 1yr only	UUNET
Government Art Collection	http://www.gac.culture.gov.uk/home/index.asp	Live	£30,500	*	UUNET

Notes:
* Running costs for these websites are covered under one contract at £51,000 per annum.
** Costs of the Golden Jubilee and Gambling Review websites were met by the Home Office and later transferred to DCMS.

No assessment has been made of sites by any company.

Sport England

Mr. Greenway: To ask the Secretary of State for Culture, Media and Sport when she expects to appoint a new chairman of Sport England. [75196]

Mr. Caborn: We expect to appoint a new Chair of Sport England by the end of November.

Mr. Nick Harvey: To ask the Secretary of State for Culture, Media and Sport when the spending review for Sport England for the period 2003 to 2006 will be published; and if she will make a statement. [76572]

Mr. Caborn: An announcement will be made shortly.

Tourism

Mr. Allen: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on the resources, role and responsibilities of regional development agencies in respect of tourism. [74870]

Dr. Howells: An announcement about the Regional Development Agencies' tourism responsibilities will be made to the House shortly. The RDAs have a vital role to play in the delivery of our programme of strategic reform of the tourism industry in England. They are being given new responsibilities and resources and it is important that they achieve a balance between meeting regional priorities and achieving national coordination and consistency, where appropriate.

Lottery Grants

Mr. Don Foster: To ask the Secretary of State for Culture, Media and Sport if she will list the projects awarded funding by the New Opportunities Fund Green Spaces and Sustainable Communities Programme since its establishment and the level of funding for each. [75971]

Mr. Caborn: Under the Green Spaces and Sustainable Communities initiative, the New Opportunities Fund will deliver projects worth £125 million across the United Kingdom through 11 award partners. Hitherto, over £40 million has been committed to 1,265 projects under this initiative. The following table details the number of projects funded, and the amount committed so far, by each award partner.

Awards to date (Oct 2002) under the New Opportunities	*Awards (£s)*	*Number of Projects*
ENGLAND		
Barnardo's	2,933,620	50
BTCV	874,572	114
The Countryside Agency	1,939,294	136
English Nature	4,946,078	111
RSNC	7,635,883	239
Sustrans	5,043,000	57
Sport England	5,843,692	337

Awards to date (Oct 2002) under the New Opportunities

	Awards (£s)	*Number of Projects*
By region:		
North East		
Barnardo's	334296	5
BTCV	130181	15
English Nature	998772	16
RSNC	420210	15
Countryside Agency	105986	17
Sport England	782820	46
Sustrans	938000	10
North West		
Barnardo's	552759	9
BTCV	77736	9
English Nature	402817	9
RSNC	1204865	37
Countryside Agency	548157	28
Sport England	800595	61
Sustrans	1095000	10
Yorks & Humb		
Barnardo's	556303	11
BTCV	95948	12
English Nature	447930	15
RSNC	1180690	39
Countryside Agency	236044	11
Sport England	387663	27
Sustrans	362000	5
East Midlands		
Barnardo's	16170	3
BTCV	28926	4
English Nature	445400	8
RSNC	940448	29
Sport England	378599	34
Sustrans	178000	2
West Midlands		
Barnardo's	281874	3
BTCV	60401	7
English Nature	711279	13
RSNC	820616	19
Countryside Agency	293449	18
Sport England	1103408	35
Sustrans	670000	4
East		
Barnardo's	89000	1
BTCV	40511	6
English Nature	170550	4
RSNC	358460	11
Countryside Agency	71838	13
Sport England	298560	26
Sustrans	715000	12
London		
Barnardo's	459637	9
BTCV	151755	18
English Nature	602300	12
RSNC	698285	22
Countryside Agency	62400	3
Sport England	1215698	43
Sustrans	210000	5
South East		
Barnardo's	101100	2
BTCV	172899	25
English Nature	502998	17
RSNC	529939	18
Countryside Agency	74500	8
Sport England	644889	44
Sustrans	95000	3
South West		
Barnardo's	542481	7
BTCV	116211	18
English Nature	664032	17
RSNC	1482327	49
Countryside Agency	305585	14
Sport England	235000	21
Sustrans	780000	6
NORTHERN IRELAND		
NIHE	500,725	52
SCOTLAND		
Fresh Futures	704,368	35
SLF	8,144,698	76
WALES		
WCVA	1,546,588	58
UK Totals	*40112518*	*1.265*

Comprehensive lists of every project in every area are not yet available, but further information on schemes in a particular area can be obtained from the New Opportunities Fund on request.

British Museum

Tim Loughton: To ask the Secretary of State for Culture, Media and Sport what help is being offered by her Department to the British Museum to clear its deficit. [75530]

Dr. Howells *[holding answer 21 October 2002]:* To avoid a deficit the British Museum is carrying out a programme of reform and modernisation. We fully support the Museum in this endeavour and we have made arrangements to enable the Museum to fund this programme from the resources available to it.

Nick Harvey: To ask the Secretary of State for Culture, Media and Sport how many of the artifacts and collections in the British Museum were maintained at the right environmental condition in *(a)* 1998–99, *(b)* 1999–2000, *(c)* 2000–01, *(d)* 2001–02 and *(e)* 2002–03 to date. [76601]

Dr. Howells: The information is shown in the following table.

Year	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Number of items held at the correct environmental conditions (in millions)	6.2m	6.5m	6.7m	6.8m	6.9m
Percentage of items out of total collection held at the correct environmental conditions	79%	83%	85%	87%	88%

Manchester Museum of Science and Industry

Nick Harvey: To ask the Secretary of State for Culture, Media and Sport what the spend per head was on *(a)* visitor catering, *(b)* retail and *(c)* the Super X Simulator in the Museum of Science and Industry in Manchester in (i) 2000–01, (ii) 2001–02 and (iii) 2002–03 to date. [76602]

Dr. Howells: The relevant figures are as set out in the following table, based on total visitors of 287,814 in 2000–01, 389,262 in 2001–02, and 220,226 between April and August 2002:

	2000–01 £	*2001–02* £	*2002–03 to end August* £
Visitor catering	0.74	0.76	0.75
Retail	0.57	0.77	0.68
Super X Simulator	0.16	0.19	0.20

National Gallery

Nick Harvey: To ask the Secretary of State for Culture, Media and Sport how many paintings were *(a)* lost, *(b)* stolen and *(c)* severely damaged while on loan from the National Gallery in (i) 2000 and (ii) 2002 to date. [76600]

Dr. Howells: No paintings have been lost, stolen or severely damaged while on loan from the National Gallery from 2000 to date.

Museum of London

Nick Harvey: To ask the Secretary of State for Culture, Media and Sport how much time the average visitor spent in the *(a)* World City Galleries and *(b)* London Before London exhibition in the Museum of London in (i) 2000–01, (ii) 2001–02 and (iii) 2002–03 to date. [76599]

Dr. Howells: The World City Galleries opened at the Museum of London on 7 December 2001. According to data compiled by the Museum in a survey of 60 visitors carried out between the end of February and the middle of April 2002, the average time spent per visitor in the Galleries was 26 minutes.

Figures for the London Before London exhibition are as yet unavailable, as the exhibition opened on 18 October 2002. The Museum plan to undertake a survey of average time spent by visitors to London Before London in the exhibition in the next few months.

Beacon School, Falmouth

Ms Atherton: To ask the Secretary of State for Culture, Media and Sport what representations she has received regarding the funding of Beacon School, Falmouth under the Space for Sports and Arts in Schools programme. [75291]

Mr. Caborn: The Department for Culture, Media and Sport has received representations on this issue from my hon. Friend, and from representatives of Cornwall County Council, in June and July this year.

The Space for Sport and Arts (SSArts) programme is targeted at Local Education Authorities (LEAs) in areas of social, economic, sporting and cultural deprivation. It is for LEAs participating in the scheme, of which Cornwall County Council is one, to decide which schools in their area to select for involvement in the programme.

UK World Class Performance Programme

Nick Harvey: To ask the Secretary of State for Culture, Media and Sport how many *(a)* gold, *(b)* silver and *(c)* bronze medals have been won at major international championships by (i) teams and athletes supported via the UK World Class Performance Programme in *(A)* able-bodied and *(B)* disabled events in (1) 2000, (2) 2001 and (3) 2002 to date. [76604]

Mr. Caborn: The data required is not readily available. I will write to the hon. Member with detailed information as soon as possible.

SCOTLAND

Consultancies

David Davis: To ask the Secretary of State for Scotland if she will list external *(a)* public relations/communications companies, *(b)* advertising and marketing companies, *(c)* management consultancies, *(d)* accountancy companies, *(e)* banking firms, *(f)* individual consultants and *(g)* other specialist consultancies used by her Department since June 2001; what actions those consultancies/companies have performed within her Department; and what costs have been incurred through use of these consultancies/companies. [74677]

Mrs. Liddell: Since June 2001, my department has employed the following communications and marketing companies.

Scope Productions
Glass Page
Locofoco
Astron
Kemistry
Faulds

These companies were engaged to design and produce public information material of various types for my department's external affairs at an aggregate cost to date of £130,000.

My department has also used one individual consultant to advise on devolution systems in European countries, at a cost of £6,100.

Health

Mr. Andrew Turner: To ask the Secretary of State for Scotland in the last year for which her Department had responsibility for health in Scotland, what funding was made available to health authorities which include populated islands to recognise and assist in meeting patients' costs of travel for mainland treatment; what assistance was made available by each health authority to patients travelling for treatment; and if she will list the

health authorities which included populated islands, showing their expenditure per person on those islands on assistance with travel for treatment. [75218]

Mrs. McGuire: This has been a devolved matter since 1 July 1999. Details of expenditure in 1998–99 by each health board on the two patient travelling expenses schemes are as follows:

	Means Tested Scheme £	*Highlands & Islands Scheme* £
Argyll & Clyde	89,068	521,744
Ayrshire & Arran	28,095	3,383
Borders	22,694	0
Dumfries & Galloway	72,465	0
Fife	41,450	0
Forth Valley	92,796	0
Grampian	204,636	11,388
Greater Glasgow	260,987	0
Highland	239,430	284,599
Lanarkshire	37,812	0
Lothian	2,629	0
Orkney	952	538,420
Shetland	22,245	1,025,582
Tayside	0	0
Western Isles	16,187	992,612

Reimbursement made under the Highlands and Islands Scheme includes costs incurred by patients from populated islands travelling to mainland hospitals for treatment.

Health boards which include populated islands are Argyll & Clyde, Ayrshire & Arran, Orkney, Shetland and Western Isles.

Expenditure per person for assistance with travelling expenses is £27.19 in Orkney, £45.52 in Shetland and £35.72 in Western Isles. Separate figures are not available for the populations of the islands in Argyll & Clyde and Ayrshire & Arran.

Energy

Mr. Salmond: To ask the Secretary of State for Scotland (1) what representations she has made to Ofgem with regards to the proposed changes to the auction system for capacity to the National Transmission System at St. Fergus; [72411]

(2) what representations she has made to the Minister of Trade and Industry with regards to the proposed changes to the auction system for capacity to the National Transmission System at St. Fergus. [72412]

Mrs. Liddell: I refer the hon. Member to the answer he received from my hon. Friend, the Minister of State for Energy & Construction, on 19 September, *Official Report*, column 160W.

Expenditure

Mr. MacDougall: To ask the Secretary of State for Scotland how much was given to the *(a)* Scotland Office and *(b)* Scottish Executive in each year since 1997. [73375]

Mrs. Liddell: The Scotland Office and the Scottish Executive were established on 1 July 1999. Since that date expenditure by the Scotland Office has been as follows:-

£m	*£m*	*£m*	*£m*
			2002–03
1999–00	*2000–01*	*2001–02*	*(estimate)*
4.128	6.758	6.916	7.442

The grant paid to the Scottish Executive over the same period was:-

£m	*£m*	*£m*	*£m*
			2002–03
1999–00	*2000–01*	*2001–02*	*(estimate)*
9,647.5	14,097.1	14,989.6	16,556

Notes:
1. Figures for 1999–2000 are for the period 1 July 1999–31 March 2000.
2. Scotland Office figures also include expenditure by the Boundary Commission for Scotland.

SOLICITOR-GENERAL

Sentencing

Andrew Turner: To ask the Solicitor-General, what steps she is taking to publicise the public's right to seek review of unduly lenient sentences. [75303]

The Solicitor-General: The Attorney-General or I can refer a case to the Court of Appeal if we regard it as unduly lenient.

The prosecutor at court will, if the sentence is very lenient, advise the victim or relatives that they can ask us to refer.

Antisocial Behaviour Orders

Jim Cunningham: To ask the Solicitor General what role the Crown Prosecution Service has in prosecuting anti-social behaviour orders. [75305]

The Solicitor-General: An Antisocial Behaviour Order is normally obtained by the police or a local authority. The application is made before a magistrate's court, exercising its duties as a civil court, or the County Court.

A breach of an Antisocial Behaviour Order constitutes a criminal offence. The CPS is responsible for the review and prosecution of allegations of breach of ASBOs.

In 2001 there were 85 prosecutions for breaches of ASBOs. Of these, 69 led to a conviction, 9 were dismissed and 7 not separately dealt with. The conviction rate for breaches, taken at its lowest, is thus 81 per cent. (69 out of 85 cases)

Prosecutions

Phyllis Starkey: To ask the Solicitor General if she will make a statement on the proportion of prosecutions abandoned before trial in the last year. [75307]

The Solicitor-General: During the year ending June 2002, 20 per cent. of all magistrates' courts proceedings handled by the Crown Prosecution Service were abandoned before trial, together with a further 17.4 per cent. of all proceedings in the Crown Court.

These figures include several distinct types of outcome. The magistrates' courts figure comprises of discontinuances; cases in which the defendant agreed to be bound over without a trial taking place; and cases which could not proceed because the defendant could not be traced by the police, or had died, or was found unfit to plead.

The Crown Court figure comprises of cases dropped before a jury was sworn, resulting in a formal verdict of an ordered acquittal; bind overs; and, again, cases which could not proceed because the defendant could not be traced, or had died or been found unfit to plead.

Appeals

Tony Lloyd: To ask the Solicitor General what discussions she has had with the Crown Prosecution Service about circumstances when appeal against sentence would be appropriate. [75308]

The Solicitor-General: I discuss questions of sentencing regularly with the CPS. The Attorney-General and I have the power under sections 35 and 36 of the Criminal Justice Act 1988 to refer sentences passed in the Crown Court for a limited number of serious offences to the Court of Appeal for review, if it appears that the sentence passed is unduly lenient.

Street Crime

Ian Lucas: To ask the Solicitor-General if she will make a statement on the role of the Crown Prosecution Service in the Government's street crime initiative. [75301]

The Solicitor-General: The Crown Prosecution Service is playing a central role in the street crime initiative. It has developed with the police a Premium Service which provides experienced prosecutors to:

give the police advice during the investigation to strengthen the case and target resources effectively

advise on the choice of charge so that it is right first time, and

working closely with the police after the court process has begun to make sure that the case is in the best possible state by the time that the trail takes place

Particular attention is being paid to the needs street crime victims and witnesses, in particular providing them with the necessary information and support to see them through the judicial process.

TRANSPORT

Aviation

John Barrett: To ask the Secretary of State for Transport what timetable has been set for publishing an Aviation White Paper following the end of the Future Development of Air Transport consultation. [75062]

Mr. Jamieson: As my right hon. Friend the Secretary of State said in his Statement to the House in July, we will publish the White Paper next year.

Mr. Robathan: To ask the Secretary of State for Transport what the total cost was of producing The Future Development of Air Transport in the United Kingdom: A National Consultation Document. [74903]

Mr. Jamieson: The national consultation on *The Future Development of Air Transport in the United Kingdom* produced a suite of seven detailed consultation documents and seven summary documents. The approximate cost of producing these documents is £556,000.

Mr. Robathan: To ask the Secretary of State for Transport what the cost was of employing NOP to gauge public opinion on The Future Development of Air Transport in the United Kingdom: A National Consultation Document. [74905]

Mr. Jamieson: The consultation does not end until 30 November. Until then it is not possible to say how much assistance analysing responses NOP will provide.

Traffic Levels

Tom Brake: To ask the Secretary of State for Transport what research *(a)* has been conducted since 1997 and *(b)* is planned by or for his Department comparing forecast and actual traffic levels for (i) the building of new roads and motorways and (ii) the widening of existing roads and motorways; and if he will place the documentation in the Library. [75015]

Mr. Jamieson: A programme of comparisons of forecast and actual traffic levels on new trunk road schemes was started in 1981. The latest report on this monitoring work, the tenth in the series, was published in May 2001. I am arranging for copies to be placed in the Libraries of the House.

More detailed post implementation studies have been done on 19 projects; 6 of these have been carried out since 1997. Reports on these studies will be published in the next few months and will be placed in the Libraries of the House.

Since August 2001 a new system of project evaluation has replaced the two systems described above. It covers all projects over £1m and it is planned to extend this to smaller projects next year. It involves gathering data on traffic, journey times and accidents, before opening and one and five years after. In addition, an analysis of changes in flows on surrounding local roads at the time of opening is usually carried out for schemes over £5m.

Midlands Airport

Mr. Robathan: To ask the Secretary of State for Transport how many letters he has received *(a)* in support of and *(b)* in opposition to the proposal for a new airport between Rugby and Coventry. [74906]

Mr. Jamieson: We have not yet analysed all the responses but will produce a summary after the consultation ends on 30 November.

Radioactive Materials

Llew Smith: To ask the Secretary of State for Transport if he will make a statement on the International Atomic Energy Agency Transas Mission to the United Kingdom this year in respect of the transport of nuclear materials. [75454]

Mr. Jamieson: The International Atomic Energy Agency carried out a Transport Safety Appraisal Service (TranSAS) to the UK, at our request, during the period 9 to 21 June this year. The appraisal team, consisting of fourteen participants and observers from several countries and international bodies, carried out an examination of the regulatory and enforcement infrastructure in the United Kingdom relating to the transport of radioactive material. The IAEA's Report was published on its web site on 6 September 2002 and may be found at http://www.iaea.org/worldatom/. I will place hard copies in the House Libraries as they become available.

The report's three main recommendations relate to:

the manner in which the UK competent authority documents some of its reviews and assessments;

the need to establish a more systematic approach to the review of package designs used to transport smaller quantities of radioactive material; and

the need to enhance inspection and enforcement activities for minor consignors and consignors of mobile sources.

The report also contains 21 Suggestions and 15 Citations of Good Practice.

The UK has reviewed the Recommendations and Suggestions and updated procedures as necessary.

Modal Shift

Sir Nicholas Winterton: To ask the Secretary of State for Transport if he will list the studies and research used in support of the claim made in Chapter 1, 1.1 of his Department's publication using the Planning Process to Secure Travel Plans that *(a)* a 30 per cent. Modal shift in transport is a possibility and *(b)* that 10 to 20 per cent. has been achieved. [74981]

Mr. Jamieson: These assessments of the potential for modal shift are based on research carried out in the preparation of our guidance document "Making travel plans work: Lessons from UK case studies" which we published in August. The research report and case study summaries were published separately.

I am arranging for these documents to be placed in the Libraries of the House.

Sir Nicholas Winterton: To ask the Secretary of State for Transport what scope for modal shift has been identified in each of the multi-modal studies that have reported to date. [74982]

Mr. Jamieson: The scope for modal shift varies considerably due to differences in the characteristics of the study areas. In broad terms studies focused on urban areas have identified greater scope for modal shift than studies examining inter-urban corridors.

Eurostar

Mr. Fallen: To ask the Secretary of State for Transport what plans exist for the continued use of the Waterloo terminal for Eurostar services after Phase II of the CTRL has been fully completed; and if he will make a statement. [76234]

Mr. Jamieson: The development of plans for the continued use of Waterloo International terminal for Eurostar services following the completion of CTRL Section 2 is the responsibility of Eurostar (UK) Ltd (EUKL) in conjunction with its Eurostar partners. EUKL has not yet reached any firm decisions on this matter.

EU Railway Package

Mr. Don Foster: To ask the Secretary of State for Transport if he will list statutory instruments which have been laid before Parliament in response to the First Railway Package introduced through the European Commission; and if he will indicate the date laid in each case. [76500]

Mr. Jamieson: None as yet.

Traffic Area Network

Mr. Don Foster: To ask the Secretary of State for Transport (1) what discussions his Department has had, and what representations have been received, on the TAN21 self service online service for road hauliers to update operators licences; [76498]

(2) if he will list the percentage changes in electronic utilisation by customers of the Transport Area Network; and what assessment has been made; [76485]

(3) when new e-commerce services for the transport industry under the auspices of the Transport Area Network were introduced; what changes there have been to the timetable for the introduction and nature of this scheme; and what assessment has been made of its progress. [76478]

Mr. Jamieson: I refer the hon. Member to the answer I gave on Monday 21 October 2002, *Official Report*, columns 20–21W.

The Department has had informal discussions with the road haulage industry trade bodies who support this project. No representations have been received. The Traffic Area Network is piloting the use of electronic self-service, the aim being to have 20 per cent. utilisation within 12 months of going live.

27 per cent. of recipients of Traffic Commissioners' Applications and Decisions and 26 per cent. of recipients of Notices & Proceedings now receive them by e-mail. They are also available on the TAN website www.tan.gov.uk.

Railway Industry

Mr. Don Foster: To ask the Secretary of State for Transport what assessment has been made by *(a)* his Department and *(b)* the Strategic Rail Authority of the impact of the Competition Act 1998 upon the railway industry. [76401]

Mr. Jamieson: None

Mr. Don Foster: To ask the Secretary of State for Transport how many complaints have arisen against railway businesses in each year since 1998 under the terms of the Competition Act 1998. [76211]

Mr. Jamieson: Since the Competition Act 1998 came into force on 31 March 2000, the Regulator has considered the following numbers of cases concerning services relating to railways arising from complaints from individuals, companies, groups or representatives of groups:

2000–2001 7 cases

2001–2002 5 cases

2002–to date 3 cases

Transport 10-year Plan

Mr. Don Foster: To ask the Secretary of State for Transport how much private investment has been *(a)* spent and *(b)* procured for the railways under the 10-year plan; how much is projected by 2004–05; and what is projected for the 10 year plan (i) at today's prices and (ii) at outturn cost. [76194]

Mr. Jamieson: Table 5.2 of "National Rail Trends" published by the Strategic Rail Authority, every three months, sets out investment in the rail industry. In 2001–2 which is the first full year of the 10 year plan period, the rail industry attracted total investment of £4070m of which £3386m was private investment.

Chris Grayling: To ask the Secretary of State for Transport if he will list the estimated start-dates for construction of each of the projects in the 10-year plan. [76467]

Mr. Jamieson: The 10 Year Plan provides an overarching investment framework. While it included some illustrative outputs to show the scale and type of projects that could be delivered, it is for the key Delivery Agencies involved to determine how that investment is ultimately deployed to deliver the Plan targets.

Chris Grayling: To ask the Secretary of State for Transport how much of the public expenditure on transport listed in the 10-year plan remains uncommitted. [76468]

Mr. Jamieson: This information will be published in due course in the report on the 10 Year Plan setting out progress to date.

Central Railway

Mr. Lidington: To ask the Secretary of State for Transport if he has received the report he requested from the SRA on the Central Railway Project; and when he plans to publish the SRA's conclusions. [74910]

Mr. Jamieson *[holding answer 21 October 2002]:* I refer the hon. Member to my answer of 23 October to the hon. Member for Chesham & Amersham (Mrs. Gillan). [75905 and 75906].

Mr. Boswell: To ask the Secretary of State for Transport whether he intends to publish the Strategic Rail Authority's advice on Central Railway's proposals. [76415]

Mr. Jamieson: I refer the hon. Member to my answer of 23 October to the hon. Member for Chesham & Amersham [75905 and 75906].

Road Junctions

Miss. McIntosh: To ask the Secretary of State for Transport if he will make a statement on his programme to tackle congestion and improve safety at junctions on trunk roads and motorways; and what impact his programme will have on his plans for de-trunking roads. [76139]

Mr. Jamieson: I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State on 15 October, *Official Report*, columns 170–171. This programme will have no impact on our plans to detrunk roads as none of the junctions are on roads to be detrunked.

Midlands—North West Multi-modal Study

Mr. Jack: To ask the Secretary of State for Transport when he expects to announce plans to take forward the Midlands to the North West Multi-Modal Study findings. [75982]

Mr. Spellar *[holding answer 22 October 2002]:* We are considering the recommendations from this study alongside the views from the Regional Planning Bodies and will make an announcement in due course.

Road Safety

Mr. Bellingham: To ask the Secretary of State for Transport when he next expects to meet representatives of teachers' unions to discuss road safety outside schools. [75296]

Mr. Jamieson: I have no plans to meet with representatives of teachers unions—nor am I aware of any request by them to meet me. Responsibility for local road safety schemes rests with local highway authorities. It is for them to decide their investment priorities consulting local people as necessary. However, we advise local authorities to pay attention to child casualties, assessing roads around schools and the routes children use to get to school. This should be a component of the child road safety audits we expect local authorities to undertake, and will indicate where investment is required. Furthermore, their school travel plans should include measures necessary to ensure that there are safe routes to school for children.

EDUCATION AND SKILLS

Specialist Schools

Dr. Palmer: To ask the Secretary of State for Education and Skills, if she will make a statement on progress in secondary school specialisation. [75282]

Mr. Miliband: There are currently 992 specialist schools in England located across 146 local education authorities. In the October 2002 competition we have received 350 applications for specialist school designation. We are committed to a target of 2,000

specialist schools by September 2006 with the expectation that over time all secondary schools ready and able to can be specialist schools.

Mr. McWalter: To ask the Secretary of State for Education and Skills what steps she is taking to encourage schools to apply for specialist engineering status. [75268]

Mr. Ivan Lewis: Within the framework of the Specialist Schools Programme it is for individual schools to decide on the specialism for which they wish to apply. We are funding the Technology Colleges Trust to support schools wishing to apply for specialist school designation, including as an Engineering College. In addition to allowing for the possibility of combined specialisms which involve Engineering we have made it possible for existing Technology Colleges to switch to an Engineering specialism when they apply for re-designation.

Small Schools (Lancashire)

Mr. Dawson: To ask the Secretary of State for Education and Skills, what investment has been made in small schools in the Lancaster & Wyre constituency since May 1997. [75283]

Mr. Twigg: Figures for the investment in small schools in Lancaster and Wyre are not collected centrally. Since 1997, the Government has allocated £7.9m of specific funding to support small schools in Lancashire in addition to the budgets allocated to these schools through Lancashire's school funding formula.

School Discipline

Mrs. Ann Winterton: To ask the Secretary of State for Education and Skills, what recent assessment she has made of the impact of disciplinary problems on standards in schools. [75284]

Mr. Twigg: Standards in schools have risen rapidly since 1997. This year 51 per cent. of secondary pupils achieved five or more A* to C GCSEs compared to 45 per cent. five years ago. But OFSTED report that bad behaviour disrupts education in one in 12 secondary and one in 50 primary schools. We are implementing a wide range of measures to tackle that problem, including a £50 million Behaviour Improvement Programme that is providing intensive support for schools facing the most challenging behaviour.

Mr. Lilley: To ask the Secretary of State for Education and Skills, what plans she has to increase the powers of teachers to deal with indiscipline in schools. [75290]

Mr. Twigg: Headteachers already have the power to exclude pupils from school on disciplinary grounds by virtue of section 64 of the *School Standards and Framework Act 1998*. That power has been re-enacted in section 52(1) and (2) of the *Education Act 2002*. We aim to commence section 52 and regulations under that section which will improve the working of exclusion appeal panels on 1 January 2003.

A-Levels

Mr. Win Griffiths: To ask the Secretary of State for Education and Skills, what representation she has received following the publication of the inquiry into the marking of some A level subjects this summer. [75285]

Mr. Miliband: The Secretary of State has received a range of representations on A levels. These included questions on how the inquiry may affect individual grades, how the inquiry regrading process would work, requests for the department to intervene in individual appeals and general comments about the grading system.

Mr. Boswell: To ask the Secretary of State for Education and Skills whether higher education institutions will charge tuition fees to students who transfer to another institution in the current or next academic year as a result of regrading of this year's "A" levels. [76414]

Margaret Hodge: I understand that no more than 168 higher education students are eligible to transfer to another higher education institution as a result of the A level regrading following Mike Tomlinson's enquiry. Where a student transfers to another institution in the current academic year, they will pay no more in total than their assessed contribution to the personal tuition fee, which depends on their income and that of their parents. Guidance from Universities UK and the Standing Conference of Principals advises the institution they are leaving to refund the unused portion of any tuition fee which has been paid and the receiving institution cannot levy a higher tuition fee than the balance of the student's personal contribution.

In cases where students transfer to another institution next year and do not receive a full refund of any personal tuition fee already paid, they may apply to the A Level Claims Fund for the balance of their personal tuition fee contribution.

Miss McIntosh: To ask the Secretary of State for Education and Skills when her Department first received correspondence from the A-level examination boards alerting them to the potential problems in the new A-level system. [75895]

Mr. Miliband: The Department for Education and Skills did not receive any correspondence from the awarding bodies about potential problems in the new A level system. Issues of implementation of public examinations are dealt with by the statutory regulatory body, the Qualifications and Curriculum Authority.

A-Level Regrading

Mr. Damian Green: To ask the Secretary of State for Education and Skills if she will list the schools that have had at least one of their students' overall grades changed following the recent regrading. [76781]

Mr. Miliband: This is a matter for the Oxford and Cambridge and RSA Examinations Board.

Mr. Damian Green: To ask the Secretary of State for Education and Skills whether she intends to make public the submissions to the Tomlinson inquiry. [76784]

Mr. Miliband: It is for Mike Tomlinson to decide whether to publicise the submissions to his inquiry.

Further Education

Syd Rapson: To ask the Secretary of State for Education and Skills, what steps she is taking to raise standards in further education establishments. [75286]

Mr. Ivan Lewis: We are determined to build on the progress that has been achieved by the sector in recent years to raise standards. In June we published our proposals for a reform of further education—"Success for All". This comprises a comprehensive strategy, which has received the overwhelming support of key partners, for radical improvements. It will improve the quality and effectiveness of teaching and learning and develop the teachers and leaders of the future. We plan to make further announcements shortly.

Mr. Love: To ask the Secretary of State for Education and Skills, If she will make a statement on the funding of further education. [75292]

Margaret Hodge: This year, 2002–03, £4.4 billion has been allocated to further education, an increase of £1.2 billion (24 per cent. in real terms) compared with 1997–98. The Spending Review settlement for the next three years up to 2005–06 includes a 1 per cent. real terms annual increase in core funding and paves the way for three year budgets for colleges and other providers which demonstrate their effectiveness. We also expect to announce further substantial resources later in the autumn to support our strategy for reforming further education and training.

LEA Funding

Paddy Tipping: To ask the Secretary of State for Education and Skills, when she last met representatives from the f40 Group of local authorities to discuss education funding [75287]

Mr. Miliband: I last met representatives of the f40 Group of local authorities on 25 September to discuss the review of Local Education Authority funding.

Teachers (Criminal Records Bureau)

Mr. Robathan: To ask the Secretary of State for Education and Skills, if she will make a statement on the impact of the performance of the Criminal Records Bureau on the process of appointing teachers. [75288]

Mr. Miliband: At present the performance of the Criminal Records Bureau is not impacting on the process of appointing teachers. My Department has advised employers in the education service that teachers, and other staff and volunteers, can be appointed provisionally in advance of the receipt of a Disclosure from the CRB. They may be deployed to work with children at the discretion of the Head teacher, subject to a satisfactory check of my Department's List 99 which contains details of people who are barred from teaching and other work involving regular contact with children, taking up references, and other usual recruitment checks. We have also advised employers that where appropriate they should continue to seek a CRB Disclosure, and review the person's suitability in light of any information revealed by that when it is received. The interim arrangements to allow teachers to be appointed in advance of receiving a Disclosure were first introduced in May.

Primary School Testing

Andrew George: To ask the Secretary of State for Education and Skills, what recent assessment she has made of the impact of regular testing upon primary school pupils; and if she will make a statement. [75289]

Mr Miliband: There are statutory tests for primary school pupils at the end of Key Stages 1 and 2 as they complete one programme of study and prepare to move on to the next. Each year the Qualifications and Curriculum Authority carries out evaluations of the key stage tests, including questions relating to pupil anxiety. The evidence over several years, including this year, is that teachers generally feel that most children cope well with them. Other recent studies include a review by the EPPI-Centre on the impact of summative assessment and testing on students' motivation for learning. These studies help inform the development of policy.

Policy Documents

Dr. Pugh: To ask the Secretary of State for Education and Skills, how many policy documents a secondary school is required *(a)* by law and *(b)* by her Department to have. [75293]

Mr. Miliband: All secondary schools are legally required to publish an Annual Report to Parents and a Prospectus, which if they choose can be combined as a single document. They are also legally obliged to publish an Action Plan following an OfSTED inspection.

There are 19 areas in which all secondary schools are legally required to have policies and an additional four areas that only apply to secondary schools of varying type and form of governance. 20 of these are statutory requirements and three are required by Departmental guidance and circulars. Schools are not necessarily expected to produce these as separate documents for each area of policy.

Pay (Further Education)

Dr. Cable: To ask the Secretary of State for Education and Skills, if she will make a statement on the pay and conditions of lecturers in further education. [75294]

Margaret Hodge: Colleges in the further education sector, including sixth form colleges, are run by independent corporations with their own pay arrangements. Colleges agree annual pay rises and conditions of employment with their staff in the context of local priorities and the overall resources available to them. Within this context, there is a nationally recommended pay increase agreed by employer representative bodies and the unions. There has not yet been agreement between employers and the trade unions on a national recommendation on this year's pay. The Government has strongly encouraged both parties to enter into meaningful discussions on this year's pay award.

In consultation with the Association of Colleges, the Sixth Form Colleges' Employers' Forum and the FE unions we have introduced the Teaching Pay Initiative (TPI) to help colleges modernise pay arrangements and to recruit, reward and retain excellent teachers. This has provided a significant new resource for pay and we recently announced the extension of TPI arrangements

to include non-teaching staff, together with a further £32 million, equivalent to about 1 per cent. of the pay bill. This brings total funding for TPI this year to £142m.

TPI is an ongoing commitment for colleges and future funding arrangements will recognise that position. Many colleges have felt able to consolidate TPI payments into pensionable pay already and I hope that others will follow their example.

Mr. Kidney: To ask the Secretary of State for Education and Skills, what assessment she has made of the adequacy of pay levels for staff working in colleges of further education. [75298]

Margaret Hodge: Colleges in the further education sector, including sixth form colleges, are run by independent corporations with their own pay arrangements. Colleges agree annual pay rises and conditions of employment with their staff in the context of local priorities and the overall resources available to them. Within this context, there is a nationally recommended pay increase agreed by employer representative bodies and the unions. Pay arrangements in the sector are therefore diverse, reflecting colleges' local priorities and the overall resources available to them. Extra resources have been made available to FE colleges. There is £4.4 billion available to the sector this year, an increase of £1.2 billion in five years. Within this there is £142m available for the Teaching Pay Initiative (TPI) which helps colleges to modernise pay arrangements and to recruit, reward and retain excellent teachers and we have recently announced its extension to non-teaching staff for the first time.

From next year up to 2005–06, the Government has already announced that there will be a 1 per cent. annual real terms increase in core funding for FE. We also expect to announce further additional resources later in the autumn to support our strategy for reforming further education and training.

Mr. Boswell: To ask the Secretary of State for Education and Skills if she will make a statement on the offer of additional funds to further education colleges under *(a)* the Teaching Pay Initiative and *(b)* the College Pay Initiative; and what proportion of the remuneration of each full-time equivalent these aggregates represent if passed on in full. [76416]

Margaret Hodge: On 20 September, I announced an extra £32m for the Teaching Pay Initiative (TPI) in further education colleges this year and the Learning and Skills Council has notified colleges of their additional allocations. Of the £32 million, I indicated that £20 million was for teachers and lecturers and £12 million to allow colleges to make a start on extending the initiative to non-teaching staff for the first time through the College Pay Initiative (CPI). However, colleges have complete flexibility in determining how they allocate their share of the £32 million between different groups of staff to meet local priorities. The additional £32m represents approximately one per cent. of the overall FE pay bill.

SSA (Wiltshire)

Mr. Gray: To ask the Secretary of State for Education and Skills, what the education SSA is per head in secondary schools in Wiltshire [75295]

Mr. Miliband: In 2002–03 Wiltshire's Education SSA per pupil in secondary schools is £3220.

Note:

* Figure in cash terms for pupils aged 11–15—rounded to nearest £10

Teacher Assaults (Greater London)

Mr. Cox: To ask the Secretary of State for Education and Skills, how many assaults there have been on teachers employed by education authorities in the Greater London area in each of the last three years. [75297]

Mr. Twigg: The Department does not collect this information. However, figures for the whole of Great Britain provided by the Health and Safety Executive show that 135 teachers received injuries as a result of assault in 1999–2000 and also in 2000–01. There are no figures available yet for 2001–02.

Metals Skills Council

Dr. Francis: To ask the Minister for Adult Learning and Skills, what progress has been made in establishing a Metals Skills Council. [75275]

Mr. Ivan Lewis: The Sector Skills Development Agency is in continuing discussions to ensure an appropriate place for metals within the Sector Skills Network.

I look forward to seeing how things develop for this important sector and to receiving the SSDA's recommendation.

Business Studies

Mr. Bryant: To ask the Secretary of State for Education and Skills, what plans she has for improving the teaching of business studies in schools and colleges of further education. [75280]

Mr. Ivan Lewis: Pupils learn about the economy, enterprise and business education through PSHE and Citizenship. All secondary schools have received specific guidance to support this.

Following Sir Howard Davies recommendations, additional resources have been allocated to give every child the chance to spend five days engaging in activities to develop knowledge and skills about entrepreneurship; the economy; business and financial literacy.

We have set up a new Standards Unit to develop materials and disseminate best practice on all aspects of post-16 teaching & learning.

Individual Learning Accounts

Mr. Boswell: To ask the Secretary of State for Education and Skills when she will bring forward proposals for a replacement scheme for individual learning accounts. [76546]

Mr. Ivan Lewis: In June 2003 following the completion of our review of funding of adult learning and as an integral part of our groundbreaking national Skills Strategy and delivery plan.

In view of this decision we have agreed with Capita that our joint work with them on the development of a successor scheme is now complete. We are grateful for the partnership approach that Capita have adopted to the wind down of the ILA scheme and the development of a successor scheme.

English as an Additional Language

Mr. Watts: To ask the Secretary of State for Education and Skills what her Department's estimate is of the number of children who have English as an additional language in schools. [74958]

Mr. Miliband: In January 2002 there were 350,483 or 10.0 per cent. of pupils in maintained primary schools in England whose mother tongue is known or believed to be other than English. The corresponding figure in maintained secondary schools is 282,235 or 8.6 per cent.

The collection of data on pupils' "mother tongue" through the Annual Schools Census in January 2002 replaced the earlier collection of data on English as an Additional Language.

Mr. Gerrard: To ask the Secretary of State for Education and Skills what recent research she has commissioned on how children with English as an additional language learn English most quickly; and what the findings were of the research. [76144]

Mr. Twigg *[holding answer 21 October 2002]:* There is already a great deal of research evidence from the UK and elsewhere about effective strategies for teaching English as an additional language (EAL). The general consensus among practitioners in England is that EAL teaching is most effective where it is firmly embedded across all National Curriculum subject areas. This ensures that pupils have the opportunity to learn English in a meaningful subject-specific context. My Department's role is to ensure that the particular needs of bilingual learners are properly taken into account in all policies and programmes aimed at raising standards. Recent examples include the development and dissemination of EAL modules as part of the National Literacy and Numeracy strategies and Key Stage 3.

Home Education

Mr. Waterson: To ask the Secretary of State for Education and Skills how many children of school age are being educated at home in *(a)* England, *(b)* East Sussex and *(e)* Eastbourne. [75151]

Mr. Miliband: The available figures record for each Local Education Authority the number of pupils not in school and being otherwise educated. This includes, but does not separately identify pupils taught at home, traveller children, asylum seekers at Further Education colleges or with voluntary providers. The figures show that in January 2002, 263 pupils were not in school but were being educated otherwise in East Sussex Local Education Authority. The corresponding figure for England is 18,969.

Teachers (London Allowances)

Bob Spink: To ask the Secretary of State for Education and Skills if she will make it her policy to give London weighting to teachers' salaries in Castle Point. [75469]

Mr. Miliband: My right hon. Friend has asked the School Teachers' Review Body (STRB) to consider the pay of London teachers, but has not specifically asked it to review the qualifying areas for the three London allowances. All schools, including those outside the existing London Allowances area, already have discretion to pay recruitment and retention allowances worth up to £5,262 per annum to target their particular recruitment and retention issues. She has also asked the STRB to consider what scope there would be over the longer term for introducing some form of local pay, which will better reflect local differences in costs and rest more responsibility for pay in the hands of Headteachers. She awaits the STRB's recommendations with interest.

Community Empowerment Network

Chris Grayling: To ask the Secretary of State for Education and Skills what discussions her Department has had with the Community Empowerment Network. [75631]

Mr Ivan Lewis: The Department for Education and Skills has had no direct discussions with the Community Empowerment Network.

Public Service Agreements

Mr. Hancock: To ask the Secretary of State for Education and Skills what assessment she has made of the value of target setting to the work of her Department. [76492]

Mr Miliband: Investment of public money in the services required to achieve our objectives is linked to measurable performance against targets, which are set out in Public Service Agreements. These are established alongside spending plans in the Government's Spending Reviews. Performance is monitored and reported to Parliament.

We have recently reviewed our targets in the context of the 2002 Spending Review.

LEA Spending

Mr. Watts: To ask the Secretary of State for Education and Skills if she will list the amounts that education authorities have spent above or below their education SSAs in the current year. [76276]

Mr. Miliband: The following table contains the information requested:

LEA Name	*SSA £M*	*Education budget £M*	*Difference £M*
All England	*23,857.8996*	*24,102.2827*	*244.3830*
City of London	1.0224	2.3166	1.2942
Camden	103.0365	106.7864	3.7499
Greenwich	145.0059	141.8289	−3.1769
Hackney	120.7448	112.7290	−8.0158
Hammersmith and Fulham	76.9500	77.0269	0.0768
Islington	104.5123	104.7119	0.1996
Kensington and Chelsea	48.7089	50.1378	1.4289
Lambeth	130.9174	131.2125	0.2951
Lewisham	147.1363	147.8178	0.6815
Southwark	149.7648	149.7648	0.0000
Tower Hamlets	167.8211	169.9616	2.1404

LEA Name	SSA £M	Education budget £M	Difference £M
Wandsworth	112.1965	108.7913	−3.4052
Westminster	79.7290	87.0317	7.3027
Barking and Dagenham	102.8619	103.1689	0.3070
Barnet	161.9221	164.0561	2.1340
Bexley	128.0827	123.3978	−4.6849
Brent	144.5210	135.5429	−8.9781
Bromley	154.1728	143.5694	−10.6034
Croydon	169.2417	170.4822	1.2405
Ealing	152.7345	154.4311	1.6966
Enfield	170.1536	168.2011	−1.9526
Haringey	134.2717	134.2796	0.0079
Harrow	95.8466	97.2904	1.4438
Havering	117.3537	116.3395	−1.0141
Hillingdon	134.0767	132.3941	−1.6826
Hounslow	126.3980	124.8600	−1.5380
Kingston upon Thames	64.9491	67.0417	2.0926
Merton	74.8190	75.5614	0.7425
Newham	190.1691	183.1632	−7.0059
Redbridge	144.7254	142.2387	−2.4867
Richmond upon Thames	60.6527	65.0357	4.3830
Sutton	97.4150	97.7339	0.3189
Waltham Forest	131.4987	133.4767	1.9780
Birmingham	578.4689	605.5499	27.0810
Coventry	155.4544	161.8734	6.4190
Dudley	139.5913	146.9561	7.3648
Sandwell	152.5939	154.5979	2.0040
Solihull	100.8826	101.6920	0.8093
Walsall	143.0901	143.9510	0.8609
Wolverhampton	128.1214	129.8654	1.7440
Knowsley	93.7373	89.4980	−4.2394
Liverpool	264.1078	264.1221	0.0143
St. Helens	86.9732	88.4465	1.4733
Sefton	138.6666	147.6179	8.9513
Wirral	169.6693	168.1654	−1.5038
Bolton	134.7642	135.0284	0.2642
Bury	81.5847	82.4809	0.8962
Manchester	232.5382	231.7309	−0.8073
Oldham	122.2909	123.8428	1.5519
Rochdale	111.1350	109.5689	−1.5661
Salford	105.0821	109.5790	4.4969
Stockport	118.2643	121.9897	3.7254
Tameside	108.8925	109.7389	0.8464
Trafford	104.0584	105.9499	1.8914
Wigan	141.4448	147.7403	6.2955
Barnsley	99.2009	100.2947	1.0938
Doncaster	153.9750	154.0220	0.0470
Rotherham	131.8516	133.6561	1.8045
Sheffield	227.4497	228.6550	1.2053
Bradford	267.2879	259.0728	−8.2151
Calderdale	103.0057	103.9320	0.9263
Kirklees	188.6507	186.9214	−1.7293
Leeds	333.0348	343.3101	10.2753
Wakefield	148.5499	148.8855	0.3356
Gateshead	88.3709	91.9210	3.5501
Newcastle upon Tyne	124.4614	120.8965	−3.5649
North Tyneside	89.2221	91.5132	2.2911
South Tyneside	76.9479	77.7474	0.7995
Sunderland	142.9263	141.8552	−1.0711
Isles of Scilly	1.4213	1.4743	0.0530
Bath & North East Somerset	72.2319	78.5632	6.3313
City of Bristol	151.3926	167.8251	16.4325
North Somerset	79.5604	79.5771	0.0167
South Gloucestershire	110.7529	115.0135	4.2606
Hartlepool	48.5591	48.5619	0.0029
Middlesbrough	74.2550	74.5087	0.2537
Redcar and Cleveland	73.2583	73.2588	0.0005
Stockton-on-Tees	91.7786	92.4574	0.6788
City of Kingston Upon Hull	129.4733	130.7577	1.2844
East Riding of Yorkshire	144.6368	145.6397	1.0029
North East Lincolnshire	83.3160	86.0500	2.7340
North Lincolnshire	73.6651	75.5444	1.8793
North Yorkshire	260.4408	272.0278	11.5871
York	70.0044	72.1578	2.1534
Bedfordshire	193.5908	192.2110	−1.3799
Luton	102.7965	102.9612	0.1647
Buckinghamshire	231.9312	230.5043	−1.4269
Milton Keynes	109.8883	110.3019	0.4136
Derbyshire	324.1436	333.2927	9.1491
Derby	112.7384	112.4870	−0.2514
Dorset	161.7980	166.6484	4.8504
Poole	57.3219	57.6851	0.3632
Bournemouth	64.7092	65.8520	1.1428
Durham	229.8940	235.3863	5.4923
Darlington	45.9026	46.0735	0.1709
East Sussex	210.3524	210.4880	0.1356
Brighton and Hove	98.8876	98.5689	−0.3187
Hampshire	528.0371	533.0300	4.9929
Portsmouth	84.2356	84.9116	0.6760
Southampton	99.8437	95.9386	−3.9051
Leicestershire	273.7501	282.9221	9.1720
Leicester	150.7880	151.5138	0.7258
Rutland	13.7401	14.9132	1.1731
Staffordshire	368.5498	372.2987	3.7489
Stoke-on-Trent	112.4341	115.4721	3.0380
Wiltshire	189.7108	191.8442	2.1334
Swindon	83.7499	85.0684	1.3185
Bracknell Forest	47.0862	46.8975	−0.1887
Windsor and Maidenhead	61.0867	61.5277	0.4410
West Berkshire	73.6664	73.8679	0.2014
Reading	54.9770	55.9641	0.9871
Slough	70.2168	68.3485	−1.8683
Wokingham	69.0003	69.9677	0.9674
Cambridgeshire	223.1475	229.2433	6.0958
Peterborough	92.6291	91.4104	−1.2186
Cheshire	304.7116	320.8066	16 0950
Halton	65.1823	65.7914	0.6091
Warrington	90.8670	92.8647	1.9977
Devon	288.3235	290.2373	1.9138
Plymouth	124.3191	124.3928	0.0737
Torbay	58.2246	58.7771	0.5525
Essex	630.8486	624.5436	−6.3050
Southend-on-Sea	85.1138	85.2244	0.1106
Thurrock	71.5857	71.6057	0.0200
Herefordshire	72.0859	72.0400	−0.0459
Worcestershire	230.1543	232.5732	2.4189
Kent	672.6925	665.0712	−7.6213
Medway	141.0335	141.2467	0.2132
Lancashire	534.9970	554.4728	19.4758
Blackburn with Darwen	79.1864	81.4579	2.2715
Blackpool	64.0861	64.2837	0.1975
Nottinghamshire	344.6936	352.9175	8.2239
Nottingham	128.6954	132.7207	4.0253
Shropshire	118.5369	119.7804	1.2435
Telford & Wrekin	78.0621	78.0941	0.0320
Cornwall	219.4095	215.7320	−3.6775
Cumbria	226.2349	233.4352	7.2003
Gloucestershire	254.0244	257.0497	3.0253
Hertfordshire	539.0524	539.6100	0.5576
Isle of Wight	64.7710	64.7862	0.0152
Lincolnshire	301.5732	305.9253	4.3521
Norfolk	340.3741	345.5370	5.1628
Northamptonshire	302.3844	306.4191	4.0347
Northumberland	147.9800	149.9239	1.9440
Oxfordshire	261.7899	264.1175	2.3276
Somerset	208.5049	216.8839	8.3791
Suffolk	295.0851	297.3883	2.3032
Surrey	432.9177	434.9247	2.0070
Warwickshire	219.5074	228.3518	8.8444
West Sussex	325.7824	327.2292	1.4468

Sources:

Data 2002–03 S52 Budget statements as returned by LEAs to the DfES.

Data reflects position as at 11 October.

Physical Education

Mr. Greenway: To ask the Secretary of State for Education and Skills, pursuant to her answer of 19 September, *Official Report*, column 111W, on physical education, what research was undertaken to enforce the joint Public Service Agreement with her Department and the Department for Culture, Media and Sport in respect of sport in schools; and if she will place such research in the Library. [76803]

Mr. Ivan Lewis: All School Sport Co-ordinator partnerships are currently undertaking an annual data collection exercise. This will provide in-depth information on the number of pupils with access to two hours of high quality PE and school sport a week, within and beyond the curriculum. Early messages from this will be available before the end of the year and the House will be informed of the results.

European Job Mobility

Mr. Spring: To ask the Secretary of State for Education and Skills (1) what progress there has been in establishing the European Job Mobility web-site agreed at the Barcelona Council in March 2002; [75726]

(2) what progress there has been in developing a Europe-wide Internet portal aimed at providing access to information on job and learning opportunities. [75724]

Mr. Ivan Lewis *[holding answer 23 October 2002]:* At Barcelona in March 2002, the Council decided that a one stop European Job Mobility web site should be established by the end of 2003 at the latest.

The Commission, together with the national public employment services, has developed the European Employment Services (EURES) system which, since 1998, has provided job vacancies on the Internet. The Commission is also currently testing a new portal website which will provide access to training and learning opportunities. It is expected that the new portal will be launched next month.

The Commission plans to bring together the two Internet services in 2003 to offer a single point of access for citizens interested in jobs and learning opportunities. The new, single, portal will form the basis of the European Job Mobility website.

Training and Enterprise Council Assets

Mr. Boswell: To ask the Secretary of State for Education and Skills if she will make a statement on the disposal of TEC assets to *(a)* the public sector and *(b)* private interests. [76410]

Margaret Hodge: It is the Department's intention to publish a statement on the disposition of TEC assets in the Department's accounts which are currently being audited by the NAO and are due to be published on 4 December 2002. The disposition of TEC assets has been subject to a policy agreed with Ministers and Treasury with the aim of making sure that TEC assets are used for the benefit of the TEC local communities in the furtherance of broader government objectives and not for private gain.

Modern Apprenticeships

Mr. Boswell: To ask the Secretary of State for Education and Skills how many modern apprenticeships have been under way *(a)* in total and *(b)* in each industrial sector in each year since the inception of the scheme; and how many persons have entered a programme in each of these years. [76413]

Mr. Ivan Lewis: The figures (except those broken down into sector) in the following tables also appear in the DfES' Statistical First Release on work-based learning, published today at http://www.dfes.gov.uk/statistics/DB/SFR/s0358/index.html.

The numbers of people in-learning on AMA and FMA since the inception of the scheme are as follows:

Date in-learning	*AMA*	*FMA*
16 July 1995	2,100	0
21 July 1996	35,100	0
03 August 1997	87,500	0
02 August 1998	109,600	8,800
01 August 1999	123,800	41,400
30 July 2000	127,300	77,700
29 July 2001	117,800	88,400
28 July 2002	107,900*	111,600*

Note:
* In-learning figures on 28 July 2002 are provisional.

The proportions in-learning in each sector, as a proportion of all sectors, are as follows:

In-learning on AMA in sector as % of in-learning on AMA in all sectors	*21 Jul 1996* %	*3 Aug 1997* %	*2 Aug 1998* %	*1 Aug 1999* %	*30 Jul 2000* %	*29 Jul 2001* %	*28 Jul 2002* %
Accounting	2	3	3	3	3	2	2
Agriculture and Commercial Horticulture	1	1	1	1	1	1	1
Aviation	1	—	—	—	—	1	3
Business Administration	13	14	12	12	11	9	7
Construction	7	7	6	7	7	7	6
Customer Service	—	1	3	5	7	6	6
Early Years Care and Education	3	3	3	3	4	5	5
Electrical Installation Engineering	7	5	7	6	6	8	9
Engineering Construction	1	—	—	—	—	1	1
Engineering Manufacture	21	14	18	14	13	14	14
Hairdressing	7	7	6	6	6	5	4
Health and Social Care	5	6	4	5	5	5	4
Heating, Ventilation, Air Conditioning and Refrigeration	1	1	1	1	1	1	1
Hospitality	7	7	6	7	7	6	6
Information Technology and Electronic							

In-learning on AMA in sector as % of in-learning on AMA in all sectors	*21 Jul 1996* %	*3 Aug 1997* %	*2 Aug 1998* %	*1 Aug 1999* %	*30 Jul 2000* %	*29 Jul 2001* %	*28 Jul 2002* %
Services	—	2	2	2	2	1	1
Moving into Management	—	—	—	—	1	1	1
Motor Industry	9	8	9	8	8	10	11
Plumbing	2	2	2	2	2	2	2
Printing	1	1	2	1	1	1	1
Retailing	7	9	5	6	5	3	2
Road Haulage and Distribution	—	—	1	1	1	1	1
Sports and Recreation	1	1	1	1	1	1	1
Telecommunications	—	—	1	1	1	2	2
Travel Services	1	2	2	2	2	2	3

Sources:
Sectors which have less than 0.5% of all those on AMA on 28 July 2002 are not shown.
Figures are rounded to the nearest whole percentage point.
"—" denotes zero or less than 0.5%.

In-learning on FMA in sector as % of in-learning on FMA in all sectors	*02 Aug 1998* %	*01 Aug 1999* %	*30 Jul 2000* %	*29 Jul 2001* %	*28 Jul 2002* %
Accounting	—	1	1	1	1
Agriculture and Commercial Horticulture	3	1	1	1	1
Amenity Horticulture	—	1	1	1	1
Animal Care	3	2	2	1	1
Business Administration	13	18	16	15	14
Construction	—	4	7	7	9
Customer Service	1	6	10	10	8
Distribution, Warehousing and Storage	—	—	—	2	2
Early Years Care and Education	—	1	2	3	4
Electrotechnical	—	—	—	1	1
Engineering Manufacture	6	4	4	5	4
Glass Industry	—	1	1	—	1
Hairdressing	23	13	11	10	10
Health and Social Care	4	5	5	6	7
Hospitality	7	10	10	11	11
Information Technology and Electronic Services	—	5	4	4	3
Manufacturing (Engineering)	—	—	—	1	1
Motor Industry	8	5	5	4	4
Plumbing	—	1	1	1	2
Retailing	—	16	13	12	10
Road Haulage and Distribution	—	—	—	1	1
Sports and Recreation	2	1	2	2	2

Sources:
Sectors which have less than 0.5% of all those on FMA on 28 July 2002 are not shown.
Figures are rounded to the nearest whole percentage point.
"—" denotes zero or less than 0.5%.

The numbers of starts on Foundation Modern Apprenticeships (FMA) and Advanced Modern Apprenticeships (AMA) in the last six years are as follows:

Date of start		*FMA*
22 July 1996–3 August 1997	64,600	0
4 August 1997–2 August 1998	66,800	7,800
3 August 1998–1 August 1999	73,200	45,100
2 August 1999–30 July 2000	76,800	88,300
31 July 2000–29 July 2001	72,400	104,100
30 July 2001–28 July 2002	52,700*	106,600*

Note:
* Starts in 2001–02 are provisional.

The Learning and Skills Council is responsible for delivering the new generation of Modern Apprenticeships and is working closely with the new Sector Skills Councils and the Connexions Service to improve quality and performance.

Independent Schools (Exam Grades)

Mr. Laws: To ask the Secretary of State for Education and Skills what proportion of candidates from independent schools achieved A* or A grades in each of the last five years; and if she will make a statement. [75254]

Mr. Miliband: The information requested is shown below:

Percentage of 15 Year Old Pupils Achieving GCSE A or A Grades in Independent Schools in England*

	%
1997–98	73
1998–99	74
1999–00	75
2000–01	76
2001–02 (Early Statistics)	77

School Standards

Mr. Laws: To ask the Secretary of State for Education and Skills how many schools have not been classed by Ofsted as well led over the last five years; and what proportion this is of all schools inspected. [75256]

Mr. Miliband: These are matters for the Office for Standards in Education (OFSTED). The HM Chief Inspector for Schools, David Bell will write to the hon. Gentleman and a copy of his letter will be placed in the Library.

Mr. Laws: To ask the Secretary of State for Education and Skills if she will make a statement on whether the performance inequalities between *(a)* primary schools and *(b)* secondary schools have narrowed since 1997. [75258]

Mr. Miliband: There has been a significant narrowing of the performance inequalities between primary schools, following the introduction of the National Literacy and Numeracy Strategies. At Key Stage 2, for example, the average performance of the lowest attaining 20 per cent. of schools improved from 41 per cent. in 1997 to 61 per cent. in 2001, an increase of 20 per cent. points compared to the national average increase of 13 per cent. points.

We are committed to narrowing the performance gap between secondary schools through the implementation of our plans to transform secondary education.

Teachers' Pay

Mr. Laws: To ask the Secretary of State for Education and Skills what has been the total cost in each of the last four years of the performance related pay scheme for teachers, broken down by *(a)* administration costs, *(b)* payments to teachers and *(c)* other costs; how many of those who applied received the additional payments; and if she will make a statement. [75260]

Mr. Miliband: Teachers have been receiving performance threshold increases since September 2000. Over £245 million in threshold grant payments were paid to local authorities in the 2000–01 financial year, over £436 million in 2001–02, and to date over £279 million in the current financial year.

The Department has a contract with Cambridge Education Associates (CEA) for the provision and deployment of threshold assessors and external advisers to governing bodies on heads' performance. We also have a contract with Centre for British Teachers (CfBT) for training in threshold assessment and performance management. The value of these contracts depends on the volume and quality of activity. Since January 2000 total CEA contract costs have been around £47 million and CfBT costs around £13 million.

Not all teachers who were eligible to apply did so. Over 200,000 teachers in England applied to cross the performance threshold in the first round and over 31,000 in the second round. Of these, nearly 224,000 were assessed as meeting the threshold standards. This is something of which the profession can be proud.

Examination Results

Mr. Laws: To ask the Secretary of State for Education and Skills what proportion of GCSE candidates achieved five or more A* to C grades in each year from 1987 to 2002; and if she will make a statement on the reasons underlying the change in performance. [75261]

Mr. Miliband: The information requested is shown in the Table below:

Percentage of 15 year old pupils achieving 5 or more grades A–C at GCSE/GNVQ in schools in England*

	%
1986–87	26.4
1987–88	29.9
1988–89	32.8
1989–90	34.5
1990–91	36.8
1991–92	38.3
1992–93	41.2
1993–94	43.3
1994–95	43.5
1995–96	44.5
1996–97	45.1
1997–98	46.3
1998–99	47.9
1999–00	49.2
2000–01	50.0
2001–02 (Early Statistics)	51.2

Sources:
1986–87 – 1987–88 School Leavers Survey
1988–89 – 1990–91 School Examinations Survey
1991–92 onwards Data collected for Secondary School Performance Tables

Mr. Laws: To ask the Secretary of State for Education and Skills what her estimate is of the average proportion of GCSE marks accounted for by coursework; and if she will make a statement. [75262]

Mr. Miliband: The proportion of coursework and examination assessment of GCSEs varies between individual subjects and awarding body specifications. The weighting of coursework for academic subjects varies between 20–40 per cent.; for practical subjects between 40–60 per cent.; in the case of the eight new GCSEs in vocational subjects introduced in September 2002, the coursework weighting is 67 per cent., with the exception of Applied ICT, where the coursework weighting is 67–85 per cent.

Departmental Costs

Mr. Laws: To ask the Secretary of State for Education and Skills how many employees there were of *(a)* her Department and *(b)* its agencies; if she will estimate the annual (i) staff pay costs, (ii) buildings costs, (iii) administration costs and (iv) other cost for each; and if she will make a statement. [76169]

Mr. Twigg: The Department for Education and Skills (DfES) employs 4,270 permanent staff and 114 temporary staff. It has no agencies.

DfES's gross administrative costs for the financial year 2001–02 were £222m (estimated outturn). This comprised:

staff pay costs – £126m;
building costs – £26m and
administration and other costs – £70m

INTERNATIONAL DEVELOPMENT

Job Advertisements

Annabelle Ewing: To ask the Secretary of State for International Development how many posts were advertised in the press in each year since June 1999; and what percentage of them were advertised in the Scottish press. [76853]

Clare Short: The information in the table below refers to the number of advertisements placed in the press rather than posts advertised—details of which are not maintained. The figures for 1999 are for the full year as monthly information is no longer available for that year.

Year	*Total Advertisements Placed*	*Total Placed in Scottish Press*
1999	275	Information not available
2000	166	3
2001	122	4
2002 1 January—30 September	79	3

NORTHERN IRELAND

Probation Board

Mr. Cawsey: To ask the Secretary of State for Northern Ireland when the 2001–02 annual report for the Probation Board for Northern Ireland will be published. [77015]

Mr. Desmond Browne: The 2001–02 Annual Report for the Probation Board for Northern Ireland was published today.

A copy of the Report has been placed in the libraries of both Houses.

11 Plus

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he will defer implementation of the decision of the former education minister of Northern Ireland to abandon the current 11-plus transfer arrangements, until such time as a suitable and broadly acceptable alternative transfer procedure has been decided. [75465]

Jane Kennedy: Responses to extensive consultation on the Burns Report showed almost universal support for the abolition of the 11 plus Transfer Tests and a predominant view that academic selection should be ended, although there was also substantial opposition to this proposal. There was also support for the development of a Pupil Profile, a broadening of curriculum choice at age 14, and for greater co-operation and collaboration between schools. There is a clear demand for change in order to address the weaknesses of the current system. It is important that we continue to make progress on this key issue and the Department will be meeting the key education partners to build consensus on new transfer and post-primary arrangements that are fair for all children and enable all children to reach their full potential.

Selective Schools

Mr. Brady: To ask the Secretary of State for Northern Ireland if he will make a statement on the future of selective schools in Northern Ireland. [75227]

Jane Kennedy: Extensive consultation on the Burns Report has demonstrated almost universal support for abolition of the Transfer Tests and a predominant view that academic selection should be ended although there was also substantial opposition to this proposal. In light of the views expressed the Department of Education will be meeting with key education partners to build on that consensus and develop new post-primary arrangements that are fair, enable all children to reach their full potential and provide a modern education system for the 21st Century.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Correspondence

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs when she intends to reply to a letter sent to her on 24 July by the hon. Member for South-East Cornwall, regarding the Pesticides Residues Committee. [76673]

Mr. Morley: I wrote to the hon. Member on 16 August 2002.

Biotechnology

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the Government's response to the Agriculture and Biotechnology Commission's advice to the Government that a public debate be held on genetic modification issues. [75176]

Chris Grayling: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to hold a public debate on genetic modification issues in response to the advice of the Agriculture and Biotechnology Commission. [75900]

Mr. Meacher *[holding answer 21 October 2002]:* My right hon. Friend the Secretary of State announced on 26 July the terms on which the Government will sponsor a public dialogue on genetic modification (GM) issues. The overall process will have three components: a public debate organised independently of the Government, a review of the science on GM issues, and a study of the costs and benefits associated with GM. The Government wants an open and balanced dialogue that will help to deepen understanding of the issues surrounding this technology.

Agricultural Wages Board

Hugh Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to her answer of 21 October 2002, (75916) if she will dismiss Mrs. Jacquie Findlay and Professor Ian Smith, independent members of the Agricultural Wages Board. [76815]

Alun Michael: Mrs. Jacquie Findlay has served as an independent member of the Agricultural Wages Board for England and Wales for 5 years. Professor Ian Smith has served in this capacity for a total of 8 years. We are currently reviewing Board appointments and both Jacquie Findlay and Ian Smith have indicated that they do not wish to be reappointed. The Independent member posts were advertised nationally earlier this year and over 140 applications were received. Details of the successful candidates will be announced shortly.

Biodiversity

Mr. Michael Jabez Foster: To ask the Secretary of State for Environment, Food and Rural Affairs what action she is taking to conserve and enhance biodiversity in England; and if she will make a statement. [77743]

Margaret Beckett: Today I am publishing a biodiversity strategy for England. The document, "*Working with the grain of nature*" is being placed in the House libraries.

The undertaking to prepare a biodiversity strategy for England was made in the Rural White Paper, "*Our Countryside, the future: a fair deal for rural England*". The Strategy is intended to build on the progress that the Government has already made in protecting and enhancing biodiversity in England, for example with greater protection for sites of Special Scientific Interest under the Countryside and Rights of Way Act 2000 and the implementation of 436 biodiversity action plans for priority habitats and species. We recognise that we can only secure the long-term health of biodiversity that is needed to bring a truly sustainable future by also achieving fundamental changes to public policy and the behaviour of people across the board.

The Strategy sets this process in train by seeking to embed biodiversity considerations into all the main sectors of economic activity, public and private. The Strategy sets out a vision and programme for the next five years for five important policy sectors.

In Agriculture, we aim to encourage the management of farming and agricultural land so as to conserve and enhance biodiversity as part of the Government's Sustainable Food and Farming Strategy.

In water, we aim for a whole catchment approach to the wise, sustainable use of water and wetlands.

In woodland and forestry, we are looking for the management and extension of woodland so as to promote enhanced biodiversity and quality of life.

In marine and coastal management, we aim to achieve the sustainable use and management of our coasts and seas using natural processes and the ecosystem-based approach.

In urban areas, we want biodiversity to become a part of the development of policy on sustainable communities, urban green space and the built environment.

The Strategy also identifies a number of cross-cutting themes, with the aim of involving society as a whole in the achievement of biodiversity improvements. For example, we aim to encourage business to act for biodiversity in the boardroom, through the supply chain, in their management systems, in their annual reports and accounts and on the ground. We will also help make biodiversity part of people's everyday lives through information, communication and education and establish a mechanism to involve children and young people in the development of biodiversity policy. In addition, we will continue to encourage partnerships for biodiversity at local and regional levels in England.

It will be essential to ensure that we measure biodiversity trends and the effects of our policies. Much work is already underway to improve the information that is available to understand the status of habitats and species, and the Strategy announces the development of a new web-based Biodiversity Action Reporting System to be launched in 2003 and the adoption of a set of biodiversity indicators to measure our progress. These indicators will be published in full within a year.

This Government Strategy has been prepared, uniquely, with the active contributions of a large number of partners and stakeholders. We shall continue to rely on the widest possible partnership as we move forward to implementation. The partnership will be represented through the England Biodiversity Group, which will review the Strategy annually and publish a report on progress in 2006.

LORD CHANCELLOR'S DEPARTMENT

Departmental Schemes

Mr. Andrew Turner: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the schemes and initiatives sponsored by his Department and its agencies which are not the subject of national roll out, showing *(a)* the authorities or areas covered by the scheme and *(b)* the budget of the scheme in the last year for which information is available. [75673]

Ms Rosie Winterton: The schemes and initiatives sponsored by LCD, its agencies and the Public Record Office are set out in the table below.

Initiative	*Area*	*Budget*
Partnership Innovation Budget which builds on the ethos of the CLS in encouraging joint working and fresh approaches to service delivery	London	£1,070,052
	South East	£1,487,369
	South West	£355,285
	Wales	£1,134,617
	West Midlands	£766,354
	North West	£2,166,265.75
	North East	£1,234,237
	Yorkshire/Humberside	£1,435,028

Initiative	*Area*	*Budget*
	East Midlands	£831,472
	Eastern	£1,040,455
	Merseyside	£1,386,597
		Capital (revenue)
Exhibit (AR* p.22)	Chelmsford, Basildon and Southend	£1.2M(£1.7M)
Digital Audio Recording (AR p.23)	Doncaster, Bournemouth and Snaresbrook	£1M (£500K)
Electronic Presentation of Evidence (AR p.23)	Leeds, Birmingham, Bristol, Blackfriars, Liverpool, Manchester, Kingston, Southwark, Central London	£2.1M(£200K)
Video Conferencing Crown Court (AR p.23)	Hampshire, Lewes/Hove, North West	(£800K)
Flexible Plea and Directions (AR p.23)	Preston, Newcastle & Middlesex Guildhall	(£130K)
PREMA E-mail applications (AR p.27)	Preston	£65K
Virtual PDH	Manchester	(£190K)
Business Centre (AR p.27)	Walsall	£1.5M(£600K)
Information Kiosk (AR p.28) including Crown Court websites (AR p.22)	Telford, Ipswich, Chester, Kingston, Mold, Southwark Crown Courts, Bournemouth Combined Court	£150K (£100K)
Extended Magistrates' Court Sitting Hours	London and Manchester	(£0.8M)
Pilot of a regionalised Court of Protection in Preston, enabling hearings to be dealt with locally rather than in London	North and North west England	Cost has been absorbed into normal running costs
Public Record Office		
Profile—raising campaign aimed at PRO's local community. Aim to increase understanding of PRO and how the local community can use it. Campaign involved production and distribution of information leaflet.	Richmond, Barnes, Kew, Chiswick, Brentford, Acton, Ealing.	2002–2003 £11,428.05 (printing, design, distribution of leaflet)

Note:
* AR = Court Service Annual Report 2001–2002—HC 1187

Assaults (Courts)

Mr. Garnier: To ask the Parliamentary Secretary, Lord Chancellor's Department how many assaults there have been on *(a)* justices of the peace, *(b)* district judges, *(c)* district judges (magistrates courts), *(d)* circuit judges, *(e)* Crown Court judges, *(f) High Court judges and (g)* court staff in England and Wales whilst sitting or working in court or during private room appointments in each of the last five years for which records are available. [74960]

Yvette Cooper: Reliable central records of security incidents have only been collected since April 2001, primarily as a result of strengthening procedures in the wake of the attack on Judge Ann Goddard at the Central Criminal Court in January 2001.

Of the incidents reported since then, 9 have involved courtroom/chambers assaults on the categories of personnel listed, broken down as follows:

JPs/District Judges (magistrates courts)—2

District Judges—1

High Court judge—1 (Bankruptcy Registrar)

Staff—5

There have been no reported assaults on circuit judges or Crown Court judges over this period.

The Lord Chancellor's Department takes extremely seriously any assault on those working in the courts. A major programme of security improvements to district judge chambers and an ongoing programme to install more secure docks into a number of criminal courtrooms have increased the security for those working in the courts. Further improvements to court security are being developed.

Access to Justice

Andrew George: To ask the Parliamentary Secretary, Lord Chancellor's Department what proposals he has for improving access to justice in civil law disputes in respect of the socially excluded. [75304]

Ms Rosie Winterton: 99 per cent. of the population of England and Wales are covered by Community Legal Service Partnerships (CLSPs) with the aim of improving access to good quality legal and advice services. By focusing on social welfare and family law, such as housing, welfare benefits, debt and employment, the Community Legal Service is making it easier for vulnerable individuals and families to learn about their rights and how to enforce them. The Partnership Innovation Budget is allowing CLSPs to develop creative ways to deliver services to excluded groups while changes to the eligibility limits mean that more people now qualify for free initial advice and guidance. This will make it easier for those individuals most at risk to address problems before they escalate.

Child Abduction

Sandra Gidley: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list, by country, the number of child abduction cases dealt with by his Department which exceeded the six week deadline for a hearing *(a)* in each year since 1998 and *(b)* in 2002 to date. [76408]

Ms Rosie Winterton: Article 11 of the Hague Convention makes reference to a six week "deadline", but does not oblige courts to conclude a case within six weeks.

Information is not available in the format sought. The Child Abduction Unit only keeps figures for the last 2 years. The attached table details the average times

taken for countries to conclude cases from the time of referral to the date when the final court decision is made. The UK average conclusion time was 84 days in 2000 and 76 days in 2001.

Average length of time (days) in which Hague Convention cases are concluded in these countries from the date of referral to the date of the final court decision

Country	Year 2000	2001
Australia	121	35
Austria	140	*
Belgium	198	*
Canada	72	92
Cyprus	*	131
France	99	141
Germany	127	115
Greece	96	350
Hong Kong	138	*
Ireland	108	177
Italy	69	169
Netherlands	115	*
New Zealand	115	*
Poland	167	*
Portugal	28	40
Romania	*	235
South Africa	257	548
Spain	136	231
Sweden	98	372
Turkey	*	62
USA	115	129
Venezuela	*	309

Note:

* Where there is no data this could either be because there were no cases involving that country or that cases did not involve a final hearing eg Netherlands and New Zealand resolve many cases outside the court arena.

Sandra Gidley: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list by country the number of child abduction cases being dealt with by the Child Abduction Unit which have exceeded the six week deadline for a hearing and are awaiting a resolution. [76407]

Ms Rosie Winterton: Article 11 of the Hague Convention makes reference to a six week "deadline". This Article draws to the attention of Contracting States the urgency with which these proceedings should be dealt with. Article 11 does not oblige the courts to conclude a case within six weeks. Common delays are where the country in question is unable to locate the child or where additional enquiries are necessary to assist the court in their decision.

The Child Abduction Unit currently has 105 cases outstanding where children have been wrongfully removed to, or retained in, other Hague Convention countries. Without examining each case it is impossible to say exactly how many of these cases have exceeded the six week period, but it will be the vast majority.

Departmental Websites

Dr. Cable: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the website links associated with his Department, including sites now dormant or closed, and indicating whether they are live, dormant or closed; what the start up costs were for each site listed; what the operating costs were in each year since start up for each site; which company hosted each site; what assessment takes place for each site; which company does the assessment; if he will place the assessment reports in the Library; and if he will make a statement. [75577]

Yvette Cooper: The information requested is listed below.

Web Site	Start-up costs	Operating costs	Host company	Evaluations/surveys
Child and Family Court Advisory and Support Service (CAFCASS)	£6,048	Sept 2000—Sept 2001: £2000 per month Sept 2001—present: £2532 per month	British Telecom	No formal evaluation. CTPI are currently conducting a redesign.
Civil Justice Council	£1,116	2002–2003: See note 1	Previously CCTA, then Cable and Wireless from June 2002	None.
Community Legal Service Partnership	£1,500,000 (April 2000)	2001–2: £888,000 (Legal Services Commission assumed responsibility Oct 2001)	ICL	Accessibility policy reviewed by the Royal National Institute for the Blind. Conway Rose Smith Report (2000, internal). Hunter Springs Consultancy Report (June 2000, internal) assessed the site against Central IT Unit guidelines for Government websites. Plain English Campaign's award for Best Website of 2001. e-Business Innovation Award 2000. NewMediaAge Award for Charity and Public Sector Category 2000.
CLS—Graduate Recruitment Site (closed Sep 2002)	£525 (June 2002)	Included in start-up	SolidUK.Net	None.
CLS—Legal Services Research Centre	£500	2000–1: included in start-up 2001–2: £475	Simplynames.com	None.
Council on Tribunals	£6,418.97	£1253.30 pa 2002–2003 : See note 1	Cable and Wireless from June 2002	None.
Court Service	£18,542.25	1998–9: £15,404.68 1999–2002: £12,000 pa 2002–2003: See note 1	Cable and Wireless from June 2002	Online survey, set up by in-house staff, produced 643 responses. To be used as the basis for future changes.

Web Site	*Start-up costs*	*Operating costs*	*Host company*	*Evaluations/surveys*
Immigration Appellate Authority	Included in Year 1 operating costs	2002–2003: See note 1	Cable and Wireless from June 2002	None.
Judicial Studies Board	£975 (October 1998)	1998–9: £330 1999–2000: £1985 2000–1: £500 2001–2: £1200 2002–3: £13077 2002–2003: See note 1	Oct 1998—June 2002 NEXTRA (CIX) Cable and Wireless from June 2002	Review by Executive Director in March 2002 (internal).Statistics supplied to OeE monthly. Further evaluation to identify customers' needs in 2002–3.
Land Registry—Main site http://www.landreg.gov.uk	In house (Oct 1996)	1996–1999: £5000 pa Oct 1999–Oct 2000: £1000 Oct 2000–March 2001: £2000 2001–2: £7,000 2002–3: £12,000	1996–9 CCTA 1999–present: Telenor	Internal only.
Land Registry http://www.cofrestfatir.gov.uk—Welsh version	£500 (April 2001)	Cost included in hosting contract for main site	Telenor	Internal only.
Land Registry http://www.landregistrydirect.gov.uk	In house. (May 2002)	Cost included in hosting contract for main site	Telenor	Internal only.
Land Registry http://strategy.landreg.gov.uk	£41,129 (May 2002)	Cost included in hosting contract for main site	Telenor	Internal only.
Land Registry http://legislation.landreg.gov.uk and http://deddfwriaeth.cofrestrfatir.co.uk—Welsh version	£8,956 (May 2002)	Cost included in hosting contract for main site	Telenor	Internal only.
Land Registry http://www.e-conveyancing.gov.uk	£82,107.50 (May 2002)	Cost included in hosting contract for main site	Telenor	Internal only.
Land Registry http://search.landreg.gov.uk And http://chiwilio.cofrestfatir.gov.uk—Welsh version	£2303 (March 2002)	Cost included in hosting contract for main site	Telenor	Internal only.
Land Registry http://mobile.landreg.gov.uk	In house (Oct 2000)	Cost included in hosting contract for main site	Telenor	Internal only.
Law Commission	£2,400	£10, 675 pa 2002–2003: See note 1	Cable and Wireless from June 2002	Statistics recorded internally.
Legal Services Commission	£20,577	2000–1: £91,925 2001–2: £123,761	Worldcom	LSC will begin customer research project in mid-November.
Legal Services Ombudsman	£3348.75 (August 2000)	2001: £3879.251 2002: £2539	Analogue	Internal survey over the next 6 months. Question relating to website on customer survey: a small number of people had seen the site of whom 50% were "satisfied", and only 20% were "at all dissatisfied".
Lord Chancellors Dept	£7,368	1998–9: £16,200 1999–2000: £16,200 2000–1: £41,133 2001–2: £152,859 2002–3: See note 1	Cable and Wireless from June 2002	Cabinet Office audit (June 2000), report available.Interactive survey on web site, evaluated internally.
Magistrates' Court Service Inspectorate	£7,000	2001–2: £1322.50 2002–3: £840.13 2002–2003: See note 1	Cable and Wireless from June 2002	None.
Northern Ireland Court Service	£55,000 (April 2002)	£15,000 p.a.	Fujitsu	Weekly internal review of usage statistics, used as basis for changes.
Official Solicitor's Department	In house	1999–2002: £141 pa	Demon	None.
Public Trust Office (closed June 2001)	In house (early 1997)	£10,000 p.a. including development and operating cost	CCTA	None.
Public Guardianship Office	£37,600 (June 2001)	2001–2: £14,334 2002–3: £7,398	Development & updating by Edelman Interactive Solutions Hosted by Host Europe	No formal evaluation, but consultation with external stakeholders in Oct 2002.
Public Record Office—Main site	£200,000 (1995)	2002–3: £147,000 Previous years: similar	WorldCom	PRO Key Performance Indicator requires 2 surveys of online users each year. Target of 80 per cent. rating site as "good" or "excellent". See www.pro.gov.uk/about/web—surve y.htm Won Price Waterhouse Coopers 1999/2000 Innovation and Risk prize.
PRO—Other sites: Family Records Learning Curve a2a Moving Here Census	—	Complex arrangements with various partners, PRO contribution only assessable at disproportionate cost	—	—

Notes:

1 The 8 sites hosted by Cable and Wireless (2002–2005) under a three year contract under the Government Telecommunications Contract includes the following elements:

Hosting

Provision of Content Management System

Conversion of existing content into Content Management System

LCD and Court Service Intranet.

The total cost of the contract for the three year period is approximately £1.5m.

General:

Except where stated costs may exclude internal departmental resources.

Some of the evaluation/surveys referred to have been placed in the public domain and further consideration is being given to the wider publication of those which are not. However, the best single source of assessment of government web sites is that recently published by the National Audit Office: *Government on the Web 2 The total cost of the contract for the three year period is approximately £1.5m.*

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WORK AND PENSIONS

Bereavement Benefits

Ms Drown: To ask the Secretary of State for Work and Pensions what plans he has to change the rules for claiming bereavement benefits. [77652]

Malcolm Wicks: I have laid Regulations today to amend the Social Security Claims and Payments Regulations, 1987. Subject to Parliament's approval they simplify the rules for claiming bereavement benefits.

Bereavement benefits were introduced in April 2001. We have been looking at the way the three elements fit together and whether there might be improvements made by simplifying the rules. Depending on when someone claims a bereavement benefit there can be two separate social security decisions to be made—one for the weekly benefit of either Widowed Parent's Allowance or Bereavement Allowance and another for the lump-sum Bereavement Payments when there is no real difference in the qualification rules. This is both time-consuming and can be confusing for bereaved people themselves.

We want bereaved people to claim and receive the help that they and their families are entitled to when they need it—immediately after the bereavement. Most people do; more than four fifths claim within four or five weeks of their loss. The claim is easy to make; using only one form, a widow or widower can claim whichever of these three benefits they may be entitled to without further form-filling. However, we acknowledge that not all bereaved people find it possible to claim as promptly as the current rules for the lump-sum Bereavement Payment require. To simplify matters further, we are extending the time limit for claiming Bereavement Payment and aligning it with the period over which a person can receive Bereavement Allowance—namely 12 months. We see this as a sensible alteration that will simplify the scheme for everyone while remaining compatible with underlying benefit entitlement rules.

We intend to make this change effective for claims in respect of deaths that occur on or after 1 April 2003.

Social Fund

David Taylor: To ask the Secretary of State for Work and Pensions what changes he is making to the discretionary social fund. [77805]

Malcolm Wicks: My right hon. Friend will be making a number of minor changes to the discretionary social fund, with effect from 28 October 2002. The changes to the fund are minor clarifications of guidance and directions, and, in the main, are consequential to legislative changes being made in respect of other social security benefits.

Details of the changes have been placed in the Library.

Child Support Agency

Mr. Hancock: To ask the Secretary of State for Work and Pensions (1) how many deductions from earnings orders have been made in Portsmouth, South by the CSA since 1997; and if he will make a statement; [73876]

(2) how many cases the CSA has handled in Portsmouth, South since 1997; and if he will make a statement. [73878]

Malcolm Wicks: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member.

Letter to Mr. Mike Hancock from Mr. Mike Isaac dated October 2002:

The Secretary of State for Work and Pensions in replying to your recent Parliamentary Question about the Child Support Agency promised a substantive reply by the Agency's Chief Executive. I am replying on his behalf.

You ask two questions:

how many cases the Child Support Agency has handled in Portsmouth South since 1997

how many deductions from earnings orders have been made in Portsmouth South by the Child Support Agency since 1997

Since 1997 approximately 4,300 Child Support Agency cases have been handled for the Portsmouth South area and 700 deduction from earnings orders have been made.

Mrs. Irene Adams: To ask the Secretary of State for Work and Pensions (1) how many cases the CSA has handled in Paisley, North since 1997; [73668]

(2) how many absent parents have refused to co-operate with the CSA since 1997; [73669]

(3) how many deductions from earnings orders have been made in Paisley, North by the CSA since 1997. [73670]

Malcolm Wicks: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member.

Letter to Mrs. Irene Adams from Mike Isaac dated October 2002:

The Secretary of State for Work and Pensions in replying to your recent Parliamentary Question about the Child Support Agency promised a substantive reply by the Agency's Chief Executive. I am replying on his behalf.

You ask three questions:

how many cases the Child Support Agency has handled in Paisley North since 1997

how many absent parents have refused to co-operate with the Child Support Agency since 1997

how many deductions from earnings orders have been made in Paisley North by the Child Support Agency since 1997

Since 1997 approximately 2,100 Child Support Agency cases have been handled for the Paisley North area and 400 deduction from earnings orders have been made.

I'm sorry that the information you request on non-resident parents who refuse to co-operate is not available.

"Opportunity for All"

Mr. Webb: To ask the Secretary of State for Work and Pensions and if he will provide a breakdown of the estimates in "Opportunity for All" of the proportion of men and women who contributed to a non-state pension in recent groups of years by income band. [74841]

Mr. McCartney: The information is in the table.

Percentage of Working-age Individuals Contributing to a Non-state Pension in at Least Three Out of Four Years by Equivalised Income Quintiles (20 per cent. band) (Great Britain)

Percentage of working-age individuals						*Source: BHPS*
	Bottom Quintile	*Second Quintile*	*Third Quintile*	*Fourth Quintile*	*Top Quintile*	*All*
All						
1992–95	15	8	16	24	36	100
1993–96	14	9	17	24	37	100
1994–97	13	9	17	26	35	100
1995–98	11	11	17	26	35	100
1996–99	9	10	19	27	35	100
1997–2000	7	10	19	27	38	100
Males						
1992–95	16	9	17	25	34	100
1993–96	15	10	18	23	34	100
1994–97	13	10	18	25	33	100
1995–98	11	11	18	26	34	100
1996–99	9	11	20	27	34	100
1997–2000	7	10	20	27	35	100
Females						
1992–95	15	6	16	24	40	100
1993–96	13	7	14	26	40	100
1994–97	12	8	15	28	37	100
1995–98	10	10	16	27	37	100
1996–99	8	9	18	27	37	100
1997–2000	6	9	18	27	41	100

Notes:

1. All figures are estimates and are taken from the British Household Panel Survey (BHPS) data set. The BHPS is a longitudinal data set developed at the University of Essex, Institute for Social and Economic Research The latest data available is for the period 1997 to 2000.
2. The estimates are sample counts, which have been adjusted for non-response using multipurpose grossing factors. Estimates are subject to both sampling error and to variability in non-response. The income measure used is total equivalised household income (that is to say income that is adjusted to reflect the composition of the household).

Employment Rights (EU)

Chris Grayling: To ask the Secretary of State for Work and Pensions what restrictions exist on the rights of citizens from an EU country to work in any other EU country. [75627]

Mr. Nicholas Brown: Free movement of people is one of the four freedoms within the internal market of the European Union. Within the Free Movement Title of the EC Treaty, Article 39 states that free movement of workers "shall be secured within the Community". This means that workers of the Member States are free to accept offers of employment actually made in another Member State, and to remain in another Member State for the purposes of carrying out employment. However, Article 39 does not apply to employment in the public service.

The main EU Regulation giving effect to free movement rights for workers of EU Member States is EEC Regulation 1612/68. This guarantees migrant workers equality of treatment with nationals of the host country in respect of:

The right to take up an activity as an employed person

The right to negotiate and conclude an employment contract

Full and free access to the host country labour market

Assistance from public employment offices

Engagement and recruitment conditions

Conditions of employment and conditions governing re-employment, social and tax advantages, vocational training, retraining, and clauses contained in collective or individual contracts of employment

Membership of trade unions and the exercise of rights attaching thereto

Housing; and

Access of children to education and vocational training.

The Regulation guarantees, subject to certain conditions, the right of the migrant worker's family to live in the host country.

Nevertheless, provided they fulfil their obligations under EU legislation, Member States can and do place restrictions on the free movement rights of EU citizens, in particular:

Article 39(3) of the EC Treaty allows Member States in some circumstances to restrict the movement and residence of workers on the grounds of "public policy, public security or public health";

in relation to requirements to hold professional qualifications.

Benefits Agency Medical Services

Andrew George: To ask the Secretary of State for Work and Pensions what sanctions his Department has imposed upon the company responsible for managing the Benefits Agency's medical services tests of disabled and sick benefit recipients during the last three years for which records are available. [76090]

Mr. Nicholas Brown: Service credits for failure by the Department's medical services provider to meet contractual targets have been applied in each of the last three years. Precise details are commercial in confidence and are not disclosed under part 2, paragraph 13 of the Code of Practice on Access to Government Information.

Pensions (Married Women)

Annabelle Ewing: To ask the Secretary of State for Work and Pensions what plans his Department has to review the operation of pension entitlement for married women who have paid national insurance contributions at the reduced rate where no official advice was given as to the consequences of exercising this option. [76817]

Mr. McCartney: In order to pay the reduced rate contribution, married women had to complete a form CF9 which was attached to leaflet NI1 (National Insurance for married women). This leaflet explained the consequences of the choice. In particular, it explained that the choice could affect future entitlement to benefit, including Retirement Pension. In addition, they had to sign a statement that they had read and understood the leaflet.

The option to pay the reduced rate was withdrawn in 1977 but those who were already paying the reduced rate were allowed to continue to do so with the option to revoke it at any time. This was widely publicised. Following the restructuring of National Insurance contributions in 1989, the Department again ran a publicity campaign to inform married women paying the reduced rate contribution that they could be paying more in reduced rate contributions than if they paid the standard rate.

This campaign also reminded them that they could revoke their option to pay the reduced rate. In October 2000, they were again advised, following changes to the structure of the National Insurance scheme, to reconsider their choice to pay the reduced rate contribution.

We therefore have no plans to review the position.

Pension Benefits

Annabelle Ewing: To ask the Secretary of State for Work and Pensions how many pensioners are *(a)* eligible for and *(b)* in receipt of (i) state pensions, (ii) MIG, (iii) attendance allowance and (iv) winter fuel payments in (A) Perth constituency, (B) Scotland and (C) the rest of the UK. [76909]

Mr. McCartney: Such information as is available is shown in the table using figures for England and Wales in place of the rest of the UK.

Total Number of Pensioners in Receipt of: (i) State Pensions; (ii) MIG; (iii) Attendance Allowance; and (iv) Winter Fuel Payments

Benefit	*Perth (000s)*	*Scotland (000s)*	*England and Wales (000s)*
State Pension	16.0	911.7	9,344.4
Minimum Income Guarantee	2.3	182.7	1,563.4
Attendance Allowance	2.4	129.8	1,158.4
Winter Fuel Payments	17.2	996.6	10,205.3

Notes:

1. Figures for State Pension, MIG and Attendance Allowance are based on 5 per cent. samples and are therefore subject to a degree of sampling variation.
2. Figures for Winter Fuel Payments are based on a 100 per cent. sample.
3. Figures have been rounded to the nearest hundred and are expressed in thousands
4. Parliamentary Constituencies have been assigned by matching postcodes against the relevant postcode directory.
5. Figures for State Pension are for individuals of pension age.
6. Figures for MIG are for benefit units where the man and/or woman are aged 60 and over.
7. Figures for Attendance Allowance are for men and women aged 65 and over.
8. Figures for Winter Fuel Payments are for men and women aged 60 and over.

Sources:

State Pension—Pensions Strategy Computer System, September 2001.
Minimum Income Guarantee—Income Support Quarterly Statistical Enquiry, May 2002.
Attendance Allowance—AA/DLA computer system, May 2002.
Winter Fuel Payments—Matching Intelligence Data Analysis Service Winter Fuel Payment 2001/02 exercise.

Asylum Seekers (Disability Status)

Mr. Boswell: To ask the Secretary of State for Work and Pensions what information he collates on the disability status of asylum seekers. [76412]

Maria Eagle: Since 3 April 2000, the Home Office, through the National Asylum Support Service, has been responsible for supporting and accommodating asylum seekers awaiting a determination of their case. Information on the number of those asylum seekers who report a health condition or disability is not collected centrally.

Those asylum seekers in receipt of benefits prior to 3 April 2000 continue to be eligible to claim Income Support, Housing Benefit and Council Tax Benefit. Of the 8,700 asylum seekers receiving Income Support in May 2002[1], 400 received a disability premium.

Source:

[1] Income Support Quarterly Statistical Enquiry, May 2002.

Disability Living Allowance

Annabelle Ewing: To ask the Secretary of State for Work and Pensions in how many cases where care and mobility needs have not changed the disability living allowance periodic inquiry has resulted in lower entitlement with reference to the results from the first two years of periodic inquiry. [76814]

Maria Eagle: In the first two years of periodic enquiry, 33091 customers had their benefit entitlement checked. Of these, 9192 resulted in a change of entitlement, of which 6803 (74 per cent.) had their awards increased and 2389 (26 per cent.) had their award decreased.

Of the 9192 cases where entitlement changed, 2326 were due to factors other than a relevant change in their care or mobility needs, but it is not possible to say from the available data how many of these resulted in higher or lower awards of benefit.

National Insurance Numbers

Mr. Gibb: To ask Secretary of State for Work and Pensions, what the procedures are for obtaining a national insurance number for adults who have entered the UK *(a)* legally, *(b)* illegally and *(c)* on claiming asylum [72127]

Malcolm Wicks: I have been asked to reply.

The National Insurance number (NINO) allocation process for persons from abroad is known as the Enhanced NINO Process and is administered by Jobcentre Plus. The process involves a rigorous face to face interview, scrutiny of supporting documentation, and corroborative checks made on the information provided prior to the allocation of a NINO. The process applies to all foreign nationals requiring a NINO. Anyone actively seeking work may apply for a NINO regardless of their immigration status. If during the allocation process suspicions are raised as to the legitimacy of an individual's right to be in the country, the case is referred to the Department's National Identity Fraud Unit for further action. Upon arrival in this country asylum seekers are initially supported by the Home Office National Asylum Support Service. Contact with this Department for the allocation of a NINO will therefore not normally take place until a decision has been made by the Home Office on the person's application for asylum. Once this has taken place (or if the person has been in the country for more than 6 months and is still awaiting a decision), an application for a NINO can be made through the Enhanced NINO Process.

PRIME MINISTER

Correspondence

Mr. Kaufman: To ask the Prime Minister if he will direct HM Treasury to reply to the letters from the right hon. Member for Manchester, Gorton, which he sent the Department for response with regard to Ms E. Harding and Mrs. I. O'Neill. [74861]

The Prime Minister: The Economic Secretary replied to the right hon. Member on 11 October in respect of Mrs. O'Neill. I understand that the Treasury is looking into the matter of Ms Harding's correspondence and will be contacting the right hon. Member shortly.

DEPUTY PRIME MINISTER

Bed-and-Breakfast Accommodation

Sandra Gidley: To ask the Deputy Prime Minister if he will list the amount spent by local authorities on bed and breakfast accommodation for homeless people in each of the last five years for which figures are available. [76406]

Mrs. Roche: Latest available information is published by the Chartered Institute of Public Finance and Accountancy (CIPFA) in their report "Homelessness Statistics 2000–01 Actuals". Total estimated expenditure by local authorities in each of the past five years, based on information supplied to CIPFA, was as follows:

Local Authority Expenditure on Bed & Breakfast Provision: England

	Gross £m	*Net £m*
1996–97	51,190,208	17,483,026
1997–98	56,689,680	24,075,766
1998–99	117,837,868	53,840,470
1999–00	151,651,900	70,804,741
2000–01	178,222,459	80,466,675

Notes:

B&B accommodation includes privately owned or managed hotels/guest houses with some shared facilities, but excludes hotel annexes of self-contained accommodation where meals are not provided.

Expenditure excludes any apportionment of central or departmental administration. Net expenditure takes into account income arising from charges to clients, and housing benefit subsidy.

Source:

Chartered Institute of Public Finance and Accountancy Homelessness Statistics—"Actuals" annual reports.

Sandra Gidley: To ask the Deputy Prime Minister if he will make a statement on the progress of the Bed and Breakfast Unit in reducing the number of homeless families with children living in bed-and-breakfast accommodation. [76405]

Mr. McNulty: The most recent statistics on statutory homelessness showed that numbers of families with children in B&B at the end of June 2002 remained at around 6,700, the same as the equivalent figure for the end of March 2002.

In March 2002 a £35 million programme was launched to help local authorities ensure that by March 2004 no homeless family with children is in a Bed and Breakfast hotel other than in an emergency, and even then for no more than 6 weeks. The Bed and Breakfast Unit has now funded the 44 authorities with the highest number of families with children in B&B to implement Bed and Breakfast Action Plans and will be monitoring progress closely.

Education Funding

Mr. Luff: To ask the Deputy Prime Minister if he will make it his policy to use the actual costs incurred by schools in delivering education to their pupils as the principal determinant of the distribution of funding to local education authorities; and if he will make a statement. [76263]

Mr. Raynsford: Funding will be distributed to Local Education Authorities in 2003–04 on the basis of a per-pupil amount plus top-ups for additional educational needs and area costs. The per-pupil amount will be determined by deducting the top-ups from the overall sum available and our aim will be to judge the right balance between these elements.

Planning Policy

Mr. Gray: To ask the Deputy Prime Minister when PPG7 was last redrafted; when he expects to publish the new draft of PPG7; and why a redraft of PPG7 is needed. [76666]

Mr. McNulty: The current version of Planning Policy Guidance Note 7 (PPG7), *The Countryside*, was published in February 1997, although some aspects of the guidance have been updated since. PPG7 will be replaced by a new planning policy statement (PPS) in line with the proposals set out in last year's Planning Green Paper, *Planning: delivering a fundamental change*, and confirmed in our paper, *Sustainable Communities—delivering through planning*, published on 18 July. We expect to publish a draft PPS7 for public consultation in 2003.

Affordable Housing

Martin Linton: To ask the Deputy Prime Minister what assessment he has made of the use by Wandsworth Borough Council of section 106 agreements to require affordable housing on site by developers within the borough. [76230]

Mr. McNulty: None. However, the Government takes its affordable housing policy as well as any available section 106 agreements into account as material considerations, in deciding whether planning applications should be called in for inquiry.

Local Government Act

Dr. Whitehead: To ask the Deputy Prime Minister (1) how many individual applications he has received from local authorities under sections two and five of the Local Government Act 2000; [76316]

(2) how many individual applications from local authorities under sections two and five of the Local Government Act 2000 have been determined by his Department to date; [76315]

(3) what mechanisms his Department has in place for dealing with applications from local authorities under sections two and five of the Local Government Act 2000. [76317]

Mr. Raynsford: We have received enquiries about possible use of section 5 Orders in respect of legislation that is the responsibility of the Office of the Deputy Prime Minister from Camden, Shepway, Southampton and Watford. None of these enquiries have yet resulted in an Order being laid. In one case the request has been superseded by other de-regulatory measures.

Procedures for applying for orders made under Section 5 of the Local Government Act 2000 are set out the guidance on the operation of the well being powers published in March 2001. Authorities are also able to discuss the potential use of Section 5 orders in the course of negotiating Local Public Service Agreements. The Office of the Deputy Prime Minister considers any applications which relate to legislation for which it has responsibility and provides advice to other departments as necessary.

Milton Keynes and South Midlands

Mr. Lidington: To ask the Deputy Prime Minister what steps he has taken to advertise the conclusions of the Milton Keynes and South Midlands Regional Growth Study. [76839]

Mr. Raynsford: During the Course of the study there have been a number of events to keep the relevant parties informed of progress. In addition a series of factsheets was published on the web sites of the regional planning bodies and the Government Office for the South East. The study report was launched by my right hon. Friend the Lord Rooker on 18 September 2002 at a conference of key stakeholders including representatives of local authorities, other Government agencies and community bodies including CPRE, education establishments and voluntary organisations. Copies of the summary report were distributed at the launch event and a copy of the full report has been sent to each organisation represented. All local MPs and local authorities have received a copy of the full report and it is available on the web site of the Government Office for the South East and those of the three regional planning bodies.

Mr. Lidington: To ask the Deputy Prime Minister (1) what plans he has for public consultation about the recommendations of the Milton Keynes and South Midlands Regional Growth Study; [76847]

(2) what plans he has to carry out a public examination of the conclusions of the Milton Keynes and South Midlands Regional Growth Study. [76840]

Mr. Raynsford: I understand that the regional planning bodies are currently considering how to take account of the conclusions of the study as part of the process of updating regional planning policy guidance.

Reoffending

Mr. Keith Bradley: To ask the Deputy Prime Minister what action he has taken to implement the recommendations relevant to his Department of the Social Exclusion Unit report "Reducing Re-offending by Ex-prisoners." [76805]

Mrs. Roche: Responsibility for co-ordinating action to implement the recommendations of the Social Exclusion Unit report "Reducing Re-offending by Ex-prisoners" rests with the Home Office, where a new unit, the Adult Offenders Rehabilitation Unit has been set up. This unit will, in due course, produce an action plan detailing how the recommendations will be taken forward. The Social Exclusion Unit remains fully involved in monitoring and facilitating progress through its implementation team.

New Deal for Communities

Mr. Don Foster: To ask the Deputy Prime Minister, how much public money has been used for the purposes of settlements and payments relating to *(a)* redundancy and *(b)* termination of contracts for employees of the New Deal for Communities in the last five years. [75965]

Mrs. Roche: In the last five financial years, £4,000 of New Deal for Communities (NDC) grant has been used for the purpose of terminating contracts of employment. This occurred in year 2001–02, and was spent by the Clapham Park NDC in Lambeth. No NDC grant has been spent on payments relating to redundancy in the last five financial years.

In total, £2 billion has been made available to the 39 NDC Partnerships over the 10 year lifetime of the programme. The individual Partnerships have grants of between £30m and £61m.

FOREIGN AND COMMONWEALTH AFFAIRS

Focus Group Research

Mr. Allen: To ask the Secretary of State for Foreign and Commonwealth Affairs what use he and his Department has made of focus group research since June 2001; if he will identify for each research project the topics covered, the person or organisation carrying out the research, and the total cost; and if he will publish the research on his Department's website. [74985]

Mr. MacShane: The Foreign and Commonwealth Office has made use of focus group research on two occasions since June 2001.

In March 2002, we commissioned a research paper on "Community Perceptions of Forced Marriage". It looks at the perceptions of forced marriage held by British Bangladeshis and Pakistanis of different generations and social backgrounds. We paid Professor Yunas Samad (University of Bradford) and Professor John Eade (University of Roehampton) a total of £30,000. They made extensive use of focus groups in Bradford and Tower Hamlets. The results of the research will be published on 12 November 2002. The paper will be available in hard copy and on the FCO website.

Separately, in July 2002, ICM Research carried out four focus groups for the FCO on attitudes to Britain's membership of the European Union. The total cost was £10,575. The exercise formed part of an FCO internal research project and the participants were informed that their contributions would be treated in confidence. The results will therefore not be published.

Guyana

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs if his Department has met with political party leaders in Guyana recently to discuss the political situation there. [75108]

Mike O'Brien: The Foreign and Commonwealth Office (FCO) regularly engages with Guynanese politicians about the political situation in Guyana. My right hon. Friend the Foreign Secretary met President Jagdeo and the leader of the oppostition, Desmond Hoyte, in Guyana in April this year to discuss the political situation. My noble Friend Baroness Amos met President Jagdeo in April and May, and, again, most recently during his visit to London in September. We keep in close contact with Guyanese politicians through our High Commissioner in Georgetown.

Sudan

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made in negotiating the allocation and distribution of oil revenues in the peace talks between the Government of Sudan and the SPLM. [74897]

Mr. MacShane: The Sudanese parties, mediators and observers at the peace talks have agreed that all briefing on the substance of the talks should be done by the Kenyan Special Envoy, Lt General Lazaro Sumbeiywo. We are therefore unable to comment on the progress of the discussions on wealth sharing.

Child Abduction

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs how many children were abducted from the UK in October. [75654]

Mr. MacShane: The total number of children reported as abducted from the United Kingdom in the period 1–17 October is three.

Immigration

Mr. Gerrard: To ask the Secretary of State for Foreign and Commonwealth Affairs for what reason the British Embassy in Cairo is no longer accepting applications for family reunion from Somali nationals. [76530]

Mr. MacShane: The designated entry clearance posts for Somali nationals are Nairobi and Addis Ababa. Cairo does accept applications from Somali nationals for family reunion, but only from those who can show they are resident in Egypt.

Public Bodies

Chris Grayling: To ask the Secretary of State for Foreign and Commonwealth Affairs how many people are employed by the *(a)* Government Hospitality Fund Advisory Committee for the Purchase of Wine and *(b)* Commission for Architecture and the Built Environment; what their roles and terms of reference are; and what their annual budget for each year since 1997–98 was and their projected budget for the coming year. [75972]

Mr. MacShane: The Government Hospitality Advisory Committee for the Purchase of Wine does not employ personnel. The Committee is composed of four appointed Masters of Wine and a Chairman who give their time without remuneration. A civil servant from the Foreign and Commonwealth Office acts as Secretary to the Committee. The roles of members of the Committee and terms of reference are defined in its Annual Reports, available in the library of the House. The Committee is advisory and holds no budget.

The Commission for Architecture and the Built Environment (CABE) is within the remit of my right hon. Friend the Secretary of State for Culture, Media and Sport. However, I understand that there are 36 people currently employed by CABE. Their roles are detailed in CABE's Annual Report and Accounts 2001–02 which is in the libraries of both Houses. CABE does not have formal terms of reference but its vision and objectives are set out in its Annual Report.

CABE was established in 1999 and its annual budget since then has been:

1999–2000: £3,330,000
2000–2001: £1,530,000
2001–2002: £1,538,000
2002–2003: £3,500,000

Projected Budget for 2003–4 is £3,500,000.

Chris Grayling: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the performance of the *(a)* Government Hospitality Fund Advisory Committee for the Purchase of Wine and *(b)* Commission for Architecture and the Built Environment; what performance targets he has set; what reports were published on their performance in the last three years; and if he will place copies in the Library. [75973]

Mr. MacShane: The Government Hospitality Advisory Committee for the Purchase of Wine is an advisory Non-Departmental Public Body (NDPB). Its members give their time voluntarily and meet only on four half days each year. Members are bound by the Terms of Reference of the Committee, against which they have and continue to deliver the highest quality advice on wines and cellar-management. The terms of reference of the Committee are included in the annual report of the Committee, copies of which have been placed in the Library.

The Commission for Architecture and the Built Environment (CABE) is within the remit of my right hon. Friend the Secretary of State for Culture, Media and Sport but the FCO collaborates closely with it. However, I understand that the Secretary of State reviews CABE's performance through the following review meetings:

January/February: Ministerial endorsement and signing of funding agreement

May/June: Review of performance in previous financial year
November/December: Mid-year review of performance.

CABE published an Annual Report and Accounts for 2000–01 and 2001–02, copies of which have been placed in the libraries of both Houses.

Indonesia

Mr. Alan Reid: To ask the Secretary of State for Foreign and Commonwealth Affairs what new action he plans to take to protect the interests of UK citizens who are in detention in Indonesia. [76318]

Mr. MacShane: There are currently 7 British citizens detained in Indonesia. Consular staff will continue to provide all possible consular assistance to the detainees and to monitor the situation to ensure their continued safety.

International Fund for Animal Welfare

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has received from the International Fund for Animal Welfare. [76093]

Mr. MacShane: The Department for Environment, Food and Rural Affairs (Defra) leads on environment issues. All recent representations from IFAW have been passed to Defra for action.

Zimbabwe

Mr. Win Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent changes there have been to European Union sanctions against Zimbabwe. [76676]

Peter Hain: With the support of Her Majesty's Government, the Council of the European Union adopted Common Position 2002/600/CFSP on 22 July 2002 extending the list of individuals subject to an EU travel ban and asset freeze from 20 to 72. The extension highlights the collective responsibility borne by the ruling Zanu-PF elite for the continued deterioration in the situation in Zimbabwe. The Council subsequently adopted Decision 2002/754/CFSP on 13 September extending to 79 the list of individuals subject to the measures to take account of changes to the Zimbabwean Government announced on 26 August 2002.

Somalia and Angola

Mr. Win Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent changes there have been to the United Nations sanctions against *(a)* Somalia and *(b)* Angola (UNITA). [76677]

Peter Hain: *(a)* With the support of HMG the United Nations Security Council on 22 July 2002 adopted resolution 1425 (2002) consolidating and strengthening the arms embargo against Somalia. In addition to arms the embargo now also applies to the direct or indirect supply to Somalia of technical advice, financial and other assistance, and training related to military activities. The resolution reflects the ongoing threat to peace security caused by the conflict in Somalia.

(b) On 15 August the United Nations Security Council, with HMG's support, adopted resolution 1432 (2002). The resolution suspends for a further ninety days the travel ban on designated members of UNITA, established pursuant to resolution 1127 (1997). The suspension of the travel ban will allow UNITA officials to participate fully in the peace process.

Iraq

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library copies of all *(a)* reports produced by and *(b)* communications with The United Nations Inspection Body for Iraq, since the end of 1998. [75869]

Mr. MacShane: UNMOVIC's reports are available on the UNMOVIC website (http://www.un.org/Depts/unmovic/index.htm).

The Government has been in routine contact with UNMOVIC over the organisation of the advanced training courses for UNMOVIC inspectors which it has funded. Officials also have regular contact with staff of UNMOVIC in New York, as we do with other UN organisations. The Director-General of UNMOVIC Dr. Hans Blix has visited the UK on a number of occasions since UNMOVIC was established, and has held discussions with officials and Ministers. The content of such exchanges is confidential. (Code of Practice on access to Government Information Part 2 Exemption1a, information whose disclosure would harm national security or defence). Although Dr. Blix has made himself available for media interviews and meetings.

Ms Atherton: To ask the Secretary of State for Foreign and Commonwealth Affairs, what goods on the Military List have recently been approved for export to Iraq. [77621]

Mr. MacShane: Following consultation with the Foreign and Commonwealth Office and the Ministry of Defence, the Department of Trade and Industry recently approved a licence to export laboratory equipment to UNESCO for use by the Suleymaniyah Technical Institute in Northern Iraq. The export included potassium cyanide and hydrofluoric acid which are subject to the Dual-Use Items (Export Control) Regulations 2000 as amended. HMG is confident that there is no proliferation threat associated with this export.

The UN Iraq Sanctions Committee approved this export to Iraq under the Oil for Food programme (OFF). Under OFF Iraq is allowed to export unlimited quantities of oil to fund the purchase of humanitarian goods. The export is consistent with the consolidated EU and national arms export licensing criteria.

HEALTH

Specialised Services Commissioning

Sandra Gidley: To ask the Secretary of State for Health when the results and conclusions of the consultation on Specialised Services Commissioning by PCTs and strategic health authorities will be made available. [74962]

Mr. Hutton: Responses to the consultation on commissioning arrangements for specialised services are still coming in. I will be considering the responses and expect to reach conclusions on the way forward by the turn of the year.

Cancer Care

Gregory Barker: To ask the Secretary of State for Health (1) how many cancer consultants there are *(a)* with the NHS and *(b)* broken down by health authority; and what the figures were for each year since 1997; [75780]

(2) how many *(a)* lung, *(b)* breast, *(c)* prostate, *(d)* ovarian and *(e)* leukaemia cancer specialists there are within the NHS; and what the figures were for each year since 1997. [75786]

Mr. Hutton: Information on the number of lung, breast, prostate, ovarian and leukaemia cancer specialists within the National Health Service is not collected centrally.

The Department collects data on the number of consultants within medical oncology, clinical oncology, histopathology, clinical radiology, haematology and palliative medicine. Collectively, these are referred to as the cancer specialties.

Data relating to the total number of cancer specialist consultants in England and by Strategic Health Authority are shown in the following table.

Hospital Medical Consultants in the Cancer Specialties by Strategic Health Authority each Year[1]

numbers (headcount)

	1997	*1998*	*1999*	*2000*	*2001*	*March 2002*[1]
England	3,160	3,270	3,360	3,530	3,720	3,860
Avon, Gloucestershire & Wiltshire	130	140	130	150	170	190
Bedfordshire & Hertfordshire	90	100	90	90	90	100
Birmingham & The Black Country	150	150	160	160	180	180
Cheshire & Merseyside	170	180	190	200	200	210
Country Durham & Tees Valley	60	70	70	70	70	70
Coventry, Warwickshire, Herefordshire & Worcestershire	90	90	100	90	100	100
Cumbria & Lancashire	100	110	110	110	110	100
Dorset & Somerset	70	70	70	80	80	80
Essex	70	70	70	70	80	80
Greater Manchester	210	200	210	210	220	230
Hampshire & Isle of Wight	110	120	120	130	150	160
Kent & Medway	80	80	80	90	90	90
Leicestershire, Northamptonshire & Rutland	80	80	90	90	100	100
Norfolk, Suffolk & Cambridgeshire	160	170	180	190	190	200
North and East Yorkshire and Northern Lincolnshire	80	90	100	90	110	110
North Central London	150	160	170	150	170	180
North East London	70	70	80	80	110	120
North West London	210	200	190	230	230	240
Northumberland, Tyne & Wear	120	130	120	130	150	150
Shropshire & Staffordshire	70	70	70	80	80	80
South East London	130	140	140	140	170	170
South West London	70	90	100	100	110	110
South West Peninsula	90	80	80	100	100	110
South Yorkshire	90	90	100	110	110	110
Surrey & Sussex	150	150	140	150	150	160
Thames Valley	150	150	160	170	170	190
Trent	150	160	160	170	150	150
West Yorkshire	170	170	180	170	180	190
Special Hospitals	*	—	—	—	—	—
National Blood authority	—	20	40	40	40	40

Notes:

[1] Data for 1997 to 2001 is at 30 September, 2002 data is at 31 March.

"*" denotes five or less than five

"—" denotes zero

Figures are rounded to the nearest 10

Source:

Department of Health medical and dental workforce census.

The number of cancer specialists employed in the NHS is growing. As at March 2002, there were 3,860 cancer specialists (rounded to the nearest 10). This represents an increase of 22 per cent. since September 1997.

Medical Degrees

Mr. Rosindell: To ask the Secretary of State for Health if he will make a statement on the funding available for medical related degrees. [75094]

Mr. Hutton: The service increment for teaching reimburses National Health Service organisations the additional costs they incur as result of providing a clinical setting for medical and dental undergraduate students' training. £585 million was made available for this in 2002–03 and included additional funds to support increased numbers of medical and dental students. Between 1999 and 2001 the higher education funding council (HEFCE) allocated 57 per cent. more medical school places to higher education institutions in England. Actual training costs are met by HEFCE, which is a matter for my right hon. Friend the Secretary of State for Education and Skills.

Residential Care Homes

Mr. Sanders: To ask the Secretary of State for Health what his estimate is of the *(a)* number of residential care homes that have closed and *(b)* number of residential care home beds lost in Torbay in each of the past five years for which figures are available. [74854]

Jacqui Smith: Information on the number of residential care homes that have closed and care home beds lost is not centrally available.

The number of residential care homes and care home beds in Torbay Unitary Authority is shown in the table at 31 March for the years 1999 to 2001. Data for 2002 are not yet available.

Number of Residential Care Homes and Care Home beds in Torbay Unitary Authority at 31 March, 1999 to 2001

As at 31 March	*Care homes*	*Care home beds*
1999	205	2,850
2000	195	2,825
2001	190	2,705

Mr. Maude: To ask the Secretary of State for Health how many *(a)* private and *(b)* local authority care homes for the elderly have (i) opened and (ii) closed in each year since 1997 in *(A)* England and *(B)* West Sussex. [76914]

Jacqui Smith: The information requested is not held centrally. The table below shows the number of registered and local authority residential care homes for the elderly in England and West Sussex for the years 1997 to 2001.

Number of Registered and Local Authority Residential Care Homes for the Elderly[1] at 31 March, 1997 to 2001

At 31 March	*Registered care homes[2]*		*Local authority care homes*	
	England	*West Sussex*	*England*	*West Sussex*
1997	11,340	315	1,500	25
1998	10,740	305	1,465	20
1999	10,450	290	1,355	20
2000	9,845	275	1,270	20
2001	9,345	275	1,190	15

Notes:

[1] Elderly includes all older people aged 65 or more and older mentally infirm people

[2] Registered homes includes voluntary, private and small homes.

[3] Data is rounded to the nearest 5.

Data on nursing homes does not distinguish age of client. The table below shows the total number of private general and mental nursing homes in England and West Sussex for the years 1997 to 2001. There are no local authority nursing homes.

Number of Registered Nursing Care Homes[2] at 31 March, 1997 to 2001

At 31 March	*England*	*West Sussex*
1997	5,570	..
1998	5,785	175
1999	5,690	170
2000	5,440	150
2001	5,215	140

Notes:

[1] ".." indicates data is not available.

[2] Nursing homes includes general and mental nursing homes.

[3] Data is rounded to the nearest 5.

Mr. Maude: To ask the Secretary of State for Health how many places in care homes for the elderly there were in West Sussex in each year since 1997. [76915]

Jacqui Smith: The number of residential and nursing care home places for the elderly in West Sussex is shown in the table at 31 March for the years 1997 to 2001. Data for 2002 is not yet available.

Number of Residential and Nursing[1] Care Home Places for the Elderly in West Sussex[2] at 31 March, 1997 to 2001

As at 31 March	*Residential*	*Nursing*	*All homes*
1997	5,795	..	..
1998	5,530	..	..
1999	5,435	..	..
2000	5,345	4,100	9,445
2001	5,435	3,915	9,355

Notes:

[1] ".." indicates data are not available.

[2] The breakdown of the number of nursing beds for the elderly was not provided by the Health Authority for the years 1997 to 1999.

[3] Residential data refer to West Sussex County; nursing data refer to West Sussex Health Authority.

Mental Health Services

Bob Spink: To ask the Secretary of State for Health what action he is taking to ensure that psychiatric patients in the community take their medicines. [75480]

Jacqui Smith: Development of robust community-based mental health provision is the key to ensuring that patients adhere to their care plans.

The NHS Plan pledged to establish a total of 220 assertive outreach teams by December 2003. There are 180 teams in operation at present. These teams provide services to people with a mental illness in the community who have difficulty engaging with mainstream mental health services.

Another NHS Plan initiative is to create crisis resolution teams which provide intensive support for people in a mental health crisis in their own homes. These teams are designed to offer prompt and effective home treatment, including medication, in order to prevent hospital admissions. A total of 335 crisis resolution teams will be established by 2004 when all people in contact with specialist mental health services will be able to access crisis resolution teams at any time.

Although, community-based teams can support and encourage patients to adhere to their care plans, they currently cannot compel them to do so. The draft Mental Health Bill contains proposals so that patients who meet the criteria for treatment under compulsion might remain at home, supported by an outreach service, rather than having to be detained in hospital. Patients will not be forcibly treated in their own homes. These patients will be subject to conditions authorised by the independent mental health tribunal to ensure that they comply with their individual care plan, including where necessary taking medication.

NHS Hospital Trusts

Bob Spink: To ask the Secretary of State for Health if he will list the English hospital trusts that fall under two or more PCTs. [75478]

Mr. Hutton: Primary care trusts (PCTs) have the freedom to commission services from wherever they can to obtain the best services for their patients. It is likely that the majority of National Health Service trust hospitals have more than one PCT that commissions care from them, although the precise figures are not collected centrally.

Surgeons

Mr. Watts: To ask the Secretary of State for Health whether the new pay and conditions package will encourage surgeons to increase the number of operations that they carry out for the NHS. [74955]

Mr. Hutton: The proposed new consultant contract is designed to provide a much more effective system of planning and time-tabling consultants' duties and responsibilities for the National Health Service in ways that best meet local service needs and priorities. Under the proposed arrangements, full-time consultants will typically devote at least seven out of a total of ten weekly programmed activities to direct clinical care. The new contract will also facilitate arranging extra consultant activity on a more planned and efficient basis.

ME

Chris Grayling: To ask the Secretary of State for Health whether his Department categorises ME as a neurological illness. [76269]

Jacqui Smith: The Department does not have its own system for categorising conditions such as myalgic encephalomyelitis in this way. However, it employs the World Health Organisation's International Classification of Diseases (ICD). Benign myalgic encephalomyelitis appears in the current version, ICD–10, as a neurological illness.

Chris Grayling: To ask the Secretary of State for Health what guidance he gives to general practitioners about ME. [75976]

Jacqui Smith: Action on ME, a voluntary group active in this area, has recently produced guidance on the management of Chronic Fatigue Syndrome/Myalgic Encephalomyelitis (CFS/ME). We have brought this guidance to the attention of National Health Service chief executives through the CE Bulletin; and will be making reference to in the next issue of the GP Bulletin.

The CFS/ME independent working group's report, which was published on 11 January 2002, has been placed on the Chief Medical Officer's web-site, so that it can be accessed by all interested parties including general practitioners.

Chris Grayling: To ask the Secretary of State for Health (1) how many specialist centres for ME there are in the UK; [75975]

(2) if he will make a statement on the care of people with ME in the community. [75974]

Jacqui Smith: Information on local service configuration for Chronic Fatigue Syndrome/Myalgic Encephalomyelitis (CFS/ME) is not held centrally.

Most cases of CFS/ME are managed in the community although general practitioners can refer patients for specialist opinion and advice where appropriate.

ME is mainly managed in primary care. It is the responsibility of local primary care trusts to commission services for their local populations including those suffering from CFS/ME.

Compulsory Treatment

Miss McIntosh: To ask the Secretary of State for Health what recent assessment his Department has made of the social and psychological effects on patients of compulsory treatment for *(a)* 72 hours, *(b)* 28 days and *(c)* a longer period. [76688]

Jacqui Smith: The Department has not recently made an assessment. The social services inspectorate's report *Detained* focused on the quality of service experienced by detained patients generally and in particular, the approved social worker's role. It was published in February 2001.

NHS University

Mr. Boswell: To ask the Secretary of State for Health if he will make a statement on the proposed NHS University. [76411]

Mr. Hutton: Professor Bob Fryer CBE was appointed as Chief Executive of NHSU and Vice Chancellor designate of the proposed NHS University in February

2002. NHSU is the body that has been set-up to prepare the establishment of a university for the National Health Service.

NHSU is currently finalising a development plan for the NHSU setting out the vision for the university, as the basis for an extensive consultation exercise with the NHS and its partners, between November 2002 and January 2003. The plan will be widely distributed and a number of consultation events will be organised jointly with NHS workforce development confederations around the country.

The NHSU will begin to work later next year.

Wythenshawe Hospital

Helen Jones: To ask the Secretary of State for Health for what reason Wythenshawe Hospital scheduled an operation on Mr. S. Ford of Warrington at a time when the relevant consultant was known to be away; how many times this has happened to other patients in the last year; and what procedures will be put in place to prevent such occurences in the future. [76648]

Jacqui Smith: There was a breakdown in communication within the cardiac waiting list department. This was the first and only time such an incident has occurred. Staff have been reminded of the importance of informing the cardiac waiting list department in the event that a consultant is not available to cover the trans-oesophageal echo list.

Helen Jones: To ask the Secretary of State for Health if he will ask the Commission for Health Improvement to investigate *(a)* the procedures in place for monitoring the number of times patients have operations cancelled at Wythenshawe Hospital, *(b)* the procedures which are involved when the hospital cancels a patient's surgery more than once and *(c)* the system used for ensuring patients are notified of a new date for surgery within 28 days. [76646]

Jacqui Smith: The Commission for Health Improvement (CHI) has power to undertake special investigations into particular areas of concern in the delivery of health care. The Commission considers all such requests against six guiding principles which are set out in its, *Policy on assessing requests for investigations and fast track clinical governance reviews*, copies of which are available in the Library and on its website at www.chi.nhs.uk. These principles include situations where there has been an incident of great severity, where there is evidence of repeated service failure and where action by CHI could result in lessons for the whole of the National Health Service.

Waiting Lists

Mr. Laws: To ask the Secretary of State for Health how many patients have been waiting more than *(a)* three *(b)* six *(c)* nine *(d)* 12 *(e)* 18 and *(f)* 24 months between (i) referral by a GP for a diagnostic test and (ii) referral by a consultant for a diagnostic test; and if he will make a statement. [75989]

Mr. Hutton: Information is not collected centrally on the number of patients waiting for diagnostic tests. The length of time that a patient may have to wait for any diagnostic test is dependent on their clinical condition. Emergency cases need to be seen immediately. Other cases will be carried out as quickly as possible, however this is dependent on the clinical priority of all remaining patients waiting to have diagnostic tests.

The NHS Cancer Plan set new targets to shorten the time patients have to wait for diagnosis and treatment. The first step in reducing cancer waiting times was the introduction of the two week waiting time standard form urgent general practitioner referral to outpatient appointment for cases of suspected breast cancer from April 1999. The two week standard was extended to all other urgent cases of suspected cancer during 2000. By 2005 there will be a maximum two month wait from urgent general practitioner referral to treatment for all cancers.

We are making unprecedented investment in the provision of new and replacement diagnostic equipment, improving the recruitment and retention of staff and streamlining the way care is delivered through the cancer services collaborative.

Mr. Laws: To ask the Secretary of State for Health if he will publish guidance from his Department to NHS trusts and health authorities on the speed of processing of patients onto *(a)* inpatient and *(b)* outpatient waiting lists following (i) GP and (ii) consultant referral; and if he will make a statement. [76288]

Mr. Hutton: All guidance to the National Health Service is published in the NHS data dictionary/manual. This covers the relevant information on when a patient should appear on a waiting list and how a waiting time should be recorded.

Patients are added to the inpatient elective admission list at the time there is a decision to admit the patient and the waiting time is calculated from that date. For first outpatient appointments the waiting time is calculated from the date the NHS trust receives the referral, except where a patient as been referred under the urgent cancer referral route, then the waiting time is calculated from the date the general practitioner decided to refer.

Mr. Laws: To ask the Secretary of State for Health whether endoscopy tests are included in the waiting list figures for *(a)* inpatients and *(b)* outpatients; what guidance has been issued to hospital trusts and health authorities about exclusion of endoscopies from waiting list statistics over the last five years; and if he will make a statement. [75985]

Mr. Hutton: Data on waiting times for consultant led inpatient elective admissions and consultant led first outpatient appointments, following a general practitioner referral, are collected on the consultant's main specialty not by procedure. Endoscopies can be recorded as either inpatients or outpatients depending on the setting in which the endoscope takes place. Guidance to this effect is available on the Department's web-site, at www.doh.gov.uk/waitingtimes/frequentlyaskedquestions.

Mr. Laws: To ask the Secretary of State for Health if he will list, for each English health authority and trust, the number of patients who have been waiting for more than six months to see a consultant, after having been referred by a consultant; and if he will make a statement. [75846]

Mr. Hutton *[holding answer 23 October 2002]:* Data on consultant to consultant referrals are not centrally collected. Data on first general practitioner referrals to consultants are collected and published on the Department's website at www.doh.gov.uk/waitingtimes.

Mr. Laws: To ask the Secretary of State for Health if he will make a statement on the length of the waiting lists for neurophysiology treatment in English hospitals. [75734]

Mr. Hutton *[holding answer 23 October 2002]:* The outpatient target, to have no over 26 week waiters following first outpatient appointment from a general practitioner referral by March 2002, was achieved for the specialty clinical neuro-physiology.

In 2002–3 the National Health Service is working to reduce maximum waiting times for first outpatient appointments from a GP referral from 26 weeks to 21 weeks.

Mr. Laws: To ask the Secretary of State for Health how many people were waiting more than *(a)* six months and *(b)* 12 months as (i) in-patients and (ii) out-patients in England as at *(A)* 31 March 1997 and *(B)* the latest date for which information is available; and if he will make a statement. [75847]

Mr. Hutton *[holding answer 23 October 2002]:* The tables below show the number of patients still waiting for elective admission and a consultant outpatient appointment by length of time waiting at 31 March 1997 and the latest available date. Data are not collected on patients waiting over 12 months for a consultant outpatient appointment.

Patients Waiting for Elective Admission: England (Responsible population based)

Month end	*over 6 months*	*Patients waiting over 12 months*
Mar–97	283,866	30,245
Aug–02	250,794	18,234

Source:
Department of Health form QF01

Patients Waiting for First Consultant Outpatient Appointment Following GP Referral: NHS Trusts in England

Month end	*Patients waiting over 26 weeks*
Mar–97	70,689
Jun–02	1,145

Source:
Department of Health form QM08

Criminal Record Bureau

Dr. Cable: To ask the Secretary of State for Health how many staff have been employed in care homes before the Criminal Record Bureau checks have been completed; and if he will make a statement. [75572]

Jacqui Smith: *[holding answer 23 October 2002]:* This information is not collected by the Department or by the National Care Standards Commission (NCSC), which is responsible for registering and inspecting all care homes in England.

A new recruit's employment in a care home cannot be made permanent until satisfactory Criminal Record Bureau (CRB) checks have been completed. However, the NCSC is sympathetic to problems caused for providers by delays at the CRB in processing checks on new members of staff and it has published guidance to care home providers. The intention of the guidance is to enable providers to employ new members of staff before the completion of CRB checks provided the new recruit has applied for a CRB disclosure; that other checks into their background have been satisfactorily completed; and they are assigned to and supervised by, an established member of staff, pending satisfactory completion of the CRB check.

Adoption

Miss Widdecombe: To ask the Secretary of State for Health how many married couples seeking to adopt children *(a)* have not yet been assessed for suitability and *(b)* have been assessed as suitable, but have not yet adopted a child. [76693]

Jacqui Smith: The information requested is not collected centrally.

Correspondence

Mr. Wilshire: To ask the Secretary of State for Health when the hon. Member for Spelthorne will receive a reply to his inquiries of the Ashford and St. Peter's Hospitals NHS Trust of 5 March on behalf of Mr. T Dartnell, a constituent, about his late wife. [74803]

Mr. Lammy *[holding answer 15 October 2002]:* The Department has no record of receiving this correspondence. The Department's Ministerial Correspondence Unit has requested a duplicate.

General Practitioners

Tim Loughton: To ask the Secretary of State for Health how many former GPs have applied for the £10,000 welcome back initiative. [75564]

Mr. Hutton *[holding answer 21 October 2002]:* It was announced on 24 September 2002 that the National Health Service general practitioner Golden Hello scheme would be extended to GPs returning to general practice. Details of how the scheme will be extended are currently being discussed with the profession. We expect to be able to launch the scheme this autumn, subject to the conclusion of these discussions. Payments will be backdated to 24 September.

Tim Loughton: To ask the Secretary of State for Health how many GP surgeries in England and Wales have *(a)* opened and *(b)* closed in each of the last five years. [75523]

Mr. Hutton *[holding answer 21 October 2002]:* The information requested for England is not collected centrally. Questions relating to Wales are now matters for the devolved administration.

Primary Care Trusts

Tim Loughton: To ask the Secretary of State for Health if he will list the chief executives and chairmen of PCT's in England and Wales, and their respective remuneration. [75515]

Mr. Hutton: Information on the salaries of individual primary care trust chief executives is not available centrally.

PCTs are required to disclose in their published accounts details of the remuneration of senior managers including the chief executive. Individuals may decline to give their consent to have this information published relying on the Data Protection Act 1998. In this case their decision to withhold the information should be disclosed in the published accounts.

Salaries of primary care trust chief executives range from £78,625 to £107,500, however, in exceptional cases the figures paid may be lower or higher. A copy of the framework used to determine the salaries for primary care trust chief executives in 2002/2003 has been placed in the Library.

The remuneration of chairs of primary care trusts in England is determined centrally. Chairs are paid at one of three levels—Band 1—£20,420; Band 2—£18,154; Band 3—£16,017. Details of the bandings for 2002–2003 have been placed in the Library.

A list of primary care trust chief executives and chairs will be placed in the Library.

Information in respect of health bodies in Wales should be sought from the National Assembly for Wales.

Overseas Nurses

Tim Loughton: To ask the Secretary of State for Health how many calls the NHS Overseas Nurses Advice Line has received since it was established. [75562]

Mr. Hutton *[holding answer 21 October 2002]:* Since the NHS overseas nurses' advice line was established it has received 13 calls requesting advice.

Adrenoleukodystrophy

Mr. MacDougall: To ask the Secretary of State for Health (1) how many people in England who have been diagnosed as having the adrenoleukodystrophy gene are being treated with Lorenzo's oil; [76032]

(2) how many people in England have adrenoleukodystrophy. [76033]

Jacqui Smith *[holding answers 21 October 2002]:* The information requested is not collected centrally.

Working Time Directive

Mr. Burstow: To ask the Secretary of State for Health what steps he is undertaking to ensure that the Working Time Directive is implemented for all NHS and social care staff. [75710]

Mr. Hutton *[holding answer 22 October 2002]:* The European Working Time Directive (EWTD) currently applies to all health and social care staff, with the exception of doctors in training.

The Department issued guidance in Health Service Circular 1998/204, *Working Time Regulations—Implementation in the NHS*. It is for local National Health Service employers, within the guidelines issued by the Department, to conform to the legislation as an individual employer. In relation to the social care workforce, individual employers in the statutory, private and voluntary sectors are also required to conform to current legislation, assuming their responsibility as the employer.

Doctors in training will come under the EWTD from August 2004, which will be introduced in stages with an initial maximum requirement of 58 hours reducing to 48 by 2009. The Department will be issuing guidance on implementation this autumn and is working with stakeholders including the medical Royal Colleges, British Medical Association, NHS Confederation and the service to ensure that effective solutions are developed. The Department is also funding a programme of pilot projects based in NHS trusts to develop and test innovative solutions to EWTD implementation. Full details of the pilot programme will be announced when the guidance is issued.

Health and Social Care Act

Mr. Burstow: To ask the Secretary of State for Health (1) how many re-assessments of entitlement to free continuing care his Department predicts as a result of implementation of section 49 of the Health and Social Care Act 2001 regarding the effect on entitlement to free continuing care; [76212]

(2) what representations his Department has received on the implementation of section 49 of the Health and Social Care Act 2001 regarding the effect on entitlement to free continuing care. [76213]

Jacqui Smith *[holding answers 22 October 2002]:* The implementation of section 49 of the Health and Social Care Act 2001 relates to National Health Service funded nursing care, not free continuing care. The guidance states that patients should have their need for registered nursing care reviewed and re-assessed three months after their placement in a nursing home; at least annually thereafter, or when there is a significant change in their condition. Entitlement to local NHS continuing health care criteria is the first consideration in any assessment by NHS nurses. I have received several representations in relation to the implementation of section 49.

Cumbria and Lancashire Strategic Health Authority

Mr. Jack: To ask the Secretary of State for Health when the Lancashire and South Cumbria Strategic Health Authority received details of the proposed further distribution of additional CT scanners for their area of responsibility. [75983]

Jacqui Smith *[holding answer 22 October 2002]:* Officials in the Department wrote to the chief executives

of the strategic health authorities on 2 September 2002, requesting details of priority candidates for the proposed allocations of additional commuted tomography (CT) and magnetic resonance imaging (MRI) scanners. The chief executive of the Cumbria and Lancashire Strategic Health Authority was included in this exercise together with all of the relevant leads from the cancer networks.

Written Answers to Questions

Monday 28 October 2002

NORTHERN IRELAND

Pathologists

Iris Robinson: To ask the Secretary of State for Northern Ireland what plans he has to set up a group to control the actions taken by pathologists in order to prevent errors in their work. [76630]

Mr. Desmond Browne: In Northern Ireland, a consultation exercise took place between October 2000 and January 2001 on the document "Confidence in the Future", which addressed prevention, recognition and management of poor performance in the HPSS. The recommendations made in this report are currently being taken forward. Discssions are also ongoing with national bodies such as the National Clinical Assessment Authority on how to put in place further guidance to the HPSS on the management of poor performance when it is identified.

Animal Sanctuaries

Iris Robinson: To ask the Secretary of State for Northern Ireland if he will make a statement on the Government's policy towards funding animal sanctuaries in Northern Ireland; and if money raised by licences will be used to help fund these bodies. [76967]

Mr. Pearson: Animal sanctuaries in Northern Ireland are not required to be licensed under the 1972 Welfare of Animals Act. In line with developments in Great Britain, DARD will be reviewing the need to introduce specific welfare controls on animal sanctuaries, which may include licensing. As part of that review, the issue of funding sanctuaries can be considered but there is no financial provision currently available for such funding. If a licensing fee were to be introduced it is unlikely that this could provide a significant source of income for animal sanctuaries.

Castle Gardens School

Iris Robinson: To ask the Secretary of State for Northern Ireland when the South Eastern Education and Library Board made application to the Chancery Court in connection with the status of the former Castle Gardens Primary School building in Newtownards; and when the ruling by the Chancery Court is expected. [77077]

Jane Kennedy: As the South-Eastern Education and Library Board wishes to retain these premises for alternative educational purposes, it has obtained advice of senior legal Counsel about this matter. Acting on this advice, the Board has made contact with Charities Branch, DHSSPS, with a view to the Board being appointed as new trustee in place of previous trustees. The application to the Chancery Court depends upon the outcome of this process.

Fire and Ambulance Service Attacks

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many incidents and attacks on Fire Service and Ambulance Service personnel and vehicles have been recorded in each month since January; and what measures he has taken to protect staff of the emergency services. [74176]

Jane Kennedy: The Northern Ireland Fire Brigade report all attacks and associated incidents as 'civil disturbance' calls. It is not possible to identify the number of actual attacks on the brigade, however, they do record the number of firefighters injured and appliances damaged as a result of these 'civil disturbance' calls. The Northern Ireland Ambulance Service record the actual number of attacks on personnel and vehicles. These are detailed in the following table.

The Government condemn attacks on those who are there to provide a vital service to the entire community. Those who engage in this type of behaviour need to be reminded that some day they or their families may need to call on the assistance of these same emergency services.

	NI Fire Brigade		*NI Ambulance Service*	
Month	*Personnel injured*	*Appliances damaged*	*Personnel attacked*	*Vehicles attacked*
January	2	11	0	0
February	2	7	3	2
March	1	9	6	2
April	1	18	9	1
May	7	19	7	2
June	1	9	11	5
July	0	13	7	4
August	0	9	11	2
September	0	8	7	4
Totals	14	103	61	22

Firefighters' Strike

Lady Hermon: To ask the Secretary of State for Northern Ireland what discussions have taken place between the Northern Ireland Office and the Fire Brigades Union on strike action by firefighters. [77626]

Mr. Desmond Browne: The Secretary of State met representatives of the Fire Brigades Union on 6 September 2002. The subject of pay, conditions and potential industrial action was raised and the Fire Brigades Union set out their position, which the Secretary of State noted.

I met with the Fire Brigade's Union on 24 October 2002 about their proposed industrial action. At that meeting I asked the Fire Brigades Union to reconsider their threat to strike and to co-operate with the independent review which is examining the issues of pay and modernisation.

Lady Hermon: To ask the Secretary of State for Northern Ireland what measures will be in place to give fire cover in the North Down constituency if the Fire Brigades Union takes strike action. [77627]

Mr. Desmond Browne: In the event of strike action by the Fire Brigades Union, fire cover will be provided throughout Northern Ireland, including the North Down constituency, by the Army, supported by the Police Service for Northern Ireland, with the strategic deployment of 32 Yellow Goddesses and 19 Breathing Apparatus Rescue Teams. Deployment locations for these resources include Belfast and Bangor. These alternative arrangements cannot replicate the current firefighting capability, but will try to minimise the danger to human life. There is also likely to be cover provided by members of the Retained Fire fighters Union in rural locations but the extent of support will not be apparent until near the first day industrial action.

Mr. Evans: To ask the Secretary of State for Northern Ireland what preparations he has made to ensure the safety and continuity of service to the public in the event of a firefighters' strike; and what the cost is to the Department of these actions. [77659]

Mr. Desmond Browne: In the event of a firefighters' strike, emergency cover will be provided in Northern Ireland by the Army, supported by the Police Service for Northern Ireland, using 32 yellow goddesses and 19 breathing apparatus rescue teams. These alternative arrangements cannot replicate the current fire service capability, but will try to minimise the danger to human life to ensure that day to day activities can continue as normal. Government Departments and the Fire Authority have been involved in providing advice to businesses, public bodies, including schools, and the public on reducing the risk of fire and road traffic accidents.

The additional costs that may be incurred have not yet been finalised.

Royal Victoria Hospital

Iris Robinson: To ask the Secretary of State for Northern Ireland what percentage of retained organs at the Royal Victoria Hospital were *(a)* destroyed after a short period of time, *(b)* used for research, *(c)* sent to other hospitals and *(d)* stored at the Royal Victoria Hospital between 1972 and 2001. [76640]

Mr. Desmond Browne: The information requested is not available.

Iris Robinson: To ask the Secretary of State for Northern Ireland how many persons have been held accountable for the errors in organ retention at the Royal Victoria Hospital; and what the ratio of organ retention was during the *(a)* pre-trust and *(b)* post-trust periods. [76629]

Mr. Desmond Browne: The Board of the Royal Group of Hospitals Trust has fully accepted all the criticisms and recommendations outlined in the report of the Human Organs Inquiry. No individuals have been held accountable, since the actions taken previously were in line with what was considered appropriate professional practice at the time.

Information is not available on the ratio of organ retention before and after the establishment of the trust.

Iris Robinson: To ask the Secretary of State for Northern Ireland how many organs were retained at the Royal Victoria Hospital between 1972 and 2001; what the ratio was between heart and other organs; and what definitions of *(a)* organs and *(b)* tissues were used. [76636]

Mr. Desmond Browne: The inventory provided by the Royal Victoria Hospital to the Chief Medical Officer in March 2001 showed that a total of 1,131 organs were retained and stored in the period 1970 and 2001 (including 151 paediatric organs that pre-dated 1970). Approximately one-third of the organs were hearts.

For the purposes of the inventory an organ was defined as an entire organ or something that was recognisably an organ. Tissue referred to the contents of blocks and slides derived from organs or larger samples. The Human Organs Inquiry used the following definitions: "Organ(s)—a part of the body composed of more than one tissue that forms a structural unit responsible for a particular function (or functions)"; and "Tissue—organs contain tissue, ie collections of cells which give organs their special functions".

Iris Robinson: To ask the Secretary of State for Northern Ireland when Mr. William McKee was appointed *(a)* Chief Executive of the Royal Victoria Hospital and *(b)* Chief Executive of the Royal Group of Hospitals. [76637]

Mr. Desmond Browne: The information is as follows:

(a) Mr. McKee did not hold the position of Chief Executive of the Royal Victoria Hospital. He was however employed by the Eastern Health and Social Services Board as Group Administrator for the Royal Hospitals from September 1988, and as Unit General Manager for the Royal Hospitals from March 1989.

(b) He was appointed Chief Executive of the Royal Group of Hospitals and Dental Hospital Health and Social Services Trust from November 1992.

Iris Robinson: To ask the Secretary of State for Northern Ireland if he will make a statement on his policy on coroners' post-mortems; and if he will permit bereaved relatives to claim organs retained by the coroner. [76638]

Ms Rosie Winterton: I have been asked to reply as I have ministerial responsibility for the Northern Ireland Court Service, which includes the administration of the Coroners Service. A coroner in the exercise of his judicial discretion may order a post mortem examination in respect of deaths notified to him under the Coroners (Northern Ireland) Act 1959. Where organs are removed for forensic analysis following such a post mortem they may be retained for such period as

the coroner thinks fit. It is now policy to inform the relatives of a deceased person if any organs have been retained following a post mortem. At a later stage after the cause of death has been established the Coroner will usually exercise his judicial discretion to return the retained organs to the family.

Iris Robinson: To ask the Secretary of State for Northern Ireland when Dr. Sodhi was employed as resident pathologist at the Royal Victoria Hospital; and how many hearts he retained after post-mortem during that time. [76633]

Mr. Desmond Browne: No record of the employment of Dr. Sodhi nor of any details of organ retention by him/her is available. This may reflect the fact that records of staff employed prior to the 1980s were not retained.

Killyleagh Traffic Measures

Iris Robinson: To ask the Secretary of State for Northern Ireland (1) what progress has been made with the construction of traffic calming measures at Frederick Street and Braeside Gardens in Killyleagh; [77079]

(2) what progress has been made with provision of a pedestrian crossing in Catherine Street in Killyleagh; [77080]

(3) if he will erect signs in Killyleagh, directing motorists to the car park in Frederick Street. [77074]

(4) what progress has been made with investigations concerning the transferring of ownership of the car park in Frederick Street, Killyleagh from the Northern Ireland Housing Executive to the roads service with a view to improving the facility. [77078]

Mr. Paul Murphy: The subject matters raised are a matter for the Roads Agency. I have asked the Chief Executive to reply directly to the hon. Lady. A copy of the letter will be placed in the Library.

Selective Schools

Mr. Brady: To ask the Secretary of State for Northern Ireland if he will make a statement on the future of selective schools in Northern Ireland. [75227]

Jane Kennedy: Extensive consultation on the Burns Report has demonstrated almost universal support for abolition of the Transfer Tests and a predominant view that academic selection should be ended although there was also substantial opposition to this proposal. In light of the views expressed the Department of Education will be meeting with key education partners to build on that consensus and develop new post-primary arrangements that are fair, enable all children to reach their full potential and provide a modern education system for the 21st century.

DEPUTY PRIME MINISTER

Affordable Housing

Martin Linton: To ask the Deputy Prime Minister what action he has taken to address the housing shortage for *(a)* key workers and *(b)* tenants of registered social landlords in overcrowded accommodation in Battersea. [76229]

Mr. McNulty: The Government are very aware of the need to provide more good quality affordable housing for both workers and social housing tenants in Battersea and other parts of London.

By 2003–04 £482 million of the £1.2 billion funding from the Housing Corporation's Approved Development Programme will go directly to London projects. The Challenge Fund of £200 million is also being targeted on the south-east to increase supply. I expect London to get a significant proportion of this.

£146 million of the £250 million funding dedicated through the starter home initiative has also been allocated to London schemes. We expect about 4,600 nurses, teachers, police and other key workers to benefit as a result.

The Government Office for London and the Housing Corporation are working with local authorities to increase the delivery of affordable housing across London. They will encourage and support innovative schemes maximising the potential for redevelopment of local authority and other public sector assets for affordable housing; achieve improvements in planning performance; and identify and get action on blockages to the speedy delivery of sites for affordable housing.

The Government are aware of concerns that the current overcrowding standards need updating as they date from the Housing Act 1935 and have not been revised since then. We are considering the best way to tackle the problem.

Local Government Boundaries

Mr. Don Foster: To ask the Deputy Prime Minister by what date he expects the publication of the final recommendations of the Boundary Committee in respect of the periodic ward boundary review for the Stockton-on-Tees Borough Council; by what date he expects the recommendations to be implemented; and if he will make a statement. [76282]

Mr. Leslie: These are now matters for the independent Electoral Commission, to which the periodic electoral reviews functions of the former Local Government Commission for England and of the Secretary of State were transferred by the Local Government Commission for England (Transfer of Functions) Order 2001 (S.I. 2001/3962).

Empty Homes

Mr. Love: To ask the Deputy Prime Minister what evaluation he has made of the introduction of a compulsory leasing scheme for derelict empty properties; and if he will make a statement. [77104]

Mr. McNulty: The Office of the Deputy Prime Minister is currently evaluating the recommendation to allow local authorities to compulsorily lease empty homes put forward in the report by the Transport, Local Government and the Regions Select Committee on Empty Homes. A statement will be made in due course.

Mr. Andrew Love: To ask the Deputy Prime Minister what plans he has to strengthen the powers of *(a)* local authorities and *(b)* registered social landlords compulsorily to purchase empty properties; and if he will make a statement. [77105]

Mr. McNulty: The Office of the Deputy Prime Minister has no plans to strengthen existing powers to compulsorily purchase empty properties.

Mr. Love: To ask the Deputy Prime Minister what plans he has to enhance the power of local authorities to deal with derelict empty properties; and if he will make a statement. [77394]

Mr. McNulty: The Office of the Deputy Prime Minister is considering a range of measures to assist local authorities in dealing with empty homes. A statement will be made in due course.

English Partnerships

Peter Bradley: To ask the Deputy Prime Minister (1) when decisions will be made as to which and when non-strategic sites will be transferred from English Partnerships to local authorities; [76774]

(2) when decisions will be made as to whether claw-back of development value from local authorities will be waived in respect of *(a)* sites to be transferred from English Partnerships to local authorities, *(b)* sites already transferred and *(c)* strategic sites. [76775]

Mr. McNulty: These issues will be addressed in the Government's forthcoming response to the House of Commons Transport, Local Government Committee's report "The New Towns: Their Problems and Future". I will write to my hon. Friend again when we publish our response.

Firefighters' Strike

Mr. Jenkin: To ask the Deputy Prime Minister what the inventory is of green goddess fire engines; and how many are operational. [76376]

Mr. Leslie: The green goddess fleet numbers 1,027 in total. Of the 945 currently in issue and under the Ministry of Defence control, around 98 per cent. were operational as at 21 October.

Focus Group Research

Mr. Allen: To ask the Deputy Prime Minister what use he and his Department have made of focus group research since June 2001; if he will identify for each research project the topics covered, the person or organisation carrying out the research, and the total cost; and if he will publish the research on his Department's website. [74995]

Mr. Leslie: Focus group research forms an element of a number of projects that come within the Office of the Deputy Prime Minister research programmes. This is not always costed separately and the conclusions of focus groups are incorporated into the final research reports.

The Office of the Deputy Prime Minister has used focus groups research with members of the general public to help inform and develop the fire safety publicity campaign covering Careless Smoking, Fire Action Plan, Excuses Kill, and Smoke Alarms.

Research projects were carried out by Andrew Irving, Cragg Ross Dawson and the COI; the sums paid to each contractor for individual pieces of work are regarded as commercial in confidence. The overall spend on focus group research for the fire safety campaign since June 2001 is £69,481.

Specific focus group data are not published on the Office of the Deputy Prime Minister website as they form part of a wide range of information and research used to inform public safety campaigns.

Local Elections

Ms Coffey: To ask the Deputy Prime Minister if he will make a statement about the timing of local elections in England in 2004. [78132]

Mr. Raynsford: We want to see a modern, efficient electoral system, so that voting for all electors is as convenient and as straightforward as possible. We are therefore concerned that in 2004 many electors are being asked to vote on two separate occasions within the space of five weeks. Firstly, in local council elections or elections for the London Mayor and Assembly on 6 May, and secondly, for the European Parliament on 10 June.

As a result, I am, along with the Parliamentary Secretary, Lord Chancellor's Department, my hon. Friend the Member for Pontefract and Castleford (Yvette Cooper), who is responsible for European Parliamentary elections in England and Wales, launching today a consultation document inviting views on our proposal to postpone the English local elections and the Greater London Authority elections from Thursday 6 May 2004 to Thursday 10 June 2004, the same day as the European Parliamentary election.

In this consultation we are seeking views on the practical issues that would arise from making this change. We are also seeking views on the option of weekend voting. We are seeking views by January 2003. I am placing a copy of this document in the Library of the House.

We would need primary legislation to make this change. We are therefore considering introducing a clause in the proposed Local Government Bill, which would allow us to change the date of the 2004 local and GLA elections by means of Statutory Instrument. Subject to the outcome of our consultation, and to Parliament's approval of the necessary legislation, our aim would be to put in place any postponement of the 2004 local and GLA elections by autumn 2003.

We are considering separately whether the programme of election pilots such as voting by the internet, by phone, or by all-postal voting should go ahead in full in 2004, were we to move the local and GLA elections to coincide with the European Parliamentary elections. We intend to reach a firm conclusion on this in good time, taking into account that any piloting in such combined elections would require separate primary legislation.

Planning Guidance (Renewable Energy)

Mr. Gareth Thomas: To ask the Deputy Prime Minister what plans he has to review planning guidance for renewable energy generation; and if he will make a statement. [77385]

Mr. McNulty: We will be issuing revised draft planning guidance on renewable energy (PPS 22) at the turn of the year.

Travellers

Mr. David Atkinson: To ask the Deputy Prime Minister what plans he has to review guidance to police forces and local authorities on unauthorised traveller encampments. [75329]

Mr. McNulty: The Office of the Deputy Prime Minister, in conjunction with the Home Department, will issue joint guidance on managing unauthorised camping by gypsies and other travellers by the end of the year.

In addition, the Home Office will legislate for stronger enforcement powers for the police to move on unauthorised traveller camps, providing the local authority has adequate site provision in the area.

To help facilitate local authority site provision, the Office of the Deputy Prime Minister has extended the 2003–04 round of the current Gypsy Sites Refurbishment grant to include funding for temporary transit and emergency stopping places.

DEPUTY PRIME MINISTER

Parish Council Auditing

Mr. Laurence Robertson: To ask the Deputy Prime Minister if he will estimate the average costs to parish councils, broken down into bands according to size, of the internal audit work, in the new lighter touch audit scheme, which will be required to be carried out in addition to the main audit; and if he will make a statement. [77051]

Mr. Raynsford: Information on the cost to parish councils of internal audit is not held centrally, and could only be provided at disproportionate cost. The new 'lighter touch' audit regime does not impose any new internal audit requirements. There has been a legal requirement for councils to maintain a system of internal audit for many years, and guidance on good practice on carrying out internal audit is available from the national associations representing parish councils.

Accounts and Audit Regulations

Mr. Laurence Robertson: To ask the Deputy Prime Minister what proposals he has to lay before the House amendments to the Accounts and Audit Regulations 1996 (SI 1996/590). [77052]

Mr. Raynsford: My Department is currently consulting on amendments to the Accounts and Audit Regulations 1996. The consultation period on this will come to an end on 9 December, and the responses received will then be considered. The aim will be to lay the revised regulations before the House early next year.

Children's Residential Homes

Mrs. Brooke: To ask the Deputy Prime Minister whether the proportion of the cost of specialist residential placements for vulnerable children contributed by different health authorities is taken into account in financial allocations for social services to local authorities; and if he will take account of this matter in the process of determining the new funding formulae for local authorities. [77084]

Mr. Raynsford: The proportion of the cost of specialist residential placements for vulnerable children contributed by the NHS in different health authorities is not taken into account in the standard spending assessments for social services. This is also true of the options for the new formulae which we have consulted on over the Summer. Resources for health and social services to an area are allocated separately, with social services providing the majority of residential care. Joint funding arrangements that are then reached between Primary Care Trusts (which now commission NHS services) and local authorities are a local policy decision.

Fire Service (East Sussex)

Mr. Waterson: To ask the Deputy Prime Minister how many *(a)* fire stations and *(b)* fire appliances there were in East Sussex in the last 12 months. [77794]

Mr. Raynsford: According to the latest annual returns to Her Majesty's Fire Service Inspectorate, at 31 March 2002 there were 24 fire stations, 38 front-line and 9 reserve pumping appliances, 15 front-line special appliances and one reserve special appliance.

Firefighters' Dispute

Dr. Cable: To ask the Deputy Prime Minister what action he plans to take to deploy additional fire prevention and emergency resources in Twickenham on dates for events to be held at the rugby stadium in the event of industrial action by the Fire Brigades Union; and if he will make a statement. [76927]

Mr. Raynsford: Places of work and entertainment are already subject to a range of duties under fire safety and health and safety legislation. The owner or operator of a building or other type of site is responsible for safety on site and emergency evacuation arrangements. Organisers of public sporting events should therefore check their preparedness and review their contingency arrangements accordingly, in consultation with the local Chief Fire Officer as appropriate. The command and operational structure for emergency fire cover has been designed to enable maximum flexibility and use of available resources, and deployment of resources will be kept under continual review.

Dr. Cable: To ask the Deputy Prime Minister what action he plans to take to deploy additional military resources to *(a)* Greater London and *(b)* Inner London in the event of industrial action by the Fire Brigades Union; and if he will make a statement. [76928]

Mr. Raynsford: Emergency cover in the Greater London region will consist of a number of elements including 90 Green Goddesses, 20 breathing apparatus teams, a rescue team equipped with specialist equipment and the police. These will be deployed in four sectors, so a breakdown across Inner London is not practicable. The provision of MoD emergencyfire cover has been planned in consultation with the Chief Fire Officer to maximisethe effectiveness of call-outs and the availability of a range of firefighting capabilities.

Mr. Laws: To ask the Deputy Prime Minister what plans he has to make available the existing stock of Fire Service fire fighting vehicles and appliances to members of the armed forces in the event of a strike by firefighters; and if he will make a statement. [76999]

Mr. Raynsford: We have no immediate plans to seek to use the existing stock of local fire authority owned or leased fire fighting vehicles and appliances in the event of a strike by firefighters as this would pose serious logistical and training problems. The position will be kept under review. The safety of the public in the event of a strike will remain the government's overriding objective.

Mr. Laws: To ask the Deputy Prime Minister what plans he has to *(a)* restrict the marketing and use of fireworks during strikes by firefighters and *(b)* introduce special measures for areas with a high proportion of thatched properties; and if he will make a statement. [77000]

Mr. Raynsford: We have no plans to restrict the marketing and use of fireworks during any strike by the firefighters, and no plans to introduce special measures for areas with significant numbers of thatched cottages. I have publicly said that people would be better advised to attend organised public firework displays than use them at home. Guidance has been issued to organisers of public displays. We are pleased that the Fire Brigades Union has now agreed and suspended its proposed strike action in this period leading up to Bonfire night.

Mr. Laws: To ask the Deputy Prime Minister what his estimate is of the number of fire fighting emergency vehicles which will be available in Somerset in the event of a firefighters strike; how many are available in a non-strike situation; and if he will make a statement. [77002]

Mr. Leslie: Emergency cover in Somerset, as for the rest of the country, will consist of a number of elements including Green Goddesses, breathing apparatus teams, rescue teams equipped with specialist equipment and the police. The Somerset Fire Brigade has 40 pumps and 15 special appliances. The provision of MoD emergency fire cover has been planned in consultation with the Chief Fire Officer to maximise the effectiveness of call-outs and the availability of a range of firefighting capabilities. The command and operational structure for emergency fire cover has been designed to enable maximum flexibility and use of available resources, whether from within a county or from assets deployed nearby in neighbouring counties.

Michael Fabricant: To ask the Deputy Prime Minister how many green goddess fire engines will be allocated to *(a)* Staffordshire and *(b)* the Lichfield Tamworth district during industrial action taken by the FBU. [77135]

Mr. Raynsford: In the event of a firefighters' strike, emergency cover in Staffordshire, as in the rest of the country, will consist of a number of elements, including Green Goddesses, breathing apparatus teams, rescue teams equipped with specialist equipment and the police. The provision of MoD emergency fire cover has been planned in consultation with the Chief Fire Officer to maximise the effectiveness of call-outs and the availability of a range of firefighting capabilities. The command and operational structure for emergency fire cover has been designed to enable maximum flexibility and use of available resources, whether from within a county or from assets deployed nearby in neighbouring counties.

Michael Fabricant: To ask the Deputy Prime Minister if he will issue mobile radio communications equipment to crews operating Green Goddess fire engines to communicate with emergency control centres. [77136]

Mr. Raynsford: Mobile telecommunications have been procured for use by the crews of the Green Goddesses in the event of a firefighters' strike, to facilitate communication with control centres.

Mrs. Gillan: To ask the Deputy Prime Minister what the average length is of firefighting training given to members of the armed services covering for the striking firefighters; whether all service personnel carrying out firefighting duties have been issued with protective clothing; under which health and safety guidelines the armed service personnel will be operating; what personal liability the members of the armed forces will have whilst attempting to rescue or help people in their firefighting role; and what life insurance he provides to armed service personnel carrying out firefighting duties. [77262]

Mr. Raynsford: Personnel have been trained and equipped to provide basic emergency fire and rescue cover. The level of training is dependent on the skills already held by personnel and the role that they would perform in the event of a strike. Drivers and basic crew only require a short training package because of the simple nature of the equipment. Fire Rescue Teams fulfil a more difficult role, which utilises technical equipment in dangerous situations. Some Fire Rescue Teams are already trained and experienced in the use of breathing apparatus and other specialist equipment but additional personnel have also been trained in these techniques. Other support training as well as driver training includes first aid training and specialist equipment maintenance training.

Basic training for fire rescue team personnel lasts up to five weeks, depending on skill levels and role, plus any other necessary follow on training. All military personnel carrying out firefighting duties are being issued with protective kit. While providing the emergency cover, military personnel would follow standard health and safety guidelines, and members of the Armed Forces would not be subject to personal liability. Normal insurance cover and support would be provided to all members of the Armed Forces, as they would be for any other operational duty.

Mr. Simon Thomas: To ask the Deputy Prime Minister (1) if he will list by constituency in Wales the number of Green Goddesses that will be available in each in the event of a Fire Brigade strike; [77437]

(2) if he will list by constituency in Wales the number of *(a)* specialist breathing apparatus rescue teams and *(b)* rescue equipment support teams that will be available in each in the event of a Fire Brigade strike. [77436]

Mr. Leslie: Emergency cover in Wales, as elsewhere, will consist of a number of elements including Green Goddess crews, breathing apparatus rescue teams (BARTs), regional equipment rescue teams (RESTs) equipped with specialist equipment and the police. The provision of MOD emergency fire cover has been planned in consultation with the Chief Fire Officer to maximise call-out response times and the availability of a range of firefighting capabilities.

The command and operational structure for emergency fire cover has been designed to enable maximum flexibility and use of available resources, whether from within a county or from assets deployed nearby in neighbouring counties. The deployment of fire fighters will be based on the assessment of how best to respond to an emergency in the quickest time possible.

Mr. Evans: To ask the Deputy Prime Minister what preparations he has made to ensure the safety and continuity of service to the public in the event of a firefighters' strike. [77670]

Mr. Raynsford: As the Deputy Prime Minister set out in his statement to the House on 22 October, the Government have put a range of measures in place to

secure public safety in the event of industrial action by the FBU. Our focus has been on taking what steps we can to safeguard life and, as far as possible, to protect property where the normal fire cover is not available. Detailed planning began in August and training started on 28 August. The plans are based on support from the armed services, and the acceptance by the police of additional responsibilities during an industrial action.

There are three main elements to the plans. First, on the assumption that the fire control centres will not be operating during the strike, arrangements are being made for fire service 999 calls to be redirected. Every call will be answered. Secondly, emergency cover will be provided by a range of appliances staffed by crews from the Army, RAF and Navy. Nationwide, there will be 827 Green Goddesses, which will be able to provide a basic firefighting capability. There will also be 331 specialist breathing apparatus rescue teams and 59 regional equipment support teams that will offer specialist skills.

Thirdly, the Government has made available basic safety guidance and information to the public and to business. That is being supplemented by a range of other measures such as a public information campaign on radio and television, a mail drop to some 4 million households and a letter to the 15,000 largest businesses giving specific advice on fire safety and general health and safety issues. In the event of strike by the FBU, the military and police, assisted by those firefighters and fire officers who choose to continue to work, will be in a position to provide a basic emergency service. We have always emphasised that the military cannot seek to replicate the cover provided by the Fire Service. With that in mind, the government has been working with industry and other players to introduce a range of measures to mitigate the effects of a FBU strike.

Local Government Finance (Service Men)

Mr. Flook: To ask the Deputy Prime Minister what the guidelines to local authorities are for imposing council tax concerning servicemen with homes in the UK but who spend considerable amounts of time abroad on duty. [77762]

Mr. Leslie: When a local authority determines council tax liability, a member of the armed services who spends time abroad is treated in the same way as anyone else who spends time abroad. Section 6 of the Local Government Finance Act 1992 sets out the basis of liability to pay council tax. A key factor in determining liability is whether the property is the person's sole or main residence. There is significant case law on this subject for local authorities and their legal advisors to call upon.

Police Authority Budgets

Ian Lucas: To ask the Deputy Prime Minister on which occasions a police authority budget has been capped since 1984. [76627]

Mr. Raynsford: I am only able to provide information on which English police authorities have their budgets capped. Since the creation of the National Assembly for Wales, local government finance has been a devolved matter and the responsibility of the Assembly. Prior to the creation of the National Assembly, capping in relation to authorities in Wales was the responsibility of the Secretary of State for Wales.

Since 1984, the following English police authorities have had their budgets (or precepts) capped for the purpose of the limitation of council tax (and its predecessors):

1986/87
Greater Manchester Police Authority
Merseyside Police Authority
West Yorkshire Police Authority

1988/89
Greater Manchester Police Authority
Northumbria Police Authority
West Midlands Police Authority
West Yorkshire Police Authority

1995/96
Lincolnshire Police Authority

West Midlands Regional Assembly

Mr. John Taylor: To ask the Deputy Prime Minister if he will list the members of the West Midlands Regional Assembly; where they are from; what their function is; how they were chosen; how they can be dismissed; what they cost; and how they are paid for. [77097]

Mr. Raynsford: The West Midlands Regional Assembly is a voluntary regional chamber designated under the Regional Development Act 1998. Its membership is a matter for the Assembly. The Government has awarded the Assembly £600,000 in 2002/03 to enhance its scrutiny role and strengthen regional accountability.

Schemes and Initiatives

Mr. Andrew Turner: To ask the Deputy Prime Minister if he will list the schemes and initiatives sponsored by his Department and its agencies which are not the subject of national roll out, showing *(a)* the authorities or areas covered by the scheme and *(b)* the budget of the scheme in the last year for which information is available. [75677]

Mr. Leslie: The schemes and initiatives sponsored by the Office of the Deputy Prime Minister and its agencies which are not the subject of national roll out are shown in the table, together with the budget for 2002–03 and the areas covered.

Programme/areas	*Budget 2002–03 (£ million)*
Coalfields Alnwick, Amber Valley, Ashfield, Barnsley, Bassetlaw, Blyth Valley, Bolsover, Broxtowe, Cannock Chase, Canterbury, Castle Morpeth, Chesterfield, Chester-le-Street, City of Durham, Derwentside, Doncaster, Dover, Easington, Erewash, Gedling, Hinckley & Bosworth, Kirklees, Leeds, Lichfield, Mansfield, Newark and	17.951

Programme/areas	*Budget 2002–03 (£ million)*
Sherwood, Newcastle under Lyme, North East Derbyshire, North Warwick, North West Leicestershire, Nottingham, Nuneaton and Bedworth, Rotherham, Rushcliffe, St Helens, Sedgefield, Selby, South Derbyshire, South Staffordshire, South Tyneside, Sheffield, Staffordshire Moorlands, Sunderland, Stoke-on-Trent, Tamworth, Wakefield, Wansbeck, Wigan	
European Regional Development Fund For Objective 1 and 2 areas see map at page 7 of the DTLR Introductory Guide to the European Regional Development Fund at http://www.urban.odpm.gov.uk/proqrammes/erdf/pdf/intro.pdf	175.431
Urban Regeneration Companies[2] Bradford, Camborne, Corby, Hull, Leicester, Liverpool, Manchester, Sheffield, Swindon, Tees Valley, Sunderland	—
Community Chest[3]	19
Community Empowerment Fund[3]	12
Neighbourhood Renewal Fund[3] Allerdale, Ashfield, Barking and Dagenham, Barnsley, Barrow-in-Furness, Birmingham, Blackburn with Darwen, Blackpool, Bolsover, Bolton, Bradford, Brent, Brighton & Hove, Bristol, Burnley, Camden, Coventry, Croydon, Derby, Derwentside, Doncaster, Dudley, Baiing, Easington, Enfield, Gateshead, Great Yarmouth, Greenwich, Hackney, Halton, Hammersmith and Fulham, Haringey, Hartlepool, Hastings, Hyndburn, Islington, Kensington and Chelsea, Kerrier, Kingston upon Hull, Kirklees, Knowsley, Lambeth, Leeds, Leicester, Lewisham, Lincoln, Liverpool, Luton, Manchester, Mansfield, Middlesbrough, Newcastle upon Tyne, Newham, North Tyneside, Nottingham, Oldham, Pendle, Penwith, Plymouth, Portsmouth, Preston, Redcar and Cleveland, Rochdale, Rotherham, Salford, Sandwell, Sedgefield, Sefton, Sheffield, South Tyneside, Southampton, Southwark, St Helens, Stockton-on-Tees, Stoke-on-Trent, Sunderland, Tameside, Tower Hamlets, Wakefield, Walsall, Waltham Forest, Wandsworth, Wansbeck, Wear Valley, Westminster, Wigan, Wirral, Wolverhampton	300
Neighbourhood Management Ashfield, Barnsley, Basildon, Bolton, Bournemouth, Camden, Chester, Chesterfield, Derwentside, Easington, East Staffordshire, Gloucester, Greenwich, Hastings, Kirklees, Lancaster, Newcastle under Lyme, Rotherham, Stockton-on-Tees, Tameside	11
New Deal for Communities Birmingham[2] , Bradford, Brent, Brighton and Hove, Bristol, Coventry, Derby, Doncaster, Hackney, Hammersmith and Fulham, Haringey, Hartlepool, Islington, Kingston upon Hull, Knowsley, Lambeth, Leicester, Lewisham, Liverpool, Luton, Manchester, Middlesbrough, Newcastle upon Tyne, Newham, Norwich, Nottingham, Oldham, Plymouth, Rochdale, Salford, Sandwell, Sheffield, Southampton, Southwark, Sunderland, Tower Hamlets, Walsall, Wolverhampton	170.95
Neighbourhood *Allerdale, Barnsley, Birmingham, Bolton*	4.5
Wardens Burnley, Coventry, Derby, Doncaster, Gateshead, Hackney, Hastings, Islington, Kerrier, Kingston upon Hull, Kirklees, Knowsley, Leeds, Lewisham, Liverpool, Manchester, Middlesborough, North Tyneside, Nottingham, Oldham, Plymouth, Portsmouth, Rotherham, Salford, Sedgefield, Sheffield, South Tyneside , Southwark, Stevenage, Stockton-on-Tees, Stoke-on-Trent, Sunderland, Tower Hamlets, Wakefield, Walsall, Wansbeck, Wigan, Wirral, Wolverhampton	
Street Wardens Allerdale, Barking and Dagenham, Barnsley, Birmingham, Bolsover, Bradford, Bristol, Burnley, Camden, Coventry, Doncaster, Easington, Gateshead, Great Yarmouth, Greenwich, Hackney, Halton, Hammersmith and Fulham, Haringey, Hastings, Hyndburn, Islington, Kerrier, Kingston upon Hull, Kirklees, Leeds, Lewisham, Liverpool, Luton, Manchester, Mansfield, Middlesborough, Newcastle upon Tyne, Nottingham, Preston, Redcar & Cleveland, Rotherham, Salford, Sandwell, Sheffield, South Tyneside, Southwark, Stockton-on-Tees, Stoke-on- Trent, Sunderland, Tameside, Tower Hamlets, Walsall, Wandsworth, Wansbeck, Wear Valley, Westminster	10
Business Brokers Burnley, Easington, Hastings, London (Brent and Newham), Luton, Nottingham, Sheffield, Stoke on Trent, West Cornwall	3.3

[1] 2001–02 figure. £52 million has been made available under the scheme to the Coalfields Regeneration Trust for the period 2001–04.

[2] URCs do not receive any central government funding. Running costs are met by the main partners(the local authority, the Regional Development Agency, English Partnerships (in some cases), the private sector and other key partners.

[3] Community Chest, Community Empowerment Fund and Neighbourhood Renewal Fund are available to each of the 88 listed Neighbourhood Renewal areas.

Travellers

Michael Jack: To ask the Deputy Prime Minister if he will make a statement on local authority reactions to his recently published proposals to deal with travellers. [75344]

Mr. McNulty: Since the Office of the Deputy Prime Minister and Home Office joint news release outlining the Government's proposals to tackle unauthorised Traveller camps was issued, the Office of the Deputy Prime Minister has received an overall positive response from local authorities to the new approaches.

Local authorities will continue to be kept informed on the progress of the forthcoming joint guidance, and will also be consulted on the findings of the recently published research on the provision and condition of local authority Gypsy/Traveller sites in England.

TRADE AND INDUSTRY

Arthur Andersen

Llew Smith: To ask the Secretary of State for Trade and Industry whether Andersen Accountants were chosen as prospective advisers on the restructuring of BNFL prior to the company's role in the collapse of Enron becoming known. [75456]

Ms Hewitt Arthur Andersen were chosen in November 1999 as jointly appointed Reporting Accountant to the Department and BNFL in relation to the potential introduction of a public-private partnership for BNFL. This appointment ended in December 2001. Deloitte and Touche acted as accountancy adviser to the Department on BNFL from March 2000. Following a competitive tender the Department decided in July 2002 to reappoint Deloitte and Touche as its accountancy adviser on BNFL and the proposed Liabilities Management Authority. In August 2002 Deloitte and Touche completed its transaction with Andersen UK under which partners and staff of Andersen UK joined Deloitte and Touche.

Beryllium

Llew Smith: To ask the Secretary of State for Trade and Industry what assessment was made of the likely end-use of Beryllium prior to export licences being granted for its export to Iran. [75884]

Nigel Griffiths: The Government attaches great importance to ensuring that UK exports are not misused, diverted or re-exported to undesirable end-uses, and this risk is among those identified in the consolidated EU and national aims export licensing criteria. The consolidated criteria set out factors to be considered by Member States in assessing the risk of diversion. The Government believes the best way of minimising the risk of diversion is a thorough risk assessment at the licensing stage and this process includes careful examination of information about the proposed end-use and end-user of the goods. After a detailed assessment of the individual circumstance—less than ½ ounce of the application it was judged that the proposed export of 10 grams of beryllium, to the University of Science and Technology in Tehran, did not give rise to concern about use in connection with weapons of mass destruction. In addition, after thorough scrutiny of the application, the Department and its advisors assessed the stated end use as legitimate.

Mr. Jenkin: To ask the Secretary of State for Trade and Industry which protocols have been signed by the United Kingdom banning the sale of beryllium to named countries. [76393]

Nigel Griffiths: I refer the hon. Member to my reply to the hon. Member for South Suffolk (Mr. Yeo) on 15 October 2002, *Official Report*, column 678W.

British Energy

Llew Smith: To ask the Secretary of State for Trade and Industry if she will list the meetings Ministers and departmental officials have had with British Energy since 1 August; and if she will place in the Library a copy of the financial agreement concluded with British Energy in September. [75689]

Ms Hewitt: My Department holds regular meetings with British Energy. Full details of the credit facility agreement are commercially confidential unless and until it is made public by British Energy.

Mr. Liddell-Grainger: To ask the Secretary of State for Trade and Industry how many people are employed by British Energy in the UK. [76133]

Ms Hewitt: This is a matter for the company.

Mr. Blunt: To ask the Secretary of State for Trade and Industry how long Project Blue related to British Energy has been under consideration in her Department. [76692]

Ms Hewitt *[holding answer 24 October 2002]:* I refer the hon. Member to the answer I gave on 15 October 2002, *Official Report*, column 667W to the hon. Member for South Suffolk (Mr. Yeo).

"Blue" is a word that my Department used in referring to British Energy. It is standard practice to use a code when dealing with sensitive matters to protect them from casual observers.

Business Link U

Brian Cotter: To ask the Secretary of State for Trade and Industry what the cost has been of establishing the Business Link U; and whether all Small Business Service and Business Link staff will be required to undertake training through this arrangement. [76834]

Mr. Timms: The cost of establishing the Business Link U (BLU) has been £1.42 million.

BLU, the virtual 'corporate university' for business development professionals, aims to meet the key learning priorities of the network of Small Business Service (SBS), Business Link Operator (BLO) and delivery partners. It will identify, capture and share what works well across the network and bring in excellence from outside. All SBS and BLO staff are not required to undertake training through the BLU. However, as BLU becomes synonymous with high quality learning, we expect it to become the preferred choice across the network.

Departmental Job Vacancies

Mr. McNamara: To ask the Secretary of State for Trade and Industry how many job vacancies there were at *(a)* administrative assistant or equivalent, *(b)* administrative officer or equivalent, *(c)* administrative executive officer, *(d)* higher executive officer, *(e)* senior executive officer, *(f)* grade 7 principal and *(g)* positions above grade 7 level in her Department for jobs located in *(i)* London and *(i)* the South East between 1 April 2001 and 31 March; and what is the total employment Civil Service grade. [76555]

Ms Hewitt: The Department of Trade and Industry does not maintain detailed data on numbers of vacancies. The position fluctuates over the year with the majority of vacancies being filled by internal transfers. The following table for the year 1 April 2001 to 31 March shows the number of vacancies filled through external recruitment and the total employment in DTI for each Civil Service equivalent grade as at 31 March 2002. It is not possible to distinguish between posts located in London and the South East:

	Vacancies filled	*Staff in Post 31.03.02*
Administrative Assistant	41	202
Administrative Officer	73	873
Executive Officer	40	788
Higher Executive Officer	25	860
Senior Executive Officer	6	316
Grades 7 and 6	15	685
Senior Civil Service	7	165

Developing Countries

Dr. Cable: To ask the Secretary of State for Trade and Industry pursuant to her answer of 4 December 2001, *Official Report*, column 145W, on export credits, if she will list the 63 poorest developing countries referred to; and if she will make a statement. [75217]

Ms Hewitt: ECGD support for the poorest developing countries is restricted to those projects that contribute to the social and economic development and do not harm the debt position of the destination country. The "productive expenditure" criteria apply to those countries only eligible for concessional loans from the World Bank's International Development Association (IDA-only countries). There are currently 65 such countries which are listed:

Afghanistan
Albania
Angola
Armenia
Bangladesh
Benin
Bhutan
Burkina Faso
Burundi
C.A.R.
Cambodia
Cameroon
Cape Verde
Chad
Comoros
Congo, Democratic Republic of
Congo, Republic of
Cote D'Ivoire
Djibouti
Eritrea
Ethiopia
Gambia
Georgia
Ghana
Guinea
Guinea-Bissau
Guyana
Haiti
Honduras
Kenya
Kiribati
Kyrgyz Republic
Laos
Lesotho
Liberia
Madagascar
Malawi
Maldives
Mali
Mauritania
Moldova
Mongolia
Mozambique
Myanmar
Nepal
Nicaragua
Niger
Rwanda
Samoa
Sao Tome and Principe
Senegal
Sierra Leone
Solomon Islands
Somalia
Sri Lanka
Sudan
Tajikistan
Tanzania
Togo
Tonga
Uganda
Vanuatu
Vietnam
Yemen, Republic of
Zambia.

Ferry Workers

Mr. Willis: To ask the Secretary of State for Trade and Industry (1) if British seamen on British-registered ferries employed through *(a)* Singapore and *(b)* Bermuda retain employment rights under British employment law; [76592]

(2) what measures are in place to ensure that British ferry companies enforce equal pay and conditions for all workers on their ships; [76595]

(3) what measures are in place to ensure that ferry workers on British-registered ferries are legally entitled to employment rights; [76594]

(4) what measures are in place to ensure that British ferry companies implement the European Working Time Directive. [76596]

Alan Johnson: Broadly speaking, the great majority of employment legislation applies to employees working on board ship, provided their ship is registered as belonging in a port in Great Britain, they do not work wholly outside Great Britain under their contract of employment and they are ordinarily resident in Great Britain. Where statutory minimum standards apply to terms and conditions of employment, employees can complain to the employment tribunals if they believe that those standards have not been met. There are some exceptions to the application of employment legislation to UK seafarers and I understand that the Department for Transport's Shipping Task Force is examining their position under the legislation.

Turning to the Working Time Directive, sea transport is one of the sectors that were excluded from the original Directive as it is covered by other legislation. Non-mobile workers are covered by the Horizontal Amending Directive (2000/32/EC), which is due to be implemented by 1 August 2003. Seafarers are covered by Council Directive 1999/63/EC, implemented by the Merchant Shipping (Hours of Work) Regulations 2002 and Merchant Shipping (Medical Examination) Regulations 2002 and Council Directive 1999/95/EC, implemented by the Merchant Shipping (Hours of Work) Regulations 2002. These regulations came into force in September 2002 and are enforced by the UK Maritime and Coastguard Agency as part of its normal inspection and enforcement regime.

Mr. Willis: To ask the Secretary of State for Trade and Industry what measures are in place to ensure that British ferry companies pay their national insurance contributions for the workers on their ships. [76593]

Dawn Primarolo: I have been asked to reply.

The Inland Revenue carry out a programme of inspections of employers' records to ensure that they are correctly operating both National Insurance Contributions and PAYE tax. UK shipping companies are included in that programme of visits. Particular attention is paid to the issue of liability to pay UK National Insurance Contributions. In addition checks are made on individual employees' details, when these are supplied at the year end, to ensure that National Insurance Contributions have been correctly calculated.

Insurance

Mr. Yeo: To ask the Secretary of State for Trade and Industry if she will make a statement on the cost to business of employers' and public liability insurance. [75241]

Ms Hewitt *[holding answer 21 October 2002]:* My Department is aware of recent increases to the cost to business of employers' and public liability insurance, which are the consequence of a number of factors, most notably the tightening of global insurance markets since September 11 last year. Although this is a cause for concern, Government generally do not interfere in what is essentially a competitive market on the basis that the terms and conditions of insurance policies are best set by insurers themselves in the light of their customers' needs, taking a commercial assessment of the risk to determine premiums. Companies experiencing difficulties in obtaining insurance cover are advised to contact Peter Staddon at the British Insurance Brokers' Association on 020 7397 0204 for general advice and assistance in finding a suitable insurance broker.

Ministerial Appointments

Mr. Yeo: To ask the Secretary of State for Trade and Industry if she will list the appointments she has made since 8 June 2001. [75234]

Ms Hewitt *[holding answer 21 October 2002]:* Ministerial appointments made to the public bodies for which my Department is responsible in the period since 8 June 2001 are listed in the table.

Public Body	*Number and Type of Appointments*
ACAS	3 Members
Airports Advisory Council	1 Chair
Biotechnology and Biological Sciences Research Council	1 Chief Executive, 5 Members
British Coal Corporation	1 Member
British Shipbuilders	1 Chair, 2 Members
Business Incubation Fund Investment Panel	1 Chair, 7 Members
Central Arbitration Committee	2 Deputy Chairs, 16 Members
Coal Authority	1 Chief Executive, 1 Member
Competition Commission	23 Members
Consignia	1 Chair
Council for the Central Laboratory of the Research Councils	1 Chair, 3 Members
Distributed Generation Co-ordinating Group	14 Members
East of England Regional Industrial Development Board	3 Members
Economic and Social Research Council	5 Members
Education and Training Export Group	1 Member
Employment Appeals Tribunals	17 Members
Employment Tribunals	1 Member
Energy Advisory Panel	1 Chair, 4 Members
Engineering and Physical Science Research Council	1 Chief Executive, 3 Members
Ethnic Minority Business Forum	25 Members
Fuel Poverty Advisory Group	1 Chair
Gas and Electricity Markets Authority	1 Member
Hearing Aid Council	3 Members

Public Body	*Number and Type of Appointments*
Industrial Development Advisory Board	2 Members
Intellectual Property Advisory Committee	1 Chair, 12 Members
International Oil and Gas Business Advisory Board	4 Members
London/South East Regional Industrial Development Board	5 Members
Low Pay Commission	1 Chair, 1 Member
Measurement Advisory Committee	1 Chair, 10 Members
Medical Research Council	4 Members
National Consumer Council	7 Members
Natural Environment Research Council	8 Members
North East Regional Industrial Development Board	2 Members
OFCOM	1 Chair, 4 Members
Particle Physics and Astronomy Research Council	1 Chair, 3 Members
Ports and Logistics Advisory Group	1 Chair
Postwatch	2 Members
Power Sector Working Group	1 Chair
Regional Advisory Group	1 Chair, 15 Members
Regional Development Agencies	4 Chairs, 39 Members
Simpler Trade Procedures Board	5 Members
Small Business Council	8 Members
South West Regional Industrial Development Board	4 Members
Spectrum Management Advisory Group	4 Members
Trade Partners America Advisers	3 Members
Trade Partners UK Europe Advisers	1 Member
United Kingdom Atomic Energy Authority	1 Chair, 3 Members
Water Sector Group	2 Members
Womens National Commission	1 Chair
Yorkshire/Humber/East Midlands Regional Industrial Development Board	2 Members

Non-devolved Posts

Annabelle Ewing: To ask the Secretary of State for Trade and Industry how many non-devolved posts were advertised in the press in each year from June 1999; and what percentage were advertised in the Scottish press. [76858]

Ms Hewitt *[holding answer 24 October 2002]:* The information requested is as follows:

Year	*Posts*
1999–2000	7
2000–01	8
2001–02	9

All these vacancies were advertised in the Scottish press.

NPower

Mr. Waterson: To ask the Secretary of State for Trade and Industry what representations she has received about improper transfer of energy accounts by npower; and if she will make a statement. [75898]

Ms Hewitt: I have received a number of representations about the erroneous transfer of gas and electricity supply by energy companies. Such transfers may arise from administrative or data problems or from sales malpractice. In January 2001, the Office of Gas and Electricity Markets (OFGEM), which regulates the sales activities of energy suppliers, imposed undertakings on npower following a rise in marketing complaints. These undertakings were lifted in April 2002 after npower met objectives agreed with OFGEM. OFGEM continues to monitor npower and other suppliers, and can investigate any company that appears to have breached the terms of its supply licence.

Passport to Export Scheme

Mr Blunt: To ask the Secretary of State for Trade and Industry (1) how the Passport to Export scheme is promoted; [75861]

(2) how many businesses took up the Passport to Export scheme in *(a)* financial year 2000–01 and *(b)* financial year 2001–02; [75863]

(3) what was *(a)* the budget and *(b)* the expenditure for the Passport to Export scheme in *(i)* financial year 2000–01 and (ii) financial year 2001–02. [75864]

Ms Hewitt: 'Your passport to export success' is a national Trade Partners UK programme, delivered regionally, to develop small businesses in international trade. Promotion is done regionally. There has been no national campaign, but the press has picked up success stories.

The programme is delivered through Business Links. Passport customers receive:

an assessment of their company's readiness for export;

the help of a locally based expert in international trade, who works with them on a one-to-one basis to develop their export plan;

subsidised training on specific skills gaps identified by the plan;

a visit to an overseas market identified in the plan; and

aftercare services to help them continue to grow their business using international trade.

To date 1,137 companies are taking part in the programme, 734 of which have been recruited in this financial year. Of these, 37 are located in Surrey. There is a mix of promotional activity tailored to the needs of each region's business community. In Surrey, for example, this has included a promotional event reinforced by articles in local media and publicity from partner organisations such as Chambers of Commerce.

Passport did not operate in financial year 2000–01, and there was no programme budget. In financial year 2001–02, 403 businesses joined the programme from its inception in autumn 2001.

In financial year 2001–02, expenditure was £2,099 million against a budget of £3,104.million.

Regional Development Agencies

Mr. Yeo: To ask the Secretary of State for Trade and Industry if she will list the members of each regional development agency, stating for each member the *(a)* date of, *(b)* length of, their appointment and *(c)* their qualifications for the job. [75237]

Ms Hewitt *[pursuant to her reply, 21 October 2002, Official Report, c. 71–72W]*: It has come to my attention that there were errors in the expiry dates of the appointments of some of the board members of the south west of England Regional Development Agency (SW RDA) and Yorkshire Forward (YF).

The amended appointment dates for current SW RDA and YF board members are detailed in the following table:

		Date of first appointment	*Date of re-appointment*	*Expiry date of appointment*
South West of England Regional Development Agency				
Lickiss	Michael	14/12/98	14/12/01	13/12/02
Ansari	Doris	14/12/98	14/12/01	13/12/03
Buckland	Nicholas	14/12/01		13/12/04
Chalke	Peter	14/12/98	14/12/01	13/12/02
Costley	Nigel	14/12/98	14/12/01	13/12/04
Holland	Helen	14/12/98	14/12/01	13/1.2/03
Kemp	Brian	14/12/01		13/12/04
Leece	Michael	14/12/98	14/12/01	13/12/04
Morris	Alfred	14/12/98	14/12/01	13/12/02
Nicholl	Robin	14/12/01		13/12/04
Pope	Jeremy	14/12/98	14/12/01	13/12/04
Porritt	Jonathon	14/12/99	14/12/02	13/12/05
Skellett	Colin	14/12/01		13/12/04
Yorkshire Forward				
Hall	Graham	14/12/98	14/12/01	13/12/03
Ashcroft	John	15/12/99		14/12/05
Barker	Muriel	14/12/98	14/12/01	13/12/03
Bosomworth	Eileen	14/12/01		13/12/04
Coburn	Jeanne	17/10/00		16/10/03
Cummins	Julian	14/12/98	14/12/01	13/12/02
Greenwood	Brian	14/12/98	14/12/01	13/12/03
Gregory	Richard	14/12/98	14/12/01	13/12/04
Haskins	Christopher	14/12/98	14/12/01	13/12/04
Hougton	Stephen	14/12/98	14/12/01	13/12/04
Jagger	Paul	14/12/98	14/12/01	13/12/03
King	Christopher	14/12/01		13/12/04
Malik	Adeeba	14/12/98	14/12/01	13/12/04
Pinnock	Kathryn	14/12/01		13/12/04
Warhurst	Pamela	14/12/98	14/12/01	13/12/02

Rural Post Offices

Mr. Drew: To ask the Secretary of State for Trade and Industry when the timetable is to be announced for the programme of financial support for rural post offices. [76978]

Mr. Timms: We have received advice from the Postal Services Commission on proposals for supporting the rural network from 2003 and details of substantial financial support will be announced shortly.

Dr. Cable: To ask the Secretary of State for Trade and Industry what plans the Government have to provide assistance to the Post Office Rural Network; and if she will make a statement. [77756]

Mr. Timms: The Government are committed to the maintenance of a nationwide network of post offices and placed a formal requirement on the Post Office in November 2000 to maintain the network and to prevent any avoidable closures of rural post offices.

The Government have already invested in modernisation comprising some £480 million to computerise the whole post office network. We have made available a £2 million fund to support volunteer and community initiatives to maintain or reopen post office facilities in rural areas where traditional services would otherwise close. Figures for end September 2002, showed that 168 applications—to a value of £825,000—had been assessed and approved and to that date payments of £529,000 have also been made.

We have received advice from the Postal Services Commission on proposals for supporting the rural network from 2003 and details of substantial financial support will be announced shortly.

Small Business Council

Brian Cotter: To ask the Secretary of State for Trade and Industry what new powers, responsibilities and resources the Small Business Council has been given in their recently extended remit to lessen the impact of regulations on small businesses. [76838]

Nigel Griffiths: William Sargent's role, as Chairman of the Small Business Council, has been enhanced to provide an "independent voice for small firms". He attends the Ministerial Panel on regulatory accountability and has access to my right hon. Friend the Prime Minister to discuss small firms matters. The resources available to the Small Business Council have increased allowing for 12 officials to support the council in its work to provide advice about the needs of small businesses.

Smart South West

Mr. Steen: To ask the Secretary of State for Trade and Industry how much of the annual budget of Smart South West is publicly funded; how many officials are employed; and if she will make a statement as to the nature and purpose of their work. [74937]

Alan Johnson *[holding answer 22 October 2002]*: The public funding known by the RDA is:

£60k from SWRDA to fund for a year the IT Sector Adviser within Smart South West, which finished this summer but is currently continuing on a three monthly basis until the post holder leaves.

£56k from the DTI to manage the SWRDA led "Outreach" project under the Broadband Fund.

Sub Post Offices

Mr. Drew: To ask the Secretary of State for Trade and Industry what discussions she has had with Consignia on a definition for different types of sub post office. [76979]

Mr. Timms: It is the responsibility of Post Office Ltd. to classify post office outlets. According to Post Office Ltd.'s classification a rural post office is one defined as serving a community which has up to 10,000 inhabitants.

Trade Partners UK

Mr. Blunt: To ask the Secretary of State for Trade and Industry what the annual budget is for Trade Partners UK for the financial year *(a)* 2001–02, *(b)* 2002–03 and *(c)* 2003–04. [75862]

Ms Hewitt: Trade Partners UK is the trade development arm of British Trade International, which is a joint operation of the Foreign and Commonwealth Office and the Department of Trade and Industry.

Trade Partners UK programme budget for the three years is as follows:

	£ million
2001–02 outturn	59.0
2002–03 estimated outturn	71.9
2003–04 plans	76.4

The administration costs relating to this expenditure are borne by the DTI and FCO.

WALES

Departmental Job Vacancies

Mr. McNamara: To ask the Secretary of State for Wales how many job vacancies there were at *(a)* administrative assistant or equivalent, *(b)* administrative officer or equivalent, *(c)* administrative executive officer, *(d)* higher executive officer, *(e)* senior executive officer, *(f)* grade 7 principal and *(g)* all positions above grade 7 level in his Department for jobs located in *(i)* London and (ii) the south-east between 1 April 2001 and 31 March; and what is the total employment for each civil service grade. [76558]

Peter Hain: I will reply to my hon. Friend as soon as possible.

Firefighters' Strike

Mr. Evans: To ask the Secretary of State for Wales what preparations he has made to ensure the safety and continuity of service to the public in the event of a firefighters' strike; and what the cost is to the Department of these actions. [77660]

Peter Hain: The Government have arranged for armed service personnel to provide basic emergency fire cover during any strikes by firefighters.

The additional cost of this cover in England and Wales will be met by ODPM.

Departmental Websites

Dr. Cable: To ask the Secretary of State for Wales if he will list the website links associated with his Department, including sites now dormant or closed, and indicating whether they are live, dormant or closed; what the start up costs were for each site listed; what the operating costs were in each year since start up for each site; which company hosted each site; what assessment takes place for each site; which company does the assessment; if he will place the assessment reports in the Library; and if he will make a statement. [75574]

Peter Hain: The Wales Office has one live bilingual website (www.walesoffice.gov.uk/www.swyddfa.cymru.gov.uk).

The total operating cost, including the start up cost which cannot be separately identified, of the Wales Office website between 1 April 1998 and 1 July 1999 was £7,867.

The Wales Office was not charged for the running of its website between 1 July 1999 and 1 September 2000.

The operating cost of running the website, including the development of bilingual content, between 1 September 2000 and 31 August 2001 was £5,699.

The Wales Office has not been invoiced to date for the operating cost between 1 September 2001 and 31 August 200, but it is understood the sum will be around £1,600.

The Wales Office website is hosted by Eduserv. Eduserv provide a rolling statistical assessment on the site which may be viewed at http://www.ossw.wales.gov.uk/statistics/ for the English site and http://www.swvddfa.cvmru.gov.uk/statistics/ for Wales.

CABINET OFFICE

UK Online Interactive

Mr. Tynan: To ask the Minister for the Cabinet Office what plans he has to expand UK Online Interactive; and if he will make a statement. [76322]

Mr. Alexander: My officials are working closely with other Government Departments and local authorities to significantly increase the content available through UK online interactive.

Mr. Tynan: To ask the Minister for the Cabinet Office what the cost of Phase One of the UK Online interactive project has been; and how this relates to planned costs. [76319]

Mr. Alexander: The cost for the UK online interactive project for the period up to the end of September 2002 has been approximately £300,000. This is in line with the projected costs.

FOREIGN AND COMMONWEALTH AFFAIRS

Bangladesh

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the law and order situation in Bangladesh. [76989]

Mr. Mike O'Brien: We have some concerns about the poor state of law and order in Bangladesh. We had hoped therefore that the countermeasures the Government are taking would have a lasting remedial effect. But we are concerned by reports of mistreatment of detainees, including deaths in custody. We are following closely the arrests of senior opposition

politicians on 17 October. Our high commission are raising our concerns with the Bangladesh Government. We look for the due process of law to be followed in all cases, and for the action of security forces and the treatment of detainees to be in accordance with internationally agreed standards.

Camp X-Ray

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs what statements made by UK citizens in Camp X-ray have been communicated to him; and if he will make a statement. [53080]

Mr. Mike O'Brien: I refer my hon. Friend to the statement given to the House on 21 January 2002, *Official Report*, columns 623–24, and the written answer given to my hon. Friend the Member for Glasgow, Anniesland (John Robertson) by my hon. Friend the then Parliamentary Under Secretary of State for Foreign and Commonwealth Affairs (Mr. Bradshaw). And to the written answer given by me on 13 June 2002, *Official Report*, columns 1397–98W, to my hon. Friend the Member for City of Chester (Ms Russell).

I am unable to give further details of the detainees' statements. They contain personal and confidential information the disclosure of which is exempt under the code of Practice on Access to Government Information Parts 4 and 12. I understand the information is also subject to the Data Protection Act.

Departmental Job Vacancies

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs how many job vacancies there were at *(a)* administrative assistant or equivalent, *(b)* administrative officer or equivalent, *(c)* administrative executive officer, *(d)* higher executive officer, *(e)* senior executive officer, *(f)* grade 7 principal and *(g)* all positions above grade 7 level in his Department for jobs located in *(i)* London and (ii) the South-East between 1 April 2001 and 31 March; and what is the total employment for each civil service grade. [76549]

Mr. Mike O'Brien: The number of job vacancies and the total employment for each civil service grade in the Foreign and Commonwealth Office is as follows:

Responsibility level	*Vacancies*	*Total staff*
Grades 6 and above	2	587
Grade 7	23	596
Senior executive officer	3	485
Higher executive officer	52	1,159
Executive officer	77	1,266
Administrative officer	93	1,037
Administrative assistant	216	360
Other	65	—
Total non-industrial staff	531	5,490

The figure given for total staff is as at April 2001. We are unable to separate the data into regions for this time period without incurring disproportionate costs. The vacancy figures are for the time period of 1 April 2001 to 31 March 2002.

The above figures include FCO Services.

Departmental Websites

Dr. Cable: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the website links associated with his Department, including sites now dormant or closed, and indicating whether they are live, dormant or closed; what the start up costs were for each site listed; what the operating costs were in each year since start up for each site; which company hosted each site; what assessment takes place for each site; which company does the assessment; if he will place the assessment reports in the Library; and if he will make a statement. [75591]

Mr. MacShane: The FCO has recently implemented a major web infrastructure project to enhance our global web presence. This has been achieved using funds from the Treasury Capital Modernisation Fund for e-Government initiatives. The objectives of the project are: to promote the UK more effectively to an overseas audience; to save running costs for UK missions' websites; to avoid duplication of effort; to provide a more customer-focused approach and improve service delivery of visas, passports and consular services; to join up on-line information offered by our public diplomacy partners (British Council, Trade Partners UK, Invest UK, British Tourist Authority and BBC World Service).

In January 2001 Logica plc won a competitive tender to provide a new web platform for hosting and running UK missions' websites world-wide and allowing future electronic submission of passports and visa applications. The following are on the platform already:

www.fco.gov.uk Main FCO site

www.ukvisas.gov.uk Joint FCO-Home Office site for visas

www.i-uk.com 'Britain Abroad' portal site (to launch 28 October 2002)

In addition over 100 UK missions world-wide currently run their own websites. These are linked from the FCO main site.

The total cost of developing and implementing the infrastructure and the first year of support has cost 6.6 million. We estimate substantial future staff and business efficiency savings from this new infrastructure. The web platform is hosted in-house and uses our global telephony network. Operating costs for e-Media Unit in the FCO are 269,000 pa, excluding staff.

The above sites were built following extensive market research and consumer surveys. A 'balanced scorecard' approach is taken to site assessment and benefits measurement. A company called 'Flow Interactive' has recently undertaken usability testing of the FCO main site with members of the public.

EU-SADC Meeting

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) whether representatives of his Department will attend the meeting on 7 and 8 November between Foreign Ministers of the European Union and the Southern African Development Community in Maputo, Mozambique; and if he will make a statement; [77302]

(2) what discussions his Department has had with the Government of Denmark concerning the decision to move the meeting on 7 to 8 November between Foreign Ministers of the European Union and the Southern African Development Community from Copenhagen to Maputo, Mozambique; and if he will make a statement; [77358]

(3) when his Department was informed of the decision to move the meeting on 7 and 8 November between Foreign Ministers of the European Union and the Southern African Development Community from Copenhagen to Maputo, Mozambique; whether his Department was consulted; what his assessment of the situation was; what advice he gave to other European Union countries concerning the decision; whether he agreed to the relocation; and if he will make a statement; [77301]

(4) what discussions his Department has had with representatives of the countries of the Southern African Development Community concerning the attendance of Zimbabwean officials at the meeting of Foreign Ministers of the European Union and the Southern African Development Community *(a)* when it was scheduled to take place in Copenhagen and *(b)* since it was moved to Maputo, Mozambique; and if he will make a statement; [77312]

(5) what his Department's policy is on the attendance of representatives of the Zimbabwean Government, targeted under the European Union's travel ban, at the meeting on 7 to 8 November between Foreign Ministers of the European Union and the Southern African Development Community in Maputo, Mozambique; what his policy was on their attendance at the meeting when scheduled for Copenhagen; whether other international meetings have been relocated during 2002 to enable members of the Zimbabwean Government to attend; and if he will make a statement. [77357]

Mr. Straw: The biennial EU-SADC ministerial meeting was originally scheduled to take place in Copenhagen on 7 to 8 November. In recent months, EU partners have regularly discussed the timing and location of this meeting in order to ensure there it remains coherent with wider EU policy, including targeted sanctions against named individuals in the ZANU (PF) regime.

The EU presidency—on behalf of the EU—expressed EU concerns in a series of meetings with Governments in the SADC region in August. In September, recognising that a meeting could no longer go ahead in Copenhagen as originally planned, Mozambique offered to host the meeting in Maputo on behalf of SADC. The EU decided on 17 October to accept the offer. The UK fully supported this decision.

The EU's relationship with SADC is important and wide-ranging. The Government have always made clear that a meeting should take place, but that the integrity of the EU's targeted sanctions on named Zimbabweans should be maintained. The Government will use the meeting to engage SADC countries on a range of issues. As a member of SADC, Zimbabwe is likely to attend the meeting. There are no plans for British Ministers to meet their Zimbabwean counterparts at Maputo. We are not aware of other international meetings having been relocated in 2002.

Palestine

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Palestinian authorities, with specific reference to Jenin. [76988]

Mr. Mike O'Brien: We regularly discuss the situation in Palestinian towns, including Jenin, with the Palestinian authority. We have repeatedly raised our concerns with the Israeli Government about the need to lift curfews and closures and to allow access to humanitarian organisations. At the time of Israel's Shield we made clear at highest levels our concerns over Israeli action in Jenin and across the West Bank and Gaza.

Job Advertisements

Annabelle Ewing: To ask the Secretary of State for Foreign and Commonwealth Affairs how many posts were advertised in the press in each year since June 1999; and what percentage of them were advertised in the Scottish press. [76857]

Mr. Mike O'Brien *[holding answer 24 October 2002]:* Since March 2000, all Diplomatic Service Generalist jobs, at all grades are advertised in *The Scotsman* and *The Herald.* Prior to this, we did not advertise in the Scottish, Welsh or Northern Irish press.

Malagasy Republic

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the situation in the Malagasy Republic. [76986]

Mr. Straw: On 24 September, Marc Ravalomanana, the President of Madagascar, announced that he would be dissolving the National Assembly and holding legislative elections before the end of the year. He sought international assistance to ensure that the elections would be held in a free and transparent manner.

UK election observers will form part of a 62 strong EU Election Observer team that will monitor the legislative elections. A contingent of 14 observers will arrive four weeks in advance of the elections to monitor the campaign, the investitures and official registration of candidates. The remainder of the team will arrive a week before the election date.

Our embassy, along with EU colleagues, the US and major donors in Madagascar, will continue to work constructively with the Government of Madagascar to promote democratic governance and transparency.

Travel Warnings

Dr. Julian Lewis: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the numbers of hits on the section of the Foreign and Commonwealth Office website dealing with travel warnings in relation to the numbers of British citizens visiting countries about which travel warnings have been issued. [76690]

Mr. Mike O'Brien: The travel area of the FCO website (www.fco.gov.uk/travel) receives an average of 675,000 page impressions per month. We are not able to ascertain separate figures for page impressions for individual country advice notices. Nor are we able to determine how many of these inquiries are from British nationals. So we are unable to make such an assessment.

Vietnam

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Government of Vietnam regarding the persecution of Christians in that country. [76612]

Mr. Mike O'Brien: We condemn all instances of persecution of individuals for their faith or belief. The UK Government take every opportunity to press the Vietnamese government to adhere to its international human rights obligations: I raised human rights, including the position of ethnic minorities in the Central Highlands, with the Vietnamese Foreign Minister Mr. Nien in June. Our Embassy in Hanoi is a leading player in the EU Human Rights Working Group which has a regular human rights dialogue with the Vietnamese Government. Religious freedom is raised in this forum, for example at its most recent meeting on 16 October.

INTERNATIONAL DEVELOPMENT

Zimbabwe

Mrs. Spelman: To ask the Secretary of State for International Development if she will make a statement on the *(a)* political manipulation of food aid and *(b)* selective starvation being carried out in Zimbabwe by its Government. [76887]

Clare Short: It is a fundamental principle of the international and bilateral agencies working in Zimbabwe and elsewhere that food aid is targeted on the basis of need alone, and is not politically determined. The World Food Programme is working through non-governmental organisations under an agreement with the Government of Zimbabwe that enshrines this principle. Our bilateral feeding Programmes also work through NGOs on the same criteria, and within NGOs' established operational agreements with the Government of Zimbabwe. DFID and other donors are closely monitoring events on the ground to ensure that principles and agreements are honoured, and where problems are found or reported, that these are resolved through transparent complaints procedures.

Food assistance through the Government of Zimbabwe does not operate to similar levels of openness and transparency. I share the concern that there appears to be selective distribution. Whilst I am very concerned about malnutrition and hunger, it is premature to suggest there is starvation. But I have joined the UN in urging donor countries to help reduce the food gap in Zimbabwe to avoid crisis which remains all too possible.

Mrs. Spelman: To ask the Secretary of State for International Development what assessment her Department has made of *(a)* the obstruction of food aid and *(b)* human rights abuses committed by the Zimbabwe Government against the Zimbabwean people; and what her Department's strategy is for dealing with the obstruction of food aid by President Mugabe. [76904]

Clare Short: There has been no systematic obstruction of food aid provided by the UN agencies and international donors in Zimbabwe. There have been particular problems in one or two areas and for particular organisations apparently attributable solely to bias on the part of the authorities or local activists. There is on-going negotiation in country on problems for two UK NGOs. Where problems have arisen, aid has been suspended until the organisations concerned have been satisfied that unfettered distribution can resume. At present the major constraints to food aid are the need to scale up the capacity of all the implementation organisations, and to get full funding of the UN appeal.

This House is well aware of Government's concern about the on-going abuse of human rights in Zimbabwe. We deplore the continuing record of oppression and human rights abuse to suppress legitimate opposition and criticism of its disastrous policies.

Mrs. Spelman: To ask the Secretary of State for International Development how much money her Department has given to the UN World Food Programme in Zimbabwe. [76903]

Clare Short: DFID has provided a total of £10.5 million for WFP feeding programmes in Zimbabwe, and £45,000 to strengthen food logistics management in country.

Mrs. Spelman: To ask the Secretary of State for International Development if she will make a statement on the banning of Oxfam and Save the Children from distributing the World Food Programme food by the Zimbabwean Government; and what discussions her Department has had with *(a)* Oxfam and *(b)* Save the Children following the ban. [76906]

Clare Short: Applications by Save the Children and Oxfam to act as implementing partners for the WFP feeding programme have not yet been approved by the Ministry of Social Welfare in Zimbabwe. The UN takes the view, as do I, that these highly respected and experienced organisations could make an important contribution to the feeding effort. Discussion continues between the UN, the NGOs and the Zimbabwe authorities. DFID has been fully consulted, and maintains an on-going dialogue on operational concerns for these and other UK based NGOs in Zimbabwe.

Intellectual Property Rights

Mrs. Spelman: To ask the Secretary of State for International Development if she will make a statement on the report of the Commission on Intellectual Property Rights. [76891]

Clare Short: The report of the Commission on Intellectual Property Rights "Integrating Intellectual Property Rights and Development Policy" was published on 12 September this year. I attended a launch event in Geneva on 16 September, along with Dr. Supachai Panitchpakdi, Director General of the

World Trade Organisation, and Dr. Kamil Idris, Director General of the World Intellectual Property Organisation. The report has been widely commended as an important contribution to the debate on how intellectual property rules and practices can work better for developing countries, and contribute to the achievement of the Millennium Development Goals.

The Government established the commission as part of its wider effort to ensure global rules and institutions serve all countries equitably and take full account of the needs of developing countries. The commissioners, two of whom were from developing countries, brought a wide range of expertise to bear in science, law and economics. They included representatives from Government, the legal profession, academia and industry. The report is available in the Libraries of the House and on the commission's website www.iprcommission.org.

The Government are grateful to the commission for its report. We welcome it as a very useful and constructive contribution to the debate on these important issues. We will encourage the widest possible debate on its proposals and will make it available in all relevant fora. Although commissioned by the British Government, the recommendations of the commission are directed at policymakers in all Governments, at the national and international institutions involved in intellectual property policy, and other important stakeholders such as industry and NGOs. The Government hope serious consideration will be given by these bodies to the recommendations of the report.

There is much detail in the report which requires careful consideration. The Government are currently considering its own response to the detailed recommendations of the commission and hopes to publish this early next year.

Dr. Tonge: To ask the Secretary of State for International Development what action the Government are planning to implement the recommendations in the report of the Commission on Intellectual Property Rights. [76968]

Clare Short: The Government are currently considering the detailed recommendations of the report of the Commission on Intellectual Property Rights. We have welcomed the report as an important contribution to the debate on how intellectual property rules and practices can work better for developing countries, and contribute to the achievement of the Millennium Development Goals.

It is planned that the Government's response to the report will be published early next year. That response will set out how they plan to address the Commission's recommendations and to pursue their implementation. It should be noted that most of the report's recommendations are directed to all governments and institutions involved with intellectual property. The Government hope these other bodies will also consider carefully the report's recommendations.

Malawi

Mrs. Spelman: To ask the Secretary of State for International Development if she will make a statement on *(a)* her Department's support for clinical services and *(b)* levels of maternal mortality in Malawi. [76893]

Clare Short: My Department's support to the National Sexual and Reproductive Health Programme (SRHP) and Communicable Diseases control programme contribute to improved clinical services in Malawi.

Under the SRHP DFID provides for:

increased access to, and utilisation of, cost effective STI treatment and prevention down to the health centre level;

essential laboratory services including laboratory test reagents, kits and associated training for HIV/AIDS and STI support work;

upgrading of clinical facilities, including laboratories, maternity wards, delivery rooms and operating theatres;

provision of drugs and equipment that support emergency obstetric care;

life saving skills training, advanced midwifery training, and overall administrative, clinical and technical skills strengthening.

The communicable disease component of DFID's work supports the National Tuberculosis Control Programme, by providing:

ambulatory treatment (Directly Observed Treatment)

new standardised, and more effective regimes of treatment

decentralised laboratory diagnosis.

In the longer term, joint donor support to the Ministry of Health, through a sector-wide approach, will address all levels of clinical service provision.

Maternal mortality in Malawi is increasing. The 2000 Malawi Demographic and Health Survey indicates a doubling in the figure to 1,120 deaths per 100,000 live births. The reasons are complex, and the cause of death is not always clear. However the increase can in part be attributed to the declining health system, the methodological means of measuring mortality where HIV/AIDS is increasing rapidly, and the current food crisis (where health is compromised by other factors such as increasing poverty, suppressed immune systems and poor nutritional status).

Mrs. Spelman: To ask the Secretary of State for International Development if she will make a statement on her Department's approach to healthcare in Malawi. [76896]

Clare Short: DFID supports the Government of Malawi's efforts to provide comprehensive sexual and reproductive health, communicable disease control, and health systems development. Sexual and reproductive health assistance is increasing access to reproductive, maternal and sexual health services, and fostering adoption of safer sex practices especially among the poor, young people and marginalised groups. It will also have a positive effect in countering the rate of increase of HIV/AIDS. The communicable disease control elements support strategies to combat the spread of tuberculosis, to improve immunisation coverage of childhood diseases, and to increase treatment and prevention of malaria. Systems development activities will strengthen the government's Central Medical Stores and drug supply chain, develop a cost effective essential medical laboratory service, and develop an Essential Health Package.

In the longer term, DFID and other donor partners are supporting the Malawian Government's objective of working towards a sector-wide approach for delivery of health assistance. The SWAp is currently under design will support nationally defined health policies and strategies to improve the health status of all Malawians.

Mrs. Spelman: To ask the Secretary of State for International Development how her Department's budget for improving health care in Malawi is spent. [76894]

Clare Short: My Department's health programme in Malawi is focused in three main areas: sexual and reproductive health, communicable disease control, and health systems development. This represents a total commitment of £100 million between 1997–2008.

Health Care Systems

Mrs. Spelman: To ask the Secretary of State for International Development what assessment she has made of the effectiveness of sector-wide approaches in improving the health care systems of poor countries. [76898]

Clare Short: Health sector-wide approaches (SWAPs) enable better priority setting in the context of locally-owned strategies for improving health outcomes for the poorest. They facilitate joined up working between development partners, Governments and other stakeholders, and eliminate duplication and ineffective donor activity. Assessments of health SWAPs have been undertaken by inter alia the Overseas Development Institute. These show that SWAPs are more than a change in the form which development assistance takes. They are responsible for increased Government ownership and commitment to delivering accessible health care to the poorest through strengthened health systems.

In most cases it is still too early to assess the long term impact of SWAPs on health outcomes for the poor. However, there are many early positive outcomes. In Uganda and Tanzania the SWAP has helped better identify the health needs of the poorest. In Uganda, Mozambique and Ghana, more people are using health services. But SWAPs are a partnership: they will only deliver real pro-poor benefits with the continued political will and investment of both donors and developing country partners.

Angola

Mrs. Spelman: To ask the Secretary of State for International Development what recent discussions her Department has had with the Government of Angola about the humanitarian situation. [76885]

Clare Short: I discussed the humanitarian situation with the Government of Angola during my visit to Angola in April 2002. We discussed the need to follow up the peace agreement with urgent measures to assist all displaced people within the country, and to help them return to their homes as rapidly as possible.

Our embassy in Luanda is pressing the Angolan Government on a regular basis to do more to address the dire humanitarian situation and commit more of their own resources to meet humanitarian needs in an open and transparent fashion.

We are deepening our relationships on this issue with the Government of Angola through increased ministerial contact, and through dialogue at all levels.

John Barrett: To ask the Secretary of State for International Development what impact she estimates landmines within farmland have had on food production in Angola. [76761]

Clare Short: The presence of land mines in Angola has understandably led Angolans to believe that they cannot move around their country in safety. This affects all aspects of rural life, and has meant that much farmland remains unused. Given that the season for planting seeds is now coming to an end, this is likely to have a significant impact on food production in Angola. As a result, demining of residential areas targeted for returnee communities, and their agricultural land, is the main priority for the clearance agencies after roads and bridges.

John Barrett: To ask the Secretary of State for International Development if she will make a statement on the progress being made towards the rebuilding of Angola's transport infrastructure. [76755]

Clare Short: Along with almost all other elements of the national infrastructure, the network of roads, bridges and railways has been severely damaged by the civil war. The Angolan Government has made rehabilitating the transport infrastructure a top priority, and some progress is now being made with vehicles able to reach the interior of the country, bringing goods and people. Arguably, however, rebuilding the physical infrastructure is only one of the key tasks which confronts the Government of Angola. They also urgently need to re-focus government spending on the social sector, in particular health and education, and to improve the macro-economic management of the country.

John Barrett: To ask the Secretary of State for International Development what correspondence she has had with civil society in Angola to ensure the adherence to human rights within the country. [76756]

Clare Short: The UK Government maintain a constant dialogue with Angolan civil society through our embassy in Luanda. I also met with a number of civil society organisations during my visit to Angola in April this year. The Government have supported a number of projects with civil society—both directly, through the bilateral aid programme and through the UN and the EU—designed to empower Angolans to engage with their government for themselves. We are also working closely with the Human Rights Division of the UN.

John Barrett: To ask the Secretary of State for International Development what assessment she has made of the levels of spending by the Government of Angola on basic social services since the end of the civil war; and if she will make a statement. [76757]

Clare Short: It is too early to assess the levels of spending on basic social services since the end of the civil war. What we do know at this stage is that a revised budget for the second half of 2002 (approved by the National Assembly) has increased commitments tospending on social services. In addition, the United Nations, in partnership with the Angolan Government,

have recently completed an assessment of public financing of social sectors in Angola. The objective of the study was to make practical recommendations regarding the distribution of resources and budget management mechanisms. We will encourage the Angolan Government to take these forward and ensure effective social service delivery.

John Barrett: To ask the Secretary of State for International Development what progress has been made towards the reintegration of Angolan refugees returning to their country of origin from neighbouring countries. [76758]

Clare Short: UNHCR estimates that there are around 440,000 Angolan refugees in Zambia, Democratic Republic of Congo (DRC) and Namibia. UNHCR are co-ordinating the return and resettlement of these refugees. However plans are at an early stage, and although some refugees have chosen to return to Angola under their own steam, UNHCR do not expect to begin their return programme until 2003. The reintegration of refugees will take place against the backdrop of the widescale return of internally displaced people (IDPs) and former fighters anticipated by the Government. In reintegrating all three groups, it will be vital to ensure that adequate services reach the resettlement areas. We expect the Government of Angola to take the lead in this, and are pressing them to ensure that all resettlement is carried out in line with the Norms for Return and Re-settlement which are now part of Angolan law, and are based on the guiding principles drawn up by Francis Deng, the UN Special Rapporteur.

John Barrett: To ask the Secretary of State for International Development what evidence has been collated by the Government relating to whether the Norms for the Resettlement of Displaced Populations in Angola are being effectively followed; and if she will make a statement. [76759]

Clare Short: We very much welcome the incorporation into Angolan law of the Norms for the Resettlement of Displaced Populations. However we remain concerned by allegations that a significant proportion of recent resettlements have not been carried out in line with these Norms. We will continue to press both the Government and the international community to help ensure these Norms are applied in future resettlement programmes.

John Barrett: To ask the Secretary of State for International Development, how many unexploded landmines are estimated to remain in Angola. [76760]

Clare Short: My Department's Conflict and Humanitarian Affairs Department (CHAD) carried out an assessment mission to Angola in July to determine the extent of the humanitarian crisis there. They found that according to mine-clearance agencies, the number of mines in Angola is now considerably lower than the previously estimated 13 million. Earlier this month, the national co-ordinator of Angola's Inter-sectoral Commission for Demining and Humanitarian Assistance (CNIDAH) estimated that Angola has about 4–5 million unexploded landmines.

John Barrett: To ask the Secretary of State for International Development what assistance her Department has provided to *(a)* the Government of Angola and *(b)* NGOs for the clearance of landmines in Angola. [76762]

Clare Short: My Department has allocated US$ 459,000 to UNDP for a project aimed at improving the effectiveness of mine action through strengthened coordination and planning at the provincial level. This project is included in the revised 2002 UN Consolidated Appeal (CAP) for Angola. We will also be contributing 19.7 per cent. of the 6 million euro which the EC has recently made available for mine action in Angola. This includes 5 million euro for a variety of mine-clearance agencies. We have provided no direct assistance to the Government of Angola for the clearance of land mines.

John Barrett: To ask the Secretary of State for International Development what assessment she had made of the success of efforts to provide agricultural assistance in Angola before September. [76763]

Clare Short: Angola is a very fertile country, and its agricultural potential is significant. Many of the internally displaced people (IDPs) and ex-combatants around the country have begun to plant, using seeds and tools provided by the international community. If this agricultural development is to be a success, Angolans will need timely provision of seeds and tools, and access to food and shelter (as well as a civil administration, schools and medical services and a functioning local judicial system) during the growing period. They will then need access to markets to exchange their surplus agricultural products for goods and services which they cannot themselves provide. A holistic approach is therefore essential.

Mrs. Spelman: To ask the Secretary of State for International Development what recent discussions her Department has had with colleagues in *(a)* the UNHCR and *(b)* other parts of the United Nations about the humanitarian situation in Angola. [76873]

Clare Short: The British embassy in Luanda and officials in DFID maintain regular contact with the UN Humanitarian Co-ordinator, who in turn co-ordinates the work of the UN agencies and NGO humanitarian agencies. UNHCR are preparing to implement a programme of return for Angolan refugees in 2003. Meanwhile, the focus of the humanitarian community is on the immediate needs of the internally displaced people (IDPs) and the former UNITA fighters in quartering areas.

Mrs. Spelman: To ask the Secretary of State for International Development what her Department's strategy is for providing humanitarian relief to the people of Angola. [76874]

Clare Short: My Department's strategy for humanitarian relief is to fund a small number of significant interventions by well-established international agencies as part of multi-donor efforts to help address the greatest needs. For example, this year we have contributed £1.7 million to the United Nations and some £2 million to the International Committee for the Red Cross and Medecins Sans Frontieres.

In addition to providing a UK response, we remind the Angolan Government at every opportunity that it must take responsibility for the humanitarian needs of its own population.

Mrs. Spelman: To ask the Secretary of State for International Development what recent assessment her Department has made of the land mine problem in Angola. [76875]

Clare Short: My Department's Conflict and Humanitarian Affairs Department (CHAD) carried out an assessment mission to Angola in July to determine the extent of the humanitarian crisis there. They found that according to mine-clearing agencies, the number of mines in Angola is now considerably lower than the previously estimated 13 million. Nevertheless the presence of mines remains one of the biggest restrictions to humanitarian aid delivery and is a serious security threat. The mines are widely dispersed and the exact location of the minefields is not properly mapped or recorded. Roads and bridges are heavily mined and are a major priority for the clearance agencies, followed by residential areas targeted for returnee communities, and their agricultural land.

Mrs. Spelman: To ask the Secretary of State for International Development what her Department's strategy is for a demining programme in Angola. [76876]

Clare Short: My Department is fully aware of the threat posed by landmines to the delivery of humanitarian assistance and to personal security. In July my Department's Conflict and Humanitarian Affairs Department (CHAD) carried out an assessment mission to Angola to determine the extent of the humanitarian crisis there. With respect to demining, they concluded that we should focus our attention on strengthening the role of the UN in co-ordinating mine clearance activities and in mapping unexploded mines. To this end, we have recently allocated US$ 459,000 to UNDP for a project aimed at improving the effectiveness of mine action through strengthened coordination and planning at the provincial level.

Mrs. Spelman: To ask the Secretary of State for International Development (1) if she will make a statement on the money that the IMF has found missing from Angolan Government finances; [76877]

(2) what assessment her Department has made of the investigation by the IMF into money missing from Angolan Government finances. [76878]

Clare Short: Unaccounted funds are related to the lack of transparency in oil sector flows and weak public finance management. During the past five years, extra-budgetary expenditures have averaged 11 per cent. of GDP per year, and residual unexplained discrepancies in the fiscal accounts have averaged 12 per cent. of GDP per year (approximately $1 billion). Budget execution data have yielded a large share of expenditures as unclassified; substantial funds received as signature bonuses for oil contracts and oil royalties have been outside the control of the Treasury; oil companies have given money to funds and foundations with little independent oversight; and non-transparent external debt transactions have been made. My Department is working with others to address these issues in a number of ways.

On oil sector flows:

We are encouraging the Angolan Government to make public the findings of an oil diagnostic study undertaken by independent consultants. Initial drafts of the study have already helped to shed light on oil receipts.

The Angolan Government have agreed with the IMF on the need for an independent financial audit of the state oil company (Sonangol). Details, however, have not yet been discussed.

We are participating in an international effort to encourage oil companies to publish their payments to the Angolan Government.

We are participating in the promotion of corporate social responsibility in ways that increase accountability for expenditure of oil revenues.

On public finance management:

The World bank and other donors are providing technical assistance to improve transparency of public finance flows and build stronger accounting systems.

We are working on ensuring a consistent message from the international community that good governance and transparency are preconditions to international assistance, foreign investment, growth and poverty reduction.

We are encouraging the Angolan Government to resume their dialogue with the IMF and establish a strong and transparent macroeconomic framework.

Mrs. Spelman: To ask the Secretary of State for International Development what structures are in place to audit UK aid money provided to Angola. [76879]

Clare Short: UK development funds for Angola are paid through international agencies such as the UN and the World bank. They are therefore open to the audit processes of those agencies, of DFID's Internal Audit Department and of the UK National Audit Office (NAO).

Mrs. Spelman: To ask the Secretary of State for International Development what anti-corruption measures her Department supports in Angola. [76880]

Clare Short: My Department does not support any specific anti-corruption measures in Angola. However we are working closely with the international community to make clear to the Government of Angola that good governance and transparency are preconditions to international assistance, foreign investment, growth and poverty reduction. We are also encouraging the Angolan Government to resume its dialogue with the IMF and establish a strong and transparent macroeconomic framework.

Mrs. Spelman: To ask the Secretary of State for International Development what her Department's strategy is for supporting agriculture in Angola. [76881]

Clare Short: As a relatively small donor in Angola, my Department's strategy is based around a series of focused interventions in sectors where we feel we can best add value. These interventions include support to the disarmament, demobilisation and reintegration (DDR) process, provision of basic services in peri-urban shanty towns, and support to the interim Poverty Reduction Strategy Paper (I-PRSP). We do not at present plan to support activities in the agricultural sector. However a number of other donors, including the USA and the UN Food and Agriculture Organisation (FAO), have been carrying out seeds and tools programmes designed to help displaced people resettle on agricultural land.

Mrs. Spelman: To ask the Secretary of State for International Development what assessment her Department has made of the humanitarian relief programme in Angola since April. [76882]

Clare Short: The humanitarian situation in Angola is very serious. Prior to April 2002, more than 80 per cent. of the country was inaccessible. Since the cease-fire, already over-stretched aid agencies have been able to reach many thousands more severely malnourished people. The UN Under Secretary for Humanitarian Affairs and Emergency Relief Co-ordination, Kenzo Oshima, estimated that a quarter of the population—3 million people—would require assistance in the next few months. WFP has raised its caseload figure of people requiring assistance to 1.9 million and this is expected to rise further following a DFID funded comprehensive needs assessment.

The UK has been working hard to ensure that donors and implementing partners develop a consensus view on future needs. The Government remain in close contact with international partners, and will remain at the forefront of diplomatic and political efforts to ensure that humanitarian assistance can be delivered more effectively.

Mrs. Spelman: To ask the Secretary of State for International Development what recent discussions her Department has had with the World Food Programme on their recommendations for the establishment of a reception and transit centre for refugees returning to Angola. [76883]

Clare Short: UNHCR are co-ordinating the return and resettlement of refugees to Angola, and WFP will form part of the international community's response. However plans are at an early stage, and although some refugees have chosen to return to Angola under their own steam, UNHCR do not expect to begin their return programme until 2003. UNHCR have been keeping donors up to speed with their plans, but my Department had no specific discussions with them at this stage. Our focus to date has been on the urgent needs of internally displaced people (IDPs) and the former UNITA fighters, many of whom have begun to be resettled by the Government. We are in very close touch with WFP, and other agencies, on this and have recently given £250,000 to the International Organisation for Migration (IOM) for a project to assist the return and reintegration of IDPs in the Kuanza Sul and Huambo Provinces.

Mrs. Spelman: To ask the Secretary of State for International Development what funding her Department has given to aid the humanitarian situation in Angola in the last 12 months. [76884]

Clare Short: Over the last 12 months, my Department has contributed £1.7 million to the United Nations appeal for Angola to ensure that critical humanitarian needs are met and to assist in the reception areas for ex UNITA fighters. We have also committed some £2 million to the International Committee for the Red Cross and Medecins Sans Frontieres, who are at the forefront of the humanitarian response.

My Department has approved a further £3 million for the humanitarian relief effort in Angola for this financial year. Approved contributions include £750,000 to assist with World Food Programme logistic, £300,000 for the United Nations Development Programme for demining and £250,000 to assist the International Organisation for Migration with the resettlement of internally displaced people.

Mrs. Spelman: To ask the Secretary of State for International Development what UN agencies which her Department supports are working in Angola; and what financial commitment her Department has made to these programmes. [76886]

Clare Short: My Department is working closely with the Office for the Co-ordination of Humanitarian Affairs in Angola, which in turn co-ordinates the work of the UN agencies and NGO humanitarian agencies.

So far this year, my Department has contributed £1.7 million to the Office for the Co-ordination of Humanitarian Affairs (OCHA) in Angola, to ensure that critical humanitarian needs are met and to assist with the reception areas for ex-UNITA fighters.

My department's response to the latest UN appeal will be significant. Approved contributions so far include £750,000 to assist with World Food Programme logistics, £300,000 for the United Nations Development Programmes for demining and £250,000 to assist the International Organisation with the resettlement of displaced people.

Anti-corruption Commissions

John Barrett: To ask the Secretary of State for International Development which anti-corruption commissions are in receipt of financial assistance from the Government. [76770]

Clare Short: Anti-corruption commissions in Honduras, Malawi, Pakistan, Sierra Leone, Uganda, Zambia are in receipt of financial assistance from my Department.

We are also currently developing support to the Independent Corrupt Practices Commission in Nigeria.

Support for anti-corruption commissions is normally only one part of wider programme of activity to bear down on corruption.

Belize

Mr. Tom Clarke: To ask the Secretary of State for International Development what progress has been made on the Government of Belize's application for relief under the Commonwealth Debt Initiative. [77622]

Clare Short: Following an assessment by my officials in August 2002, I wrote to Prime Minister Musa on 24 September 2002 advising him that I was able to agree debt relief amounting to £1.4 million under CDI for the period 30 June 2001 to 1 July 2002.

Corruption

John Barrett: To ask the Secretary of State for International Development what steps she is taking to tackle low public sector wages in developing countries. [76749]

Clare Short: Low public sector wages are one of the major constraints to the improved provision of services in many of our partner countries. However, all countries, not only developing ones, have limits regarding the affordability of pay increases. My Department is working with developing country governments in reforming all aspects of public sector management, which includes, where relevant, strategies to increase revenue as well as improving terms and conditions of service. Other reforms are also important—such as better recruitment practice and performance management for all staff. But these reforms can be implemented only where Governments are committed to their implementation; we cannot demand that action be taken.

John Barrett: To ask the Secretary of State for International Development if she will make a statement on the estimated impact of the level of public sector wages on the potential for corruption in developing countries. [76750]

Clare Short: There is conflicting evidence on the impact of low public sector wages alone on the potential for corruption. It is widely assumed that extremely low public sector wages create a motivation for corrupt practices. However, there is increasing evidence that public sector wages will only have an impact on the levels of corruption when it is part of a comprehensive package of civil sector reform, including among others, merit-based recruitment and promotion, replacement of corrupt personnel (particularly managers) and appropriate training.

John Barrett: To ask the Secretary of State for International Development which developing countries are in receipt of support from her Department in the development of parliamentary commissioners for the investigation of corruption. [76751]

Clare Short: DFID's collaboration with the World Bank Institute on anti-corruption programmes in 14 countries in Africa, Asia and Eastern Europe includes assistance specifically directed towards parliamentarians and parliamentary oversight committees. This can cover both the role of Parliament in the budget making process and the subsequent scrutiny function through oversight institutions such as Public Accounts Committees, Offices of Auditor-General and Offices of Ombudsmen. Countries covered by this programme are Ghana, Kenya, Malawi, Nigeria, Tanzania, Uganda, Zambia, India, Indonesia, Pakistan, Bulgaria, Romania, Russia and the Ukraine.

John Barrett: To ask the Secretary of State for International Development what support her Department provides to developing countries for the strengthening of criminal justice systems. [76752]

Clare Short: In September 2000 my Department published a policy document called "Justice and Poverty Reduction". Copies are available in the House of Commons Library and on our website.

The document recognises that fair and effective criminal justice systems are critically important to the elimination of poverty. In many countries we are supporting partner governments to improve the effectiveness of policing, to support penal reform, and to promote speedy and fair trials. Civil society groups are supported in their efforts to provide community safety and protect human rights.

Innovative sector-wide programmes in Uganda, Nigeria, and Malawi support efforts to improve co-ordination among different actors in the justice system, and to address common problems. More sector-wide programmes of this kind are in the planning stages, and should commence in the next 12 months.

John Barrett: To ask the Secretary of State for International Development what steps she is taking to make the *(a)* reporting and *(b)* recording of corrupt practice in development programmes easier. [76769]

Clare Short: DFID procedures are designed to uncover corrupt practices in programmes that we finance. We encourage and investigate any reports or allegations of corrupt practices, respecting the confidence of the informant in line with the Public Interest Disclosure Act 1998.

John Barrett: To ask the Secretary of State for International Development if she will make a statement on the role of local media in combating corruption in developing countries; and what steps she is taking to support local media in developing countries. [76771]

Clare Short: Well targeted investigative journalism can expose corrupt practices in government and promote accountability in public life. DFID supports media development in a number of developing and transition countries, and published guidance on developing free and effective media to serve the interests of the poor in July 2001. Copies of "The Media in Governance" are available in the House of Commons Library and on our website.

John Barrett: To ask the Secretary of State for International Development what action is being taken to improve the local banking systems in developing countries. [76773]

Clare Short: We have committed £20 million to a new multilateral initiative that will provide technical assistance to strengthen banking and financial supervision in developing countries. In addition, we are engaged in various activities to improve the delivery of banking services to poor people, and to small and medium-sized enterprises. This includes an £18.5 million challenge fund to promote innovative financial services for the poor, and support to microfinance institutions in Africa, Asia and Eastern Europe.

John Barrett: To ask the Secretary of State for International Development what precautionary steps are taken to reduce the potential for petty corruption in development projects funded by her Department. [76753]

Clare Short: All proposals for development projects funded by DFID are required to set out acceptable accounting, procurement and audit arrangements in order to minimise the risk of petty corruption. Projects are also subject to periodic monitoring to ensure that resources are used as agreed. Where weaknesses are identified in systems used by partner governments or organisations, we seek assurances that such weaknesses are being tackled and provide support where needed to help to ensure that this is effective.

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John Barrett: To ask the Secretary of State for International Development what evidence has been collected over the last 12 months on instances of petty corruption in development projects funded by her Department. [76754]

Clare Short: Cases of petty corruption directly affecting DFID project funds are reported to our accounts department. Ten such cases were reported in the 2001–02 financial year, involving a total sum of nearly £60,000.

Donor Funding

Mrs. Spelman: To ask the Secretary of State for International Development what systems are used to audit the effectiveness of sector-wide approaches to donor funding; and if she will publish reports she has commissioned into the effectiveness of sector-wide approaches. [76897]

Clare Short: DFID assesses the effectiveness of its support for sector-wide approaches (SWAps) in the same way as it does for all forms of assistance, namely through a combination of regular monitoring by the relevant programme team and by independent evaluation and research. Reports, such as the forthcoming Basic Education Evaluation that considers the effectiveness of Education SWAps, will be published on completion. A growing body of literature is already available publicly—for example on the Overseas Development Institute's site www.odi.org.uk/pppg/cape/advisory/swaps.html.

Ivory Coast

Norman Lamb: To ask the Secretary of State for International Development what her assessment is of the effect the conflict in the Ivory Coast is having on UN famine relief efforts in Africa. [76225]

Clare Short: We have not done an independent assessment on the effect the conflict in Cote d'Ivoire is having on UN famine relief efforts in Africa. Currently most UN famine relief efforts in Africa are directed towards Southern and East Africa. So far we have received no indications that UN resources committed to these relief efforts are being stretched or redirected in response to the conflict in Cote d'Ivoire.

Mrs. Spelman: To ask the Secretary of State for International Development how much aid will be provided to the Government of the Ivory Coast in this financial year. [76892]

Clare Short: The UK is not providing any direct assistance to the Government of the Ivory Coast. Our assistance to Cote d'Ivoire is primarily channelled through contributions to the EC and other multilateral organisations. The table shows the latest available figures and the imputed UK shares:

	Total net oda 2,000 US$ millions	*UK imputed share 2,000 US$ millions*
EC	3.0	0.5
World bank	75.4	5.3
UN agencies	13.1	0.7

Firefighters' Dispute

Mr. Nigel Evans: To ask the Secretary of State for International Development what preparations she has made to ensure the safety and continuity of service to the public in the event of a firefighters' strike; and what the cost is to the Department of these actions. [77664]

Clare Short: The nature of my Department's work is such that there would be little direct impact on our service to the public as a result of a fire-fighter's strike. We are of course looking at our contingency arrangements in the event of a fire, and have taken action to raise the awareness of all our staff. No additional expenditure has been incurred.

Food Aid

Dr. Tonge: To ask the Secretary of State for International Development what the estimated amount of food aid required by the World Food Programme is; and how much has been distributed to *(a)* Zambia, *(b)* Zimbabwe, *(c)* Malawi, *(d)* Mozambique, *(e)* Lesotho, *(f)* Swaziland and *(g)* Angola. [74880]

Clare Short:

World Food Programme emergency operation for southern Africa

Country	*Planned food aid needs July 2002–March 2003*	*Quantities delivered*	*Quantities in transit*
Zimbabwe	452,955 MT	15,490 MT	51,400 MT
Malawi	264,501 MT	39,009 MT	80,636 MT
Zambia	130,603 MT	7,218 MT	46,467 MT
Mozambique	54,145 MT	0 MT	11 ,982 MT
Lesotho	64,089 MT	29,931 MT	33,577 MT
Swaziland	26,166 MT	818 MT	16,860 MT
Angola (to Dec 2003)	305,598 MT	77,366 MT	83,531 MT

The World Food Programme (WFP) is currently revising its requirements for the southern Africa humanitarian crisis in the light of a recent assessment of needs to March 2003 by the Food, Agriculture and Natural Resources Vulnerability Assessment Committee of the Southern Africa Development Community (SADC). Planning since April has assumed that needs will peak in the period December 2002 to March 2003.

Figures do not include food aid from WFP's previous country-specific programmes which have been transferred to the regional emergency operation, and which met needs early in the marketing year from May. Neither do they include food aid deliveries through other (non-WFP) parallel pipelines.

Libya

Mrs. Spelman: To ask the Secretary of State for International Development what plans she and her Department have to meet representatives of the Libyan Government. [76920]

Clare Short: None, at present.

Secondments

John Barrett: To ask the Secretary of State for International Development how many Departmental

staff have been seconded to multilateral aid organisations for the purpose of improving aid effectiveness in the last five years. [76766]

Clare Short: There are currently 69 DFID staff seconded to multilateral aid organisations. There is no central record of staff seconded in previous years.

Overseas Aid

Mr. Hepburn: To ask the Secretary of State for International Development what proportion of overseas aid is spent on *(a)* basic health care and *(b)* education. [76680]

Clare Short: The information required on the proportion of the UK's bilateral aid programme allocable by sector in 2001–02 is:

Education: 13 per cent.

Basic health care: 12 per cent.

These figures represent expenditure on projects and programmes specific to these sectors but do not capture the full extent of our efforts in each policy area because they exclude multisector projects and programmes, strategic funding to civil society organisations and budget support and balance of payments. Also excluded are activities funded through multilateral channels.

John Barrett: To ask the Secretary of State for International Development what efforts are being made to improve the quality of data collection in the measurement of aid effectiveness. [76764]

Clare Short: The Millennium Development Goals (MDGs) provide an internationally agreed framework for assessing the overall effectiveness of the development effort. A working set of 48 indicators has been agreed against which to measure progress. These provide a baseline for the international community to help ensure an adequate set of internationally available indicators that the UN will use to report global progress annually.

Within individual countries DFID and other donors are committed to using Government performance indicators and data whenever possible to monitor progress. This minimises additional demands for information on developing countries, and allows us to strengthen country statistical systems at the same time as improving data for measuring our own effectiveness.

Most of the world's poorest countries are developing Poverty Reduction Strategies (PRSs) which set out how their Governments will address poverty. These PRSs must set out a monitoring framework which specifies the indicators which the Government and donors will use to assess progress. These frameworks have focussed attention on the poor quality and availability of existing data, and have encouraged increased and better co-ordinated Government and donor support to build capacity to collect the information required. DFID is currently supporting the PRS monitoring process in several countries, including Uganda, Malawi, Pakistan and Ghana, both directly and by helping to build general statistical capacity to underpin the PRS framework. Other bilateral donors are supporting efforts here and elsewhere. Strengthening country data systems also improves the availability and quality of the data required for global MDG monitoring. DFID is currently working with the UN and the World bank to improve the systems for collecting the required data from countries and disseminating these internationally.

In addition, there are several multilateral initiatives which aim to improve the quality of data available within partner countries. The IMF's General Data Dissemination System project—partly funded by DFID—supports African countries in drawing up and implementing plans for improving their statistical systems. The World bank is currently considering ways of improving its capacity for results-based management, including new ways of increasing the funding available for statistical capacity building. The EC is in the process of drawing up guidelines for good practice in donor reporting and monitoring and working to encourage greater harmonisation among donors.

John Barrett: To ask the Secretary of State for International Development if she will list the projects in which her Department has undertaken joint evaluations of aid effectiveness with other major donors over the last 12 months. [76765]

Clare Short: During the last 12 months DFID's Evaluation Department has participated in the following joint studies:

Evaluating Comprehensive Development Framework (of pilot country performance)

Evaluation of Basic Education

European Union "Triple C"—coherence, complementarity, co-ordination

Evaluation of United Nations Family Planning Agency

Decentralisation and local government

Peace building and conflict reduction

Social sector impact (focused upon Education in Ghana)

All of the above studies are ongoing.

Poverty Reduction

John Barrett: To ask the Secretary of State for International Development what consideration is given to anti-corruption strategies in the formulation of poverty reduction strategy papers. [76772]

Clare Short: While no rigid guidelines have been set for Poverty Reduction Strategies (PRS), it is expected that countries will address major impediments to poverty reduction such as corruption. My Department continues to work closely with IMF, the World Bank, and the World Bank Institute on a wide range of initiatives to support anti corruption measures in partner countries, and in the development of Poverty Reduction Strategies (PRS). Commitments and plans for anti-corruption programmes can also be assessed when the PRS is presented to the IMF and World Bank Boards.

Sudan

Mrs. Spelman: To ask the Secretary of State for International Development if she will make a statement on the peace process in Sudan and the assistance provided by the British Government to that process. [76900]

Clare Short: The Government of Sudan and the Sudan People's Liberation Movement/Army parties resumed the Inter Governmental Authority on Development (IGAD) talks on 14 October. The parties have agreed a Memorandum of Understanding on a cessation of hostilities for the duration of the talks. This was implemented on 17 October. We warmly welcome these developments. The cessation of hostilities will improve the atmosphere for the negotiations and facilitate the delivery of humanitarian assistance. We urge the parties to seize this opportunity and shall continue to provide our full support as they work for a just and lasting peace. We have provided, and continue to provide, political and financial support to the Sudanese peace negotiations being mediated by the regional IGAD envoys in Kenya. We will continue to attend the talks as an observer and offer support and advice as necessary. To date we have provided personnel and £101,119 and US$25,000 in financial support to the IGAD secretariat.

Mrs. Spelman: To ask the Secretary of State for International Development what assessment her Department has made of levels of political violence against ethnic minorities in Sudan; and what steps her Department has taken in response. [76901]

Clare Short: Repression of ethnic minorities is one of the deplorable human rights abuses resulting from the long-running conflict in Sudan. We are concerned about the human rights of all in the Sudan regardless of their ethnic or religious background and we regularly urge all sides in the civil war to respect and promote human rights and fundamental freedoms. But the only long-term answer to the suffering in the Sudan is a peace settlement which will allow the people to rebuild their lives. We actively support the Inter-Governmental Authority on Development (IGAD) peace process as offering the best chance to bring an end to the civil war through a negotiated settlement.

Mrs. Spelman: To ask the Secretary of State for International Development if she will make a statement on humanitarian aid flights to Sudan. [76902]

Clare Short: We continue to urge all parties to give all possible help to the UN and Non Governmental Organisations (NGOs) to ensure speedy delivery of humanitarian assistance. Our ambassador in Khartoum raised the general issue of humanitarian access with the Sudanese Minister of International Cooperation on 24 October.

The UN and the Humanitarian Affairs Commission and the Sudan Relief and Rehabilitation Authority are meeting in Nairobi on 25 October to discuss the implementation of unrestricted humanitarian access agreed in the Memorandum of Understanding on the Cessation of Hostilities on 17 October. We warmly welcome these developments.

Trade in Services

Syd Rapson: To ask the Secretary of State for International Development if she will publish the text of the final list of requests for market access tabled by the European Commission under the general agreement on trade in services; and what she estimates their impact would be on *(a)* poverty and *(b)* sustainable development in each of the developing countries affected. [76267]

Clare Short: Requests for market access as part of the general agreement on trade in services (GATS) are made on a bilateral basis with WTO members making requests directly to other members. The commitments then offered by countries receiving requests will be made public by the WTO and will apply to all WTO members according to the "most favoured nation" principle. Countries are therefore not under any obligation to make their requests public and any information regarding these requests would ordinarily be treated as confidential by the WTO secretariat. The European Commission has, however, published a summary of its requests on its website (http://europa.eu.int/comm/trade/services/gats—sum.htm).

It should be stressed that regardless of the requests being made or the Member making them, no country receiving requests is under any obligation to make commitments in any sector. The GATS is a "bottom-up" agreement whereby countries individually choose in which sectors they want to make binding commitments and in which they do not.

For developing countries to make informed decisions regarding the liberalisation of service sectors (or any other area of trade liberalisation) they must have a clear understanding of the likely impact any such actions will have on their domestic economies and the livelihoods of their citizens, especially the poor. This is why DFID is engaging with a variety of donor organisations (primarily the World bank and UNCTAD) to help ensure that developing countries are given adequate support in this area.

However, the number of developing countries involved in the GATS negotiations is very large (the majority of WTO members are developing countries) and it would not be possible for DFID to collect and present impact assessments for all these countries.

Instead, each country will be responsible for carrying out its own assessments which it may or may not choose to make public. DFID's role is to help ensure that developing countries have the necessary capacity to carry out informative and useful impact assessments which take proper account of the interests of the poor and of sustainable development issues.

DEPUTY PRIME MINISTER

Finningley Airfield

Caroline Flint: To ask the Deputy Prime Minister whether he has received the Inspector's report on the planning application to redevelop Finningley Airfield. [77653]

The Deputy Prime Minister: The Office of the Deputy Prime Minister received the Inspector's report on this application on 19 September. In order to ensure that the advice set out in the "Guidance on Property Issues in the Handling of Planning Casework" is followed, I have decided, since the application site is in the Yorkshire and Humber Region, where my constituency is located, that this case should be dealt with by my hon. Friend the Member for Harrow, East.

EDUCATION AND SKILLS

A-level Regrading

Mr. Damian Green: To ask the Secretary of State for Education and Skills which universities have had to make provision for extra students following the results of the regrading of A-levels. [76780]

Margaret Hodge: This information is not held by the Department. As of 22 October 2002, the Universities and Colleges Admissions Service has been informed of 15 students whose move to another institution had been agreed as a result of re-grading.

Mr. Damian Green: To ask the Secretary of State for Education and Skills what the cost will be of ensuring that no student is financially disadvantaged by the A-level regrading. [76782]

Margaret Hodge: My right hon. Friend has made it clear that students will not suffer financial disadvantage as a result of changing their institution due to regrading of A-level results. The A-level claims fund has been established to meet the legitimate costs of students who are able to transfer and students have until 31 January 2003 to apply. The fund can meet accommodation, books, travel and, where necessary, tuition fees, as well as other costs at the discretion of the institution.

The costs falling to the fund are not likely to be high, given the relatively small number of students affected. Institutions will pay claims from students in the first instance and they will be fully reimbursed.

AS-Levels

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills pursuant to the answer to the hon. Member for the Isle of Wight on 15 October 2002, *Official Report*, column 218, *(a)* whether there is an upper limit on the number of AS Levels which may be accrued by an individual, *(b)* how much marginally easier an AS Level may be than the old A Level standard, *(c)* whether it is his policy that the current A Level is of equivalent standard to the old A Level standard, *(d)* whether UCAS points may be aggregated such that two AS Levels are equivalent to one A Level and *(e)* whether a pupil will, by obtaining six AS Levels at grade C, achieve the equivalent of three A Levels at grade C. [76538]

Mr. Miliband: *[holding answer 22 October 2002]:* In reply:

(a) No.

(b) That is a matter for the QCA.

(c) Yes.

(d) Yes.

(e) No. AS and A Levels are different qualifications. A greater depth of understanding of the subject is required for the full A level.

Departmental Websites

Dr. Cable: To ask the Secretary of State for Education and Skills if he will list the website links associated with his Department, including sites now dormant or closed, and indicating whether they are live, dormant or closed; what the start up costs were for each site listed; what the operating costs were in each year since start up for each site; which company hosted each site; what assessment takes place for each site; which company does the assessment; if he will place the assessment reports in the Library; and if he will make a statement. [75589]

Mr. Charles Clarke: Core programme costs for the Department for Education and Skills central website www.dfes.gov.uk (real terms figures in 2001–02 prices) were as follows:

Year	*£*
1998–1999	43,200
1998–2000	84,200
1999–2000	140,300
2002–01	266,600
2001–02	654,800

Separate start up costs are not available. These costs include central hosting via EduServ (including, for the majority of the associated sites (listed below), maintenance and research.

The planned research programme for the core departmental site comprises an annual exit poll on site performance and user satisfaction, regular usage statistics, and other user research on specific issues as needed.

The initial exit poll research conducted by Research International will be placed in the HOC Library.

Archived parts of the site are available to the public at www.dfes.gov.uk/dfee.

The Department has a small number of separate websites aimed at specific campaigns and users. The majority of these sites are hosted by the Department's central hosting agreement and do not have separate hosting costs. Sites are typically subject to user research and usage statistics. Information on programme costs for each site, where it is separately available, is given below. (Real terms figures are in 2001–02 prices).

Children and young people unit: www.cypu.gov.uk

Hosted through our central contract with EduServ, separate programme costs not available.

Connexions: www.connexions.gov.uk

2001–02—£30,600

www.connexionscard.com.

2001–02—£800,000

www.connexions-direct.com

Hosted through our central contract with EduServ, separate programme costs not available.

Foundation degree: www.foundationdegree.org.uk

Hosted through our central contract with EduServ, separate programme costs not available.

Lifelong Learning: www.lifelonglearning.dfes.gov.uk

	£
1997–98	38,000
1998–99	42,000
1999–2000	38,900
2000–01	42,800
2001–02	43,600

The site was hosted by Transcend Technology Ltd. between 1995–97 and 1997 onwards by Demon Internet.

The company who manages and maintains the site (Lifelong Learning Internet Services) completes a report for the Department annually. The report will be placed in the HOC Library.

Millennium Volunteers: www.mvonline.gov.uk

Hosted through our central contract with EduServ, separate programme costs not available.

Planet Science: www.scienceyear.com

Annual budget:—£192,000

The site is hosted by Cyberstride on behalf of Planet Science, the company set up by NESTA to run the whole project.

The site currently features an online survey, the results of which will placed in the HOC Library when they are available in the new year.

Sure start: www.surestart.gov.uk

2001–02—£26,200

Standards: www.standards.dfes.gov.uk

Annual budget:—£1,250,000

The site is currently hosted via the Central Office of Information. Qualitative assessment on usage and customer satisfaction is under way. The National Literacy and Numeracy areas have recently been assessed by Central Office of Information Communications.

Teacher net: www.teachernet.gov.uk

Annual budget:—£140,000

Research on image and customer satisfaction has been carried out by Netpoll and Prospero. Technical quality assurance is carried out by PJ Net Solutions Ltd. Research will be placed in the HOC Library.

Disabled Students (Access)

Mr. Hancock: To ask the Secretary of State for Education and Skills what recent progress has been made by further and higher education providers to ensure that course materials are accessible to disabled students; and if he will make a statement. [76001]

Margaret Hodge: Through the Special Educational Needs and Disability Act 2001, the Government have amended the Disability Discrimination Act to place new duties on providers of post-16 education. These duties started to be effective from September 2002. It is now unlawful to discriminate against disabled students by treating them less favourably than others, and responsible bodies have a duty to provide reasonable adjustments to provision where disabled students might otherwise be substantially disadvantaged. This duty includes ensuring that any course materials provided to disabled students are available in an accessible format.

Engineering Training

Mr. Walter: To ask the Secretary of State for Education and Skills what plans he has to propose amendments to legislation regarding levies to the Engineering Construction Industry Training Board. [76617]

Mr. Ivan Lewis: *[holding answer 24 October 2002]:* The Industrial Training Act 1982 gives industrial training boards the power to raise a levy from employers in the industry they cover. The Engineering Construction Industry Training Board (ECITB) makes annual proposals to me for its levy arrangements, including the rates of levy that it feels are needed to encourage adequate training. The proposals must have the agreement of organisations representing the majority of those employers who pay most of the levy. Parliamentary approval is also required before I can make an order to put them into effect. I have no plans at present to change the legislation.

Higher Education

Mr. Boswell: To ask the Secretary of State for Education and Skills whether students with *(a)* the University for Industry and *(b)* the National Health Service University will be treated as participating in higher education. [76818]

Margaret Hodge: Those students who are registered on a programme of study leading to a higher education qualification are treated as participating in higher education. This applies to Ufi learners and will also apply to learners within the NHSU, once it is established.

Stephen Hesford: To ask the Secretary of State for Education and Skills what plans he has to widen participation in higher education. [74820]

Margaret Hodge: This Government are committed to widening participation in higher education. Our reform of secondary education will improve attainment levels and encourage greater numbers to enter higher education. Through our 14–19 proposals we will ensure that young people have access to both academic and vocational study which is attractive and relevant to them, further raising the post-16 staying on rate, levels of attainment and aspirations.

We have introduced the Excellence Challenge, worth over £190 million over three years, which will raise aspirations and attainment in some of the country's most deprived areas, and our AimHigher campaign promotes the benefits of higher education to young people. We have also increased student support for those who need it, including Opportunity Bursaries for young people from low income backgrounds, increased Access and Hardship Funds and a new child care grant and travel, books and equipment grant for student parents.

The forthcoming higher education strategy document will set out a 10-year vision for developing higher education, and widening participation will naturally be a key element of that vision. The Government strongly believe that fair access to all our universities and colleges must be an integral part of our higher education system and our strategy document will reflect that.

Modern Apprenticeships

Brian Cotter: To ask the Secretary of State for Education and Skills what assessment she has made of the adequacy of the funding available to those over 19 completing a modern apprenticeship in *(a)* England and *(b)* Wales. [76832]

Margaret Hodge: Funding and planning of Modern Apprenticeship provision is a matter for the Learning and Skills Council. John Harwood, the Council's Chief Executive, will write to the hon. Gentleman with the information requested and place a copy of his reply in the Library. The funding of Modern Apprenticeships in Wales is a devolved issue.

Reoffending

Mr Keith Bradley: To ask the Secretary of State for Education and Skills what action he has taken to implement the recommendations relevant to his Department in the Social Exclusion Unit report Reducing Re-offending by Ex-prisoners. [76808]

Mr. Ivan Lewis: I refer my right hon. Friend to the answer given by my hon. Friend the Minister for Social Exclusion and Women on 24 October. Responsibility for co-ordinating action to implement the recommendations of the Social Exclusion Unit report "Reducing Re-offending by Ex-prisoners" rests with the Home Office, where a new unit, the Adult Offenders Rehabilitation Unit has been set up. This unit will, in due course, produce an action plan detailing how the recommendations will be taken forward. Interdepartmental groups of ministers and officials will be convened to oversee the work of this unit. The Social Exclusion Unit remains fully involved in monitoring and facilitating progress through its implementation team.

Student Funding Review

Mr. Caton: To ask the Secretary of State for Education and Skills when the Government will publish its review of student funding. [77908]

Mr. Peter Ainsworth: To ask the Secretary of State for Education and Skills when he intends to publish the review of student funding. [77754]

Mr. Flook: To ask the Secretary of State for Education and Skills when the Government will publish its review of student funding. [77777]

Lynne Jones: To ask the Secretary of State for Education and Skills when he expects to announce the results of the review into higher education spending. [77536]

Margaret Hodge: The outcome of the student finance review will form part of the strategy document setting out our 10-year vision for the development and reform of higher education. We will be publishing the strategy document shortly.

Student Loans

Mr. MacDougall: To ask the Secretary of State for Education and Skills for what reason eligibility for student loans is restricted to those under the age of 55. [76128]

Margaret Hodge *[holding answer 21 October 2002]:* In England and Wales student loans for maintenance are not available to over 54 year olds only because the loan is written off at retirement age, which may leave many older graduates with inadequate time for repayment.

There is no age limit on eligibility for grants for tuition fees, supplementary grants for living costs or hardship funds, which do not have to be repaid.

Mr. MacDougall: To ask the Secretary of State for Education and Skills for what reason people aged 50 to 54 wishing to access loans have to state their intention to seek employment in writing. [76129]

Margaret Hodge *[holding answer 21 October 2002]:* Student loans are intended to be repaid. For this reason, in England and Wales, they are only available to 50 to 54 year-olds who intend to enter employment upon graduating, and thus, will have the means to repay.

There is no age limit on eligibility for grants for tuition fees, supplementary grants for living costs or hardship funds which do not have to be repaid.

Mr. Peter Ainsworth: To ask the Secretary of State for Education and Skills what plans he has to raise the repayment threshold for student loans. [77748]

Mr. Flook: To ask the Secretary of State for Education and Skills whether the Government will raise the repayment threshold for student loans. [77781]

Margaret Hodge: There are two types of student loan. Borrowers who started their courses before the 1998–99 academic year are liable to repay fixed-term (mortgage-style) loans. Income contingent loans apply to the vast majority of borrowers who entered higher education from the 1998–99 academic year.

Under the mortgage-style loans scheme, a student can defer their loan repayments for a year at a time if their income is not more than 85 per cent. of national average earnings. This deferment threshold is recalculated annually in line with figures published by National Statistics, and is currently £21,022 for the year starting 1 September 2002. Any change to the 85 per cent. threshold would require primary legislation and we have no plans to make such a change.

The threshold for repaying income contingent loans is an annual income of £10,000. Borrowers over this threshold are liable to repay 9 per cent. of their income over £10,000. The repayment scheme came into effect in April 2000 and the level of the threshold is being kept under review.

Mr. Caton: To ask the Secretary of State for Education and Skills what plans the Government have to raise the repayment threshold of student loans. [77910]

Margaret Hodge: We have announced our intention to publish a strategy document setting out our vision for the development and reform of higher education, including the outcome of the review of student support. The document will be out shortly; it would not be right to pre-empt it here by saying what is or is not planned.

Mr. Laurence Robertson: To ask the Secretary of State for Education and Skills what plans she has to increase the earnings threshold at which student loans become repayable; and if she will make a statement. [77056]

Margaret Hodge: There are two types of student loan. Borrowers who started their courses before the 1998–99 Academic Year are liable to repay fixed-term (mortgage-style) loans. Income contingent loans apply to the vast majority of borrowers who entered higher education from the 1998–99 Academic Year.

Under the mortgage-style loans scheme, a student can defer their loan repayments for a year at a time if their income is not more than 85 per cent. of national average earnings. This deferment threshold is recalculated annually in line with figures published by National Statistics, and is currently 21,022 for the year starting 1 September 2002. We have no plans to change the 85 per cent. threshold.

The threshold for repaying income contingent loans is an annual income of 10,000. Borrowers over this threshold are liable to repay 9 per cent. of their income over 10,000. The repayment scheme came into effect in April 2000 and the level of the threshold is being kept under review.

Student Support

Mr. Hancock: To ask the Secretary of State for Education and Skills if he will make a statement on student support for 2003–04. [76491]

Margaret Hodge: We have no plans to make widespread changes to the financial support arrangements for students entering or continuing in higher education in 2003.

Targeted Maintenance

Mr. Peter Ainsworth: To ask the Secretary of State for Education and Skills what plans he has to introduce targeted maintenance support for less wealthy students. [77749]

Mr. Flook: To ask the Secretary of State for Education and Skills if he will reintroduce targeted maintenance support for those students from the poorest backgrounds. [77780]

Mr. Caton: To ask the Secretary of State for Education and Skills what plans the Government have to introduce targeted maintenance support for students from low-income families. [77907]

Margaret Hodge: We have announced our intention to publish a strategy document setting out our vision for the development and reform of higher education, including the outcome of the review of student support. The document will be out shortly; it would not be right to pre-empt it here by saying what is or is not planned.

Top-up Fees

Mr. Caton: To ask the Secretary of State for Education and Skills what plans the Government have to allow universities to charge students top-up fees; [77909]

Mr. Peter Ainsworth: To ask the Secretary of State for Education and Skills if it is his policy to permit universities to charge top-up fees to students; [77752]

Mr. Flook: To ask the Secretary of State for Education and Skills whether the Government plan to allow universities to charge students top-up fees; [77779]

Mr. Laws: To ask the Secretary of State for Education and Skills what his policy is on the introduction of top-up fees for tuition at English universities; and if he will make a statement. [77493]

Margaret Hodge: We have announced our intention to publish a strategy document setting out our vision for the development and reform of higher education, including the outcome of the review of student support. The document will be out shortly; it would not be right to pre-empt it here by saying what is or is not planned.

Departmental Expenditure

Dr. Starkey: To ask the Secretary of State for Education and Skills what underspend his Department has identified in the current year's capital programme. [75910]

Mr. Ivan Lewis: The Department for Education and Skills does not publish outturn expenditure forecasts at this stage of the year. Estimated outturn figures for 2002–03 will be published in the Budget Report 2003.

Universities

Mr. Damian Green: To ask the Secretary of State for Education and Skills what meetings *(a)* he and *(b)* his ministers have had with UK universities between 1 September 2001 and 17 October 2002. [76785]

Margaret Hodge: My right hon. Friend and I regularly meet representatives of UK universities in the course of normal business.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Animal Welfare

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how many cattle pregnancies and lactations were generated by *(a)* artificial insemination and *(b)* hire bulls in the last 12 months. [76513]

Mr Morley: At present there is no information collected or held on a central basis of how many cattle pregnancies and lactations were generated by artificial inseminations and hire bulls. This could be obtained only at a disproportionate cost that would be an unjustifiable use of public resources.

Mr. Amess: To ask the Secretary of State for Environment, Food and Rural Affairs how many successful prosecutions have been brought under the Protection Against Cruel Tethering Act 1988. [74055]

Mr. Denham: I have been asked to reply.

Offences connected with cruel tethering cannot be distinguished from other offences under the Protection of Animals Act 1911 in the statistics collected centrally.

Biofuel Crops

Mr. Boris Johnson: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to promote the planting of biofuel crops on set aside land; and if she will make a statement. [75948]

Mr. Meacher: This Department has allocated £29 million under the Energy Crops Scheme, part of the England Rural Development Programme, for the establishment of short rotation coppice and miscanthus for energy purposes. These crops can be planted on set-aside land and receive payments under the Arable Area Payments Scheme. The Government are providing £70 million of funding through a package of measures which will develop markets for biomass, including energy crops grown on set-aside land, in heat, combined heat and power and electricity generation.

The European Commission has published initial proposals for further reform of the Common Agricultural Policy to take effect from 2004. Under these proposals, no crops would be grown on set-aside land. A new carbon credit of €45 per hectare is proposed for energy crops, to be paid to producers entering into a contract with a processor. The proposal includes a maximum guaranteed area of 1.5 million hectares eligible for this additional payment.

Biotechnology

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs which body is responsible for the regulation of genetic biotechnology on farm animals. [75175]

Mr. Meacher *[holding answer 21 October 2002]*: There are a number of bodies that have responsibility for regulating the use of genetic biotechnology on farm animals.

Defra are responsible for the Genetically Modified Organisms (Deliberate Release) Regulations 2002 which governs the release and marketing of all genetically modified organisms in the European Union. This would cover any proposal to release a genetically modified farm animal into the environment; either for experimental or commercial use.

The Health and Safety Executive are responsible for the Genetically Modified (Contained Use) Regulations 2000 which governs the risks to human health from GMOs (including any farm animals) in contained use.

The Home Office are responsible for the implementation of the Animals (Scientific Procedures) Act 1986. This legislation regulates the use of live animals, including farm animal species, for experimental or other scientific purposes where the use of the animals may cause pain, distress or lasting harm.

Defra are also responsible for the general animal welfare legislation which equally applies to animals produced by biotechnology, once they have been released.

Canoeists

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to increase the access to waterways for canoeists; and if she will make a statement. [76964]

Alun Michael: Copies of our research report, "Water-Based Sport and Recreation: the facts" were placed in the Libraries of both Houses in December 2001.

While none of the access issues identified in the report are new or straight forward to resolve I can assure the hon. Member of my commitment to finding solutions wherever possible.

As a first step I have asked the Countryside Agency (in partnership with other Government agencies) to pilot some access demonstration projects to develop best practice for access agreements on key stretches of water.

Climate Change

Dr. Cable: To ask the Secretary of State for Environment, Food and Rural Affairs pursuant to his answer of 19 September 2002, *Official Report*, column 283W, on climate change, what costs are associated with the UK climate change scenarios; when the results will be published; if she will list the other projects that the UK Government is working on in other countries and the associated costs incurred; and if she will make a statement. [75215]

Mr. Meacher: In April 2002, the Department published the 2002 UK Climate Change Scenarios. The total direct cost of producing these scenarios was £153,500, covering climate modelling, interpretation of model outputs, and publication and dissemination of research findings.

The Department is also funding bilateral programmes in India and China. These projects use the outputs of the Hadley Centre's regional climate model, to investigate the possible impacts of climate change. The India programme is investigating the possible impact of climate change on water resources, forestry, infrastructure, health, agriculture and the coastal zone, at a total cost of £650,000 over three years. The China programme is investigating the possible impact of climate change on agriculture, at a total cost of approximately £400,000 over 2 years.

Correspondence

David Maclean: To ask the Secretary of State for Environment, Food and Rural Affairs when she will answer the letters of 15 March and 21 August from the right hon. Member for Penrith and The Border, on Mr. D Armstrong of Mill Hill Road, Wigton, Cumbria and Mr. W K Graham of Sillan, Cumbria. [77550]

Alun Michael: My right hon. Friend the Secretary of State responded on 15 October.

Departmental Job Vacancies

Mr. McNamara: To ask the Secretary of State for Environment, Food and Rural Affairs how many job vacancies there were at *(a)* administrative assistant or equivalent, *(b)* administrative officer or equivalent, *(c)* administrative executive officer, *(d)* higher executive officer, *(e)* senior executive officer, *(f)* grade 7 nbprincipal and *(g)* all positions above grade 7 level in her Department for jobs located in *(i)* London and (ii) the south east between 1 April 2001 and 31 March; and what is the total employment for each civil service grade. [76566]

Alun Michael: Defra came into existence in June 2001 as a result of machinery of Government changes. It took several months to incorporate all staff of the new organisation into the Department's HR system. Therefore, the information requested is not available for the period in question.

Fissile Materials

Llew Smith: To ask the Secretary of State for Environment, Food and Rural Affairs what notification she has received from *(a)* Nirex, *(b)* the Environment Agency and *(c)* the Health and Safety Executive/ Nuclear Installations Inspectorate in respect of concerns over fissile materials limits in intermediate level wastes being conditioned for packaging. [75458]

Mr. Meacher: My right hon. Friend the Secretary of State, has not received any notifications of representations from UK Nirex, the Environment Agency or the Health and Safety Executive on this issue.

Horticulture Research International

Mr. Swayne: To ask the Secretary of State for the Environment, Food and Rural Affairs what the level of her Department's funding for Horticulture Research International was in each of the last five years; and if she will make a statement. [74661]

Mr. Morley: Defra funding at Horticulture Research International (HRI) relates to specifically commissioned R&D projects and work won by HRI through our R&D competitions. We have also given HRI grants for capital and other purposes. A summary of the total funding provided by Defra (and, prior to 2001–02, MAFF) in each of the last five years is given in the table. I also refer the hon. Member to the reply given in relation to question 192.

DEFRA funding of Horticulture Research International over the period 1997–2002

Year	*R&D payments*[1]	*CMF*[2]	*Restructuring and pensions*	*Capital and other payments*	*Total (£ million)*
1997–98	12.3	—	—	1.7	14.0
1998–99	12.3	—	5.9	0.4	18.6
1999–2000	11.4	—	—	0.4	11.8
2000–01	10.4	0.3	4.2	1.0	15.9
2001–02	10.4	1.5	1.6	0.2	13.7

[1] Figures given on an accruals basis are shown in HRI's accounts.
[2] Capital Modernisation Fund

Ivory

Keith Vaz: To ask the Secretary of State for Environment, Food and Rural Affairs what steps the Government are taking to stop the illegal trade in ivory. [76094]

Mr. Morley: Commercial trade in ivory is currently prohibited under the Convention on International Trade in Endangered Species (CITES). In order to prevent illegal trade, the UK has strict controls which are actively enforced by HM Customs and Excise. Between 1 April and 30 September 2002, Customs made 55 seizures of ivory, including two weighing 26.6kg and 445kg. Under the Customs and Excise Management Act (1979) the illegal import or export of ivory can result in an unlimited fine and/or up to seven years imprisonment. Similarly, under the Control of Endangered Species (Enforcement) Regulations (1997) the illegal, commercial use of ivory within the UK can lead to an unlimited fine and/or up to two years imprisonment.

The UK has also provided £60,000 towards the Elephant Trade Information System (ETIS) which provides information on the worldwide illegal trade in ivory. ETIS has just produced a detailed report which will be considered at the twelfth Conference of CITES Parties (CoP12), in Chile, next month, when the issue of whether to allow the resumption of trade in ivory from five southern African states will be discussed. The UK will not support any proposal which seems likely to undermine the conservation of the elephant, or lead to an increase in the illegal killing of elephants.

Land Drainage

Mrs. Helen Clark: To ask the Secretary of State for Environment, Food and Rural Affairs what mechanisms she is using to monitor the conservation duty on internal drainage boards in the Land Drainage Act 1994; and what action she is taking to enforce this duty. [76387]

Mr. Morley: In November 1999, following Ministerial agreement with the Environment Agency, the Local Government Association and the Association of Drainage Authorities, the Government published a number of High Level Targets (HLT) for flood and coastal defence operating authorities. These targets were adopted by Defra on its creation in June 2001.

High Level Target 1 requires all flood and coastal defence operating authorities to produce a publicly available policy statement setting out plans for delivering the Government's policy aims and objectives. Section 2.3 of Defra's guidance on preparing these policy statements requires internal drainage boards to state in their policy how they will comply with statutory environmental obligations and contribute to relevant biodiversity targets.

HLT9 and 10 are designed to ensure that all operating authorities meet their obligation to 'further the conservation and enhancement of natural beauty and the conservation of flora, fauna and geological or physiographical features of special interest' as required under Section 61A of the Land Drainage Act 1994.

HLT9 requires all operating authorities, in addition to their statutory obligations when carrying out flood and coastal defence works, to aim:

to avoid damage to environmental interest;

to ensure no net loss to habitats covered by Biodiversity Action Plans (BAP habitats); and

to seek opportunities for environmental enhancement.

They are further required to report all losses and gains of BAP habitats resulting from their flood and coastal defence operations to the Environment Agency. The agency report on the collated information annually to Defra.

Under HLT10, all operating authorities are required to complete and implement Water Level Management Plans, in partnership with English Nature, for sites designated under the European birds and habitats directives and for sites of special scientific interest. The Environment Agency is required to report annually to Defra on operating authorities' progress in implementing and reviewing WLMPs against their published programme.

Recycling Scheme

Tim Loughton: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the local authorities that operate a door-step recycling scheme; and what plans she has to encourage more local authorities to take up this initiative. [75558]

Mr. Meacher *[holding answer 21 October 2002]:* We are clear that there needs to be a significant increase in kerbside recycling. We have provided significant extra funds to local authorities through the standard spending assessment and a separate ring-fenced fund for recycling and waste minimisation. We are currently assessing the second tranche of bids for funding from that budget. The Prime Minister's Strategy Unit is currently reviewing waste strategy and its funding and is due to report shortly.

The following authorities reported that they undertook some form of kerbside recycling scheme in the 2000–01 Municipal Waste Management Survey:

Adur District Council
Allerdale Borough Council
Alnwick District Council
Arun District Council
Aylesbury Vale District Council
Babergh District Council
Barking and Dagenham LB
Barnet LB
Barnsley MBC
Barrow-in-Furness Borough Council
Basildon District Council
Basingstoke and Deane Borough Council
Bassetlaw District Council
Bath and North East Somerset Council
Bedford Borough Council
Bexley LB
Birmingham City Council
Blaby District Council
Blackpool Borough Council
Bolton MBC
Boston Borough Council
Bournemouth Borough Council
Bracknell Forest Borough Council
Bradford City MDC (MBC)
Braintree District Council
Breckland Borough Council
Brent LB
Brentwood Borough Council
Bridgnorth District Council
Bristol City Council
Broadland District Council
Bromley LB
Broxbourne Borough Council
Broxtowe Borough Council
Bury MBC
Cambridge City Council
Camden LB
Canterbury City Council
Caradon District Council
Carlisle City Council
Carrick District Council
Castle Morpeth Borough Council
Castle Point Borough Council
Charnwood Borough Council
Chelmsford Borough Council
Cheltenham Borough Council
Cherwell District Council
Chester City Council
Chesterfield Borough Council
Chester-Le-Street District Council
Chichester District Council
Chiltern District Council
Christchurch Borough Council

Colchester Borough Council
Congleton Borough Council
Copeland Borough Council
Corby Borough Council
Cotswold District Council
Crawley Borough Council
Crewe and Nantwich Borough Council
Croydon LB
Dacorum Borough Council
Dartford Borough Council
Daventry District Council
Derby City Council
Derbyshire Dales District Council
Derwentside District Council
Doncaster MBC
Dudley MBC
Durham City Council
Ealing LB
Easington District Council
East Cambridgeshire District Council
East Devon District Council
East Dorset District Council
East Hampshire District Council
East Hertfordshire District Council
East Lindsey District Council
East Northamptonshire Council
East Riding of Yorkshire Council
East Staffordshire Borough Council
Eastbourne Borough Council
Eastleigh Borough Council
Ellesmere Port and Neston Borough Council
Enfield LB
Epping Forest Borough Council
Erewash Borough Council
Exeter City Council
Fareham Borough Council
Fenland District Council
Forest Heath District Council
Forest of Dean District Council
Fylde Borough Council
Gedling Borough Council
Gloucester City Council
Gosport Borough Council
Gravesham Borough Council
Great Yarmouth Borough Council
Greenwich LB
Guildford Borough Council
Halton Borough Council
Hammersmith and Fulham LB
Harborough District Council
Haringey LB
Harlow District Council
Harrow LB
Hart District Council
Hartlepool Borough Council
Havant Borough Council
Havering LB
Hertsmere Borough Council
High Peak Borough Council
Hillingdon LB
Hinckley and Bosworth Borough Council
Horsham District Council
Hounslow LB
Huntingdonshire District Council
Hyndburn Borough Council
Ipswich Borough Council
Isle of Wight Council
Islington LB
Kennet District Council
Kerrier District Council
Kings Lynn and West Norfolk Borough Council
Kingston-upon-Hull City Council
Kingston-upon-Thames LB
Kirklees MBC
Knowsley MBC
Lambeth LB
Lancaster City Council
Leeds City Council MBC
Leicester City Council
Lewisham LB
Lichfield District Council
Lincoln City Council
Liverpool City Council
London Borough of Kensington and Chelsea
Luton Borough Council
Macclesfield Borough Council
Maidstone Borough Council
Maldon District Council
Manchester City Council MBC
Mansfield District Council
Medway Borough Council
Melton Borough Council
Mendip District Council
Merton LB
Mid Bedfordshire District Council
Mid Devon District Council
Mid Suffolk District Council
Mid Sussex District Council
Milton Keynes Council
Mole Valley District Council
New Forest District Council
Newark and Sherwood District Council
Newcastle-under-Lyme Borough Council
Newcastle-upon-Tyne City Council MBC
Newham LB
North Cornwall District Council
North Devon District Council
North Dorset District Council
North East Derbyshire District Council
North East Lincolnshire Council
North Hertfordshire District Council
North Lincolnshire Council
North Norfolk District Council
North Somerset Council
North Warwickshire Borough Council
North West Leicestershire District Council
Northampton Borough Council
Norwich City Council
Nuneaton and Bedworth Borough Council
Oadby and Wigston Borough Council
Oldham MBC
Oxford City Council
Pendle Borough Council
Penwith District Council
Peterborough City Council
Plymouth City Council

Poole Borough Council
Portsmouth City Council
Preston Borough Council
Purbeck District Council
Redbridge LB
Reigate and Banstead Borough Council
Restormel Borough Council
Ribble Valley Borough Council
Richmond upon Thames LB
Rochford District Council
Rotherham MBC
Rugby Borough Council
Rushmoor Borough Council
Rutland County Council
Salford City Council MBC
Salisbury District Council
Sandwell MBC
Sedgefield Borough Council
Sedgemoor District Council
Sefton MBC
Selby District Council
Sevenoaks District Council
Sheffield City Council
Shepway District Council
Shrewsbury and Atcham Borough Council
Slough Borough Council
Solihull MBC
South Bedfordshire District Council
South Bucks District Council
South Cambridgeshire District Council
South Derbyshire District Council
South Gloucestershire Council
South Hams District Council
South Holland District Council
South Northamptonshire DistrictCouncil
South Oxfordshire District Council
South Ribble Borough Council
South Shropshire District Council
South Somerset District Council
South Staffordshire Council
South Tyneside MBC
Southampton City Council
Southend-on-Sea Borough Council
Southwark LB
Spelthorne Borough Council
St. Albans City and District Council
St. Edmundsbury Borough Council
St. Helens MBC
Stafford Borough Council
Staffordshire Moorlands District Council
Stevenage Borough Council
Stockport MBC
Stockton-on-Tees Borough Council
Stratford-on-Avon District Council
Stroud District Council
Suffolk Coastal District Council
Sunderland City Council
Surrey Heath Borough Council
Sutton LB
Swale Borough Council
Tameside MBC
Tamworth Borough Council
Tandridge District Council
Taunton Deane Borough Council
Teignbridge District Council
Telford and Wrekin Council
Tendring District Council
Test Valley Borough Council
Tewkesbury Borough Council
Three Rivers District Council
Tonbridge and Malling Borough Council
Torbay Council
Torridge District Council
Tower Hamlets LB
Trafford MBC
Tunbridge Wells Borough Council
Uttlesford District Council
Vale of White Horse District Council
Vale Royal Borough Council
Walsall MBC
Waltham Forest LB
Wandsworth LB
Warwick District Council
Watford Borough Council
Waverley Borough Council
Wealden District Council
Wellingborough Borough Council
Welwyn Hatfield Council
West Berkshire District Council
West Devon Borough Council
West Lancashire District Council
West Lindsey District Council
West Oxfordshire District Council
West Somerset District Council
West Wiltshire District Council
Westminster City Council
Weymouth and Portland Borough Council
Wigan MBC
Winchester City Council
Windsor and Maidenhead Borough Council
Wirral MBC
Woking Borough Council
Wokingham Council
Wolverhampton MBC
Worthing Borough Council
Wychavon District Council
Wycombe District Council
Wyre Borough Council
York City Council

Royal Botanic Gardens

Mr. Coaker: To ask the Secretary of State for Environment, Food and Rural Affairs if the Quinquennial Review of the Royal Botanic Gardens, Kew has been completed. [77859]

Mr. Morley: The review team completed Stage II of their Quinquennial Review of the Royal Botanic Gardens, Kew earlier this year.

I am placing in the Library of the House a copy of the review team's Stage II report together with the Government's response to both Stages of the Review. The response has been agreed jointly with the Board of Trustees of the Royal Botanic Gardens, Kew.

Rural Expenditure

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs pursuant to her answer of 21 October, reference 75837, on the Rural White Paper, if she will list the funding schemes administered by the *(a)* regional development agencies and *(b)* Countryside Agency on behalf of her Department; and if she will list the amount spent through each scheme. [77066]

Alun Michael: Following the commencement of the Regional Development Agencies single budget arrangements in April of this year they no longer run specific funding schemes on behalf of Departments.

The Countryside Agency's main economic and community funding schemes, available for application by individuals or organisations, are as follows (with estimated programme spend this year):

Funding scheme	*£ million*
Market Towns	2.49
Vital Villages	
Parish Plans	1.35
Community Service Grants	4.82
Parish Transport Grants	4.24
Rural Transport Fund	10.11
Aggregates Levy Sustainability Fund	4.8
Local Heritage Initiative	1.68
Support for Rights of Way	1.35
Doorstep Greens	1.24
Millennium Greens	0.44
Walking the Way to Health	1.42

World Summit on Sustainable Development

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the outcome of the Johannesburg World Summit on Sustainable Development with particular regard to *(a)* the multinational targets agreed during the Summit and *(b)* the targets the European Union sought to negotiate at Johannesburg and to which the EU remains committed. [76249]

Mr. Meacher *[holding answer 22 October 2002]:* I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State on 17 October, *Official Report*, column 898W. In addition, the UK and EU pushed unsuccessfully for a numerical target in relation to natural resource loss.

TRANSPORT

10-year Plan

Mr. Don Foster: To ask the Secretary of State for Transport how much private investment has been *(a)* spent and *(b)* allocated for road building *(i)* under the 10 year plan to date, (ii) projected by 2004–05 and (iii) projected for the period of the 10 year plan (A) at today's prices and (B) at outturn cost. [76479]

Mr. Jamieson: Tables a) and b) show the levels of private sector investment in strategic and local roads that were assumed in the "Ten Year Plan". The local roads figures include investment in maintenance and street lighting, as well as road construction.

a) Real 2001/02 Prices (£ million)

	To end 2002–03	*To end 2004–05*	*To end 2010–11*
Trunk roads	391	760	2,349
Local roads	160	492	2,133
Total	551	1,252	4,482

b) Outturn Prices (£ million)

	To end 2002–03	*To end 2004–05*	*To end 2010–11*
Trunk roads	396	788	2,638
Local roads	162	515	2,449
Total	558	1,03	5,087

To date, we estimate that the private sector has invested £320 million in the construction of trunk roads. This figure excludes the A13 DBFO contract, which was included in the "Ten Year Plan" trunk road forecasts. The A13 was formerly a trunk road but was later transferred to Transport for London. There will be an estimated £150 million of private investment on the A13 to the end of December 2004. Since local highways authorities are responsible for procuring local roads, my Department does not hold information on private sector spending on these roads.

Air Transport (Consultation Document)

Mr. Stringer: To ask the Secretary of State for Transport if he will list *(a)* the location of meetings he has organised during the consultation on The Future Development of Air Transport in the UK and *(b)* his criteria in choosing locations for the consultation. [76642]

Mr. Jamieson *[holding answer 24 October 2002]:* During the consultation, the Department is conducting a programme of public exhibitions to provide information to people who would be affected by the major airport development options. The table lists the dates and locations of the public exhibitions.

Airport	*Date*	*Location*
Stansted	30–31 August	Stansted
Cliffe (1)	5 and 7 September	Chatham and Basildon
Gatwick	14 September	Gatwick
Heathrow	20–21 September	Heathrow
Luton	27–28 September	Harpenden
Alconbury	3 October	Huntingdon
Cliffe (2)	4/5 October	Cliffe and Hoo St Werburgh
Glasgow	8 October	Glasgow
Edinburgh	9 October	Edinburgh
Manchester (1)	14 October	Knutsford
East Midlands	21 October	East Midlands
New Midlands Airport	30 October	Church Lawford
Birmingham	4 November	Birmingham
Newcastle	8 November	Gosforth Park
Manchester (2)	15 November	Cheadle

The main criteria applied in identifying suitable venues are proximity to the airport option and affected areas, venue capacity, accessibility, and availability.

Bus and Coach Casualties

Miss McIntosh: To ask the Secretary of State for Transport if he will make a statement on the change in the number of injuries and fatalities in bus and coach transport between 1997 and 2001. [76950]

Mr. Jamieson: The table shows the numbers of casualties by severity for bus or coach drivers and passengers between 1997 and 2001.

Although total bus and coach occupant casualties in 2001 were 5 per cent. higher than in 1997, the number killed and seriously injured fell by 6 per cent. There has been little change in fatalities within the total.

Bus and coach user casualties: 1997–2001

	1997	*1998*	*1999*	*2000*	*2001*
Drivers					
Killed	2	1	0	1	4
KSI[1]	75	69	67	51	64
All severities	833	907	908	1,024	992
Passengers[2]					
Killed	12	17	11	14	10
KSI	526	562	544	527	498
All severities	8,606	8,932	9,344	9,064	8,892
All occupants[2]					
Killed	14	18	11	15	14
KSI	601	631	611	578	562
All severities	9,439	9,839	10,252	10,088	9,884

[1] Killed or seriously injured
[2] Includes boarding and alighting

Competition Act

Mr. Don Foster: To ask the Secretary of State for Transport if he will make a statement on the nature and investigation of each complaint that has been made against a railway business under the terms of the Competition Act 1998. [76400]

Mr. Jamieson: Complaints concerning services relating to railways are a matter for the Rail Regulator exercising concurrent jurisdiction with the Director General of Fair Trading. Section 55 and schedule 11 of the Competition Act 1998 imposes a general restriction on disclosure of information. No information relating to the affairs of an individual, or any particular business or undertaking, can be disclosed during the individual's lifetime or while the business is carried on unless consent is obtained.

Concessionary Travel

Mr. Laurence Robertson: To ask the Secretary of State for Transport if he will introduce concessionary travel fares for people in rural areas attending training courses; and if he will make a statement. [77047]

Mr. Jamieson: Concessionary travel, as it currently stands, contributes to social inclusion by making transport more affordable to older and disabled people, who are often on lower incomes. However, others who may be socially excluded might also benefit from cheaper bus fares, but cannot do so under the current arrangements. We are therefore considering, in the context of our review on bus subsidies, whether local authorities should have greater discretion to extend lower fares to other groups such as those who are seeking employment, or for people in full-time adult education. The review will report to Transport and Treasury Ministers in February 2003.

Consultancies

David Davis: To ask the Secretary of State for Transport if he will list external *(a)* public relations/communications companies, *(b)* advertising and marketing companies, *(c)* management consultancies, *(d)* accountancy companies, *(e)* banking firms, *(f)* individual consultants and *(g)* other specialist consultancies used by his Department since June 2001; what actions those consultancies/companies have performed within his Department; and what costs have been incurred through use of these consultancies/companies. [74681]

Mr. Spellar: The Department was formed on 29 May 2002 and the information requested since that date is not held centrally and could be provided only at disproportionate cost.

Expenditure on external consultants by the former DTLR is given in an answer by the then Parliamentary Under-Secretary of State (Dr. Whitehead) on 15 April 2002, *Official Report*, column 736W.

Expenditure on external consultants who dealt with press or public relations by the former DTLR is provided in an answer given by my hon. Friend the Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Mr. Leslie) on 19 June 2002, *Official Report*, column 412W.

Cycleways

Mr. Drew: To ask the Secretary of State for Transport what plans he has to extend the number of cycleways, especially in rural areas. [77072]

Mr. Jamieson: The responsibility for providing cycling facilities rests with local traffic authorities.

They have powers to provide cycle lanes on the carriageway and cycle tracks away from the road. It is for individual authorities to decide local priorities and allocate funding for schemes in rural areas.

Departmental Job Vacancies

Mr. McNamara: To ask the Secretary of State for Transport how many job vacancies there were at *(a)* administrative assistant or equivalent, *(b)* administrative officer or equivalent, *(c)* administrative executive officer, *(d)* higher executive officer, *(e)* senior executive officer, *(f)* grade 7 principal and *(g)* positions above grade 7 level in his Department for jobs located in *(i)* London and (ii) the South East between 1 April 2001 and 31 March; and what is the total employment for each Civil Service grade. [76556]

Mr Jamieson: We do not have central records readily available for vacancy figures as at 1 April 2001. Vacancy figures detailed in the table are at 1 October 2001. Figures for the Department's agencies are not held centrally and therefore are not available.

Table showing vacancy position in Department for Transport, Local Government and the Regions as at 1 October 2001[1]

Responsibility level	*Vacancies (all London)*	*Total staff*
Grade 6 and above	1	293
Grade 7	24	631
Senior Executive Officer	37	464
Higher Executive Officer	56	880
Executive Officer	73	950
Administrative Officer	96	959
Administrative Assistant	9	201
Total non-industrial staff	296	4,380

[1] All vacancies are in the London region.

Drivers (Mobile Phones)

Mr. Drew: To ask the Secretary of State for Transport if he will make a statement on the Government's *(a)* policy and *(b)* advice on the use of hand-held mobiles while driving. [77070]

Mr. Jamieson: The advice in Rule 127 of The Highway Code is never to use a hand-held mobile phone when driving. The Department's leaflet 'Mobile Phones and Driving' provides more detailed advice—the text is available on-line at "www.think.dft.gov.uk/mobile/index.htm". This advice has been supported by publicity campaigns.

The Government is currently inviting comments on the possible introduction of a specific offence to prohibit the use of any hand-held mobile phone or similar device by drivers. The Department's consultation document is available on-line at Views are requested by 25 November.

East London Underground Line

Martin Linton: To ask the Secretary of State for Transport when he expects to announce plans to extend the East London Underground Line to stations in south London. [77292]

Mr. Spellar: As soon as we have taken a decision on the project.

Non-departmental Public Bodies

Mr. Don Foster: To ask the Secretary of State for Transport if he will list *(a)* the number of people employed, *(b)* the role and terms of reference and *(c)* the annual budget of *(i)* the Northern Lighthouse Board and (ii) the Commission for Integrated Transport for each year since 1997–98. [76524]

Mr. Jamieson: The information is as follows:

(i) The Northern Lighthouse Board

(a) Number of people employed

	1997–98	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Average number of employees (inc. part-time)	*395*	*359*	*365*	*369*	*358*	[1] *343*
Part-time	*151*	*142*	*146*	*160*	*157*	[1] *135*

[1] Average for the year to 30 September 2002

(b) The role of the Northern Lighthouse Board is to provide and maintain aids to navigation around the coastline of Scotland and the Isle of Man and to deliver a reliable and economical service that enables all classes of mariner to navigate safely within its area of responsibility.

(c) Annual budget

	£ million
1997–98	23,461
1998–99	22,057
1999–2000	28,185
2000–01	22,930
2001–02	24,210
2002–03	22,140

(ii) The Commission for Integrated Transport

The Commission for Integrated Transport was established in July 1999.

(a) Number of people employed

	1999–2000	*2000–01*	*2001–02*
Board members	17	17	17
Secretariat	6	7	10

(b) The role of the Commission for Integrated Transport is to provide independent advice to Government on the implementation of integrated transport policy, to monitor developments across transport, environment, health and other sectors and to review progress towards meeting the Government's objectives. Its remit includes:

reviewing and monitoring progress towards objectives and targets set out in the Integrated Transport White Paper;

continuing and refreshing the transport policy debate;

fostering consensus among practical providers;

identifying and disseminating examples of best practice from home and abroad;

advising on developments in Europe, including relevant EU initiatives;

advising on the role of existing and emerging technologies;

reporting regularly on progress against the objectives and outcomes in the 10 Year Plan.

(c) Annual budget

	£000
1999–2000	387
2000–01	695
2001–02	2,239

London-Ipswich Links

Mr. Yeo: To ask the Secretary of State for Transport when he will publish his response to the consultation process on the London to Ipswich Multi-Modal Study. [77680]

Mr. Jamieson: The London to Ipswich Multi-Modal Study, as with all Multi-Modal Studies, has undertaken consultation exercises at various stages to ensure that the views of local public, businesses, environmental interests, transport users, operators and other regional interests are taken into account. The final report is due by the end of November 2002 and will include a section relating to communication and consultation undertaken as part of this study. We will announce our response to the Study after receiving views on it from the East of England Local Government Conference (RPB).

Mr. Yeo: To ask the Secretary of State for Transport what recent representations he has received about upgrading the A12 between London and Ipswich. [77681]

Mr. Jamieson: I have received no recent representations about upgrading the A12 between London and Ipswich. However, transport issues in this corridor are being studied in the London to Ipswich (LOIS) multi-modal study. The study final report will be published by the end of November 2002 and will set out proposals for improvements for all modes of transport in the A12 corridor.

Motorway Central Reservations

Mr. Ben Chapman: To ask the Secretary of State for Transport what plans he has for planting foliage in central reservations of 10 metres or more on motorways. [76569]

Mr. Jamieson: There are no plans for new planting on existing wide central reservations on the existing motorway network.

Mr. Ben Chapman: To ask the Secretary of State for Transport what research has been commissioned on the effect of foliage in central reservations of motorways on driver psychology. [76570]

Mr. Jamieson: No research has been commissioned by my Department into the effect of foliage in central reservations of motorways on driver psychology.

Mr. Ben Chapman: To ask the Secretary of State for Transport whether he has commissioned research into the effect of planting foliage on the central reservations of motorways in other countries on *(a)* safety, *(b)* the environment and *(c)* tourism. [76571]

Mr. Jamieson: No. A working group was set up in 1988–89 that examined the design options for central reservation policy. It took account of European practice at that time. It did not find any evidence of significant benefits for safety, the environment or tourism in the use of such planting.

Recruitment Advertising

Annabelle Ewing: To ask the Secretary of State for Transport how many non-devolved posts were advertised in the press in each year from June 1999; and what percentage of them were advertised in the Scottish press. [76849]

Mr. Jamieson *[Holding answer 24 October 2002]:* My Department does not hold centrally, information on the coverage of the posts it has advertised. None of our advertisements have used Scottish press, except where the post is to be based in Scotland. All of our advertising media is chosen to achieve as broad a reach as possible, and includes UK wide newspapers and the web.

Regional Eurostar Rail Services

Mr. Kidney: To ask the Secretary of State for Transport if he will review the Government's assessment of the viability of regional Eurostar rail services following the responses received to his consultation on future aviation policy. [77255]

Mr. Jamieson: The Strategic Rail Authority (SRA) has a duty under S206(4) of the Transport Act 2000 to consider the introduction of regional Eurostar services. The SRA have said that they will soon publish a strategy relating to services in various parts of Great Britain for facilitating the carriage of passengers or goods by rail by way of the channel tunnel.

Road Safety

Miss McIntosh: To ask the Secretary of State for Transport what action he proposes to take to improve road safety in buses and coaches before 2004. [76951]

Mr. Jamieson: Buses and coaches have consistently been one of the safest forms of passenger transport. Since 2001 we have introduced requirements to improve their very good safety record such as the fitment of anti lock braking systems, seat belts in coaches and improved designs of buses to cater for disabled passengers. In the longer term we are working with others to improve the European standard for the protection of coach passengers in the event of a roll over accident. The revised standard is not expected to be applied to new coaches until after 2004.

Road Schemes

Bob Spink: To ask the Secretary of State for Transport (1) if he will list the new road schemes under consideration by his Department; [75664]

(2) if he will list the new road schemes which the Highways Agency has *(a)* agreed and *(b)* under consideration. [75665]

Mr. Jamieson: The Highways Agency is progressing the 61 schemes in the Targeted Programme of Improvements (TPI) which are either under construction or proceeding through their remaining statutory procedures. A full list of schemes in the TPI has been placed in the Libraries of the House.

Following decisions taken by Secretary of State on multi-modal or road-based studies, the Highways Agency has been tasked with taking forward further

work on the following schemes, with a view to adding them to the TPI once a more detailed design has been agreed:

A21 Tonbridge to Pembury online dualling;
A21 Pembury—Hastings (selected improvements);
Widening and partial realignment of the A14 between Huntingdon and Cambridge;
M60/M67/A57 Denton Interchange Improvement;
Dualling of the A66 between Scotch Corner and Penrith;
A419 Commonhead Roundabout.

I will place in the Libraries of the House a list of improvements currently under consideration that have been either formally recommended to us by multi modal studies or for which local authorities have made formal bids under the Local Transport Plan process.

South Coast Corridor Multi-modal Study

Mr. Andrew Turner: To ask the Secretary of State for Transport for what reason the Isle of Wight was excluded from the terms of reference of the south coast corridor multi-modal study. [76745]

Mr. Jamieson: While not included in the study corridor identified in the 1998 White Paper "A New Deal for Trunk Roads in England" the Isle of Wight was included in the area of influence agreed by the study Steering Group for the south coast multi-modal study. Throughout the study steps were taken to ensure consultation with the wider reference group, this included representatives from the Isle of Wight.

Traffic Calming

Mr. Drew: To ask the Secretary of State for Transport what plans he has to issue guidance on the forms of traffic calming. [77073]

Mr. Jamieson: The Department has issued and will continue to issue guidance in the form of Traffic Advisory Leaflets. These provide information on the design of traffic calming measures and their impact, including public attitudes to calming schemes.

The Department intends to publish a Local Transport Note on traffic calming in 2003. This will draw together existing information and assist local authorities in the comparison of available measures.

Transport and Traffic Studies

Mr. Andrew Turner: To ask the Secretary of State for Transport what *(a)* national and *(b)* regional transport and traffic studies have been undertaken since 1997 which include the Isle of Wight. [76746]

Mr. Jamieson. There have been a number of national and regional surveys and studies since 1997 which have included consideration of transport and traffic on or to the Isle of Wight. These include:

South Coast Multi Modal Study
M27 Corridor Integrated Transport Study
Survey of bus passenger satisfaction
International Road Haulage Survey
PSV Annual Inquiry (bus and coach operators)
Continuing Survey of Road Goods Vehicles
National Road Maintenance Condition Survey (NRMCS)
National Travel Survey
The National Census
Survey of taxis and private hire vehicles
Ports Survey
Traffic Census
Review of UK Trust Ports

Trinity House and Strategic Rail Authority

Mr. Don Foster: To ask the Secretary of State for Transport (1) what recent assessment he has made of the performance of *(a)* Trinity House Lighthouse Service and *(b)* the Strategic Rail Authority, including details of performance targets; what reports are published on their performance ; and if he will place copies of such reports in the Library; [76473]

(2) how many people are employed by *(a)* the Trinity House Lighthouse Service and *(b)* the Strategic Rail Authority; what their role and terms of reference are; what their annual budget was for each year since 1997–98; and what their projected budget is for 2002–03. [76196]

Mr. Jamieson: The information is as follows:

(a) Trinity House Lighthouse Service

	Average number of employees (inc. part-time)	*Part-time*
1997–98	545	55
1998–99	527	63
1999–2000	466	13
2000–01	450	15
2001–02	439	16
2002–03	[1] 436	[1] 16

[1] Average for the year to 30 September 2002

The role of Trinity House Lighthouse Service is to provide and maintain aids to navigation around the coastline of England, Wales, the Channel Islands and Gibraltar and to deliver a reliable and economical service that enable all classes of mariner to navigate safely within its area of responsibility.

The annual budget figures are given in the table:

	£ million
1997–98	29,187
1998–99	29,362
1999–2000	28,587
2000–01	30,364
2001–02	30,203
2002–03	31,998

Trinity House Lighthouse Service (THLS) measures the availability of the aids to navigation against the service standards set by the International Association of Marine Aids to Navigation and Lighthouse Authorities (IALA). These performance indicators are set out in the Report and Accounts of the General Lighthouse Fund 2000–2001, a copy of which has been placed in the Library of the House. They indicate that most aids to navigation provided by THLS exceed the IALA standards for availability for use.

(b) Strategic Rail Authority

On 31 March 2002, the Strategic Rail Authority employed 463 staff (including BRB (Residuary) Limited and Rail Passengers' Council staff, but excluding the British Transport Police). The Authority's purposes and strategies are set out in sections 205–209 of the Transport Act 2000, together with the manner in which the Authority is to exercise its functions. Directions and guidance under sections 206(3) and 207(5) of the 2000 Act were issued to the Authority on 26 September 2002.

The Authority was established on 1 February 2001 with a budget of £329,555,000 for the last two months of 2000–01. Its budgets for 2001–02 and 2002–03 were, respectively, £1,796,749,000 and £2,149,998,000. The Authority's main predecessor body was the Office of Passenger Rail Franchising (OPRAF). The table shows OPRAFs annual budgets from 1997–98 onwards.

	Cash prices (£)
1997–98	1,516,385,000
1998–99	1,254,889,000
1999–2000	1,110,889,000
2000–01	[1] 1,032,889,000

[1] Of the £1,032,889,000 total, £321,555,000 was used to help fund the SRA in February(March 2001.

Details of the expenditure funded from those budgets are set out in OPRAF's and the Authority's annual reports and accounts.

The Authority reports on progress against its objectives in its annual reports. Its most recent report, for 2001–02, was published and placed in the House Library in July 2002.

CULTURE, MEDIA AND SPORT

Access Radio

Mr. Liddell-Grainger: To ask the Secretary of State for Culture, Media and Sport (1) what assistance the Government will give to Access Radio stations to set up; and whether they will be eligible for lottery funding; [76943]

(2) what controls will be placed on Access Radio stations to prevent competition with small local radio stations; [76942]

(3) what level of profit Access Radio stations will be permitted to make; [76945]

(4) what rules will govern the running of Access Radio stations. [76946]

Dr. Howells: The Government announced in the Communications White Paper in December 2000 that they were considering establishing a new tier of access radio to allow the provision of very local and very niche services.

It was agreed with the Radio Authority that it should pilot this idea and in August 2001 the Radio Authority invited 15 groups to participate in the pilot scheme during 2002. The purpose of the pilot scheme is to establish whether access radio is viable and how it might be licensed, regulated, funded, promoted and organised. The completed evaluation is expected to be published next spring. The Communications Bill, when enacted, will allow the Secretary of State to introduce access radio, and any decisions will be informed by the outcome of the current pilot study.

If the Government decide to introduce access radio, it is anticipated that future access radio stations would:

demonstrate evidence of social gain and/or public service aims;

be small-scale neighbourhood schemes, or be designed to serve a community of interest;

be funded either through non-commercial funding or by a mixture of commercial and non-commercial funding (for which limits may be specified);

be not-for-profit or non-profit distributing;

be ring-fenced in terms of ownership and operation from Independent Local Radio, and distinct from Independent Local Radio (ILR) (eg ILR licensees will be proscribed from equity participation to any extent in an Access Radio licensee); and

provide opportunities to allow access among those within the target group to the operation of the service.

In drawing up arrangement for licensing and regulating access radio stations, the Government and OFCOM will take full account of the possible impact of access radio on the local broadcasting ecology in each potential locality.

The Government are considering the creating of an access radio fund which could support access radio stations. No decisions have yet been taken on such a fund. It will be for the lottery distributing bodies to decide whether access radio stations will be eligible for grants.

Bed and Breakfast Accommodation

Mr. Drew: To ask the Secretary of State for Culture, Media and Sport what discussions she has had with those organisations that certify the standards of bed and breakfast accommodation with the aim of trying to get agreed standards. [76980]

Dr. Howells: I have had no such discussions. The standards are already agreed and widely publicised but I am considering commissioning a review of the way they are working in the near future.

Departmental Job Vacancies

Mr. McNamara: To ask the Secretary of State for Culture, Media and Sport how many job vacancies there were at *(a)* administrative assistant or equivalent, *(b)* administrative officer or equivalent, *(c)* administrative executive officer, *(d)* higher executive officer, *(e)* senior executive officer, *(f)* grade 7 principal and *(g)* positions above grade 7 level in her Department for jobs located in (i) London and (ii) the south east between 1 April 2001 and 31 March; and what is the total employment for each civil service grade. [76563]

Dr. Howells: The number of vacancies in the Department, and total number of staff by grade are set out in the table:

Position as at 1 April 2001

	London region		*South-east region*	
Grade	*Vacancies*	*Total staff*	*Vacancies*	*Total staff*
Grade 6 and above	0	32	0	0
Grade 7	7	63	0	1

Position as at 1 April 2001

Grade	London region		South-east region	
	Vacancies	*Total staff*	*Vacancies*	*Total staff*
HEO/SEO	12	125	0	0
EO	11	88	0	0
AO	4	78	0	0
AA	0	16	0	0

Football Transfers

Mr. Drew: To ask the Secretary of State for Culture, Media and Sport what recent discussions she has had with the Football League and National Conference League on the subject of transfers. [76981]

Mr. Caborn: My Department has remained in close touch with the football authorities since the announcement of agreement on the principles of the new international transfer system, made between the sport and the European Commission in March 2001. Officials have recently discussed the Football League's proposals for exemption from the transfer window framework.

Gatekeeper's Room, Marble Arch

Ian Lucas: To ask the Secretary of State for Culture, Media and Sport what use is made of the former Gatekeeper's Room in Marble Arch. [77293]

Dr. Howells: English Heritage currently open the large room in Marble Arch to the public for guided tours during the annual London Open House weekend, when interpretive material is provided by the Public Monuments and Sculpture Association. Access difficulties limit the possibilities for greater use of the rooms in the arch.

Licensing

Mr. Simon Thomas: To ask the Secretary of State for Culture, Media and Sport what assessment she has made of the cost associated with her proposal to transfer licensing responsibilities from magistrates to local authorities. [77397]

Dr. Howells: The transfer of licensing responsibilities from magistrates to local authorities would be cost neutral. The licensing justices currently recover the costs of licensing by means of fees. Following transfer, licensing fees would be set centrally at a level that fully recovers the costs to local authorities of administering and enforcing the new licensing system.

Playing Fields

Kate Hoey: To ask the Secretary of State for Culture, Media and Sport what targets for numbers of schemes and finance to be allocated have been agreed between the New Opportunity Fund and Sport England for the Playing Fields and Community Green Spaces Programme, with the purpose of *(a)* preserving playing fields and open spaces, *(b)* purchasing new playing fields, *(c)* bringing disused playing fields back into use and *(d)* improving the condition of playing fields. [76660]

Mr. Caborn: The Playing Fields and Community Green Spaces Programme run by Sport England under the New Opportunities Fund Green Spaces and Sustainable Communities programme, is split into two main strands: playing fields and playing pitch strategies, and playgrounds and community play areas.

The playing fields and playing pitch strategies element of the programme has a target spend of £20,404,890. This consists of £19,636,768 for development of new,under threat or disused playing fields, and pitch improvements; and £768,122 for playing pitch strategies.

The target agreed with Sport England for development of new, under threat or disused playing fields is 85 fields. The target agreed with Sport England for pitch improvements is 106 pitches.

Kate Hoey: To ask the Secretary of State for Culture, Media and Sport what changes have been made to the agreements made at the beginning of the programme between New Opportunity Fund and Sport England for the Playing Fields and Community Green Spaces Programme. [76663]

Mr. Caborn: No changes have been made since the start of the programme.

Racism in Sport

Dr. Cable: To ask the Secretary of State for Culture, Media and Sport what discussions her Department has had with football authorities and the Department for Education and Skills about raising awareness in schools of racism in sport, with particular reference to football; and if she will make a statement. [76926]

Mr. Caborn: My Department supports the work of Kick it Out and Show Racism the Red Card, which co-ordinate anti-racism work in football. Both bodies are co-sponsored by the Football Foundation, through which public funding for the sport is channelled. The Department for Education and Skills has worked closely with the two organisations on anti-racist educational resources, including a CD-Rom developed by Show Racism the Red Card which is designed to be compatible with the citizenship module of the national curriculum.

LORD CHANCELLOR'S DEPARTMENT

Census

Mr. Donaldson: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to use his statutory powers to open the records relating to the 1911 Census in England and Wales. [77806]

Ms Rosie Winterton: There are no plans to release the 1911 Census at this time. Decennial Census returns held by the PRO care closed for 100 years under Section 5(1) of the Public Records Act through Lord Chancellor's Instrument 1958 (No. 12 dated 1960). This is the general closure period which applies to census returns.

Census Website

Mr. Edward Davey: To ask the Parliamentary Secretary, Lord Chancellor's Department how many people have visited the 1901 Census website since its relaunch; and if he will make a statement. [77281]

Ms Rosie Winterton: The 1901 Census website went back online as a test site on 27 August 2002. up to 21 October over 1.4 million people have visited the site. They have conducted 14 million searches and downloaded 600,000 images of the census pages.

Consultancies

David Davis: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will list external *(a)* public relations/communications companies, *(b)* advertising and marketing companies, *(c)* management consultancies, *(d)* accountancy companies, *(e)* banking firms, *(f)* individual consultants and *(g)* other specialist consultancies used by her Department since June 2001; what actions those consultancies/companies have performed within her Department; and what costs have been incurred through use of these consultancies/companies. [74687]

Yvette Cooper: The Department's use of external companies/consultancies, in the categories requested and between 1 June 2001 to 31 August 2002, was as follows:

Companies/consultancies used between June 2001 and August 2002	*Net expenditure with companies/consultancies listed and services performed*
(a) Public relations/communications companies	Public Relations/Communications Services: £0.007 million
Analogue Gyrographic Communications Ltd.	Design of a website and design of an annual report
(b) Advertising and marketing companies	Advertising and marketing services: Nil expenditure
None	
(c) Management consultancies and specialist consultancies[1]	Management and specialist consultancy services: £7.36 million[2]
PA Consulting Group CMG UK Ltd. ASE Consulting AMTEC Banner McBride C. International Ltd. PricewaterhouseCoopers Stanton Marris Ltd. PKF Metropolitan Investigations Acrobat Butcher Doulton Communications BDO Stoy Hayward Arthur D. Little Parity Penna Inform Consulting Insight Consulting Ltd. Suffolk CCWS TSO Consulting BMI Health Services Yale Consulting Deloitte Consulting Paver Downes WS Atkins Planning and Management Consultants Ltd. Wheelers CESG VP Treen Mc Bains Cooper R. Verney Team Management Systems Lombard Street Cornwall Associates ORC International DBi Consulting Ltd. Gartner Solving AEM Ltd. Improcom Ltd. Ward Dutton BMRB Ionnan Kelly Services SchlumbergerSema CMC Hays Consultancy and Solutions	Provision of expert professional advice and support on specific, time-limited tasks, usually in connection with projects, but sometimes in support of the on-going operation of the Department. Services performed include customer and market surveys, risk assessments, provision of technical advice (eg on IT security, health and safety), undertaking specific studies and reviews and supporting the implementation of major projects and programmes. The current level of expenditure reflects the wide-ranging and fast-paced programme to modernise the courts and the tribunal system to increase efficiency, provide better customer service, and value for money for the tax payer. Delivering such a programme has necessitated the use of external expertise and skills to supplement the Department's own resources.
(d) Accountancy companies	Accountancy services £0.29 million
Kidsons Deloitte Consulting PKF SD Partners Ltd.	General accountancy advice and advice on pension arrangements

Companies/consultancies used between June 2001 and August 2002	*Net expenditure with companies/consultancies listed and services performed*
(e) Banking firms None	Banking services: Nil expenditure
(h) Individual consultants [3]	[4]—
(i) Other specialist consultancies [4]	[4]—

[1] Management and specialist consultancies are listed together as many consultancies provide both types of service.
[2] £0.34 million of the £7.36 million was with individual consultants.
[3] In addition to the management and specialist consultancy companies listed, 33 individual consultants were used.
[4] See (c).

Correspondence

Ian Lucas: To ask the Parliamentary Secretary, Lord Chancellor's Department, when he will reply to the letter from the hon. Member for Wrexham of 8 August, in respect of Mr. and Mrs. Jones. [77310]

Yvette Cooper: The letter of 8 August on behalf of Mr. and Mrs. Jones was passed to the Chief Executive of the Court Service for reply as he had already been dealing with the issues involved. He replied to the letter on 24 October.

Further to this matter I have written to my hon. Friend today.

Ian Lucas: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will instruct the chief Executive of the Court Service to reply to the letter from the hon. Member for Wrexham of 8 August. [77311]

Yvette Cooper: The Chief Executive of the Court Service replied to the letter of my hon. Friend the Member for Wrexham of 8 August on 24 October.

Departmental Job Vacancies

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department how many job vacancies there were at *(a)* administrative assistant or equivalent, *(b)* administrative officer or equivalent, *(c)* administrative executive officer, *(d)* higher executive officer, *(e)* senior executive officer, *(f)* grade 7 principal and *(g)* all positions above grade 7 level in her Department for jobs located in *(i)* London and (ii) the south east between 1 April 2001 and 31 March; and what is the total employment for each civil service grade. [76552]

Ms Rosie Winterton: The following table provides the information requested.

Grade	*SIP London*	*SIPSE*	*Vacancies London*	*Vacancies SE*
AA	720	339	131	132
AO	1,389	632	327	61
EO	1,376	268	272	38
HEO	643	88	173	14
SEO	339	23	88	3
Grade 7	306	3	64	0
Grade 6 and above	173	6	29	0
Total	4,946	1,359	1,084	248

Election Dates

Mr. Watson: To ask the Parliamentary Secretary, Lord Chancellor's Department if the Lord Chancellor will estimate the saving to public funds of holding the next European elections and local elections on the same day; and if she will make a statement. [76248]

Yvette Cooper: We have made some broad estimates of the likely costs of holding the European parliamentary and local elections on the same weekday in 2004. These suggest that savings may be in the region of £20 million which would represent a saving approaching 25 per cent. compared with the cost of holding these elections on separate days.

Appeals Tribunals

Mr. Drew: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on her Department's policy on regional appeals tribunals. [77069]

Ms Rosie Winterton: Pensions Appeals Tribunals currently have four permanent regional hearing centres and access to an additional four. Hearings are listed according to the hearing centre identified as most local to an appellant. Appellants are given the opportunity to request for hearings to be held at an alternative centre.

PRIME MINISTER

Energy Policy

Gregory Barker: To ask the Prime Minister when he intends to respond to the recommendation in the PIU Energy Review that departmental responsibility for energy efficiency and CHP policy be located with other aspects of energy policy. [77434]

The Prime Minister: The PIU recommended that the Government should consider whether responsibility for energy efficiency and CHP policy be located with other aspects of energy policy by the end of 2003. The Government will consider the options in the context of its current review of energy policy, which will lead to a White Paper in the new year.

Foot and Mouth

Mr. George Osborne: To ask the Prime Minister what his role is in relation to authorisation of the use of the armed forces in the event of outbreaks of foot and mouth disease. [76296]

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The Prime Minister: Decisions in relation to the deployment of the armed forces would be taken in the normal way. Lead responsibility for dealing with an outbreak of foot and mouth disease remains with DEFRA, and the procedures for involving the armed forces are clearly stated in the Interim Foot and Mouth Disease Contingency Plan.

Cabinet Office Civil Contingencies Secretariat also have a key role in securing a Government-wide co-ordinated response should a disease emergency occur. This is also outlined in the Interim FMD Contingency Plan.

Hawk Jets

Llew Smith: To ask the Prime Minister what recent discussions he has had with his Indian counterpart in respect of the sale of Hawk jets to India. [77223]

The Prime Minister: I last met the Indian Prime Minister on 12 October 2002. We discussed a wide range of issues of mutual interest. These covered a number of defence and security matters, including defence export opportunities. The Government continue to support the proposals that BAE Systems has made for the supply of Hawk Advanced Jet Trainer aircraft to India.

Iraq

Andrew George: To ask the Prime Minister what recent discussions he has had with President Bush about the desirability of obtaining explicit UN approval for military action against Iraq. [76932]

The Prime Minister: I regularly discuss all aspects of Iraq policy with President Bush. My position on the UN is as I set out in the answer I gave the hon. Member for St. Ives in the House on 23 October 2002.

Men's Issues

Mr. Amess: To ask the Prime Minister if he will establish the post of a Minister for men's issues. [76308]

The Prime Minister: I have no plans to do so.

Official Histories

Mr. Keith Simpson: To ask the Prime Minister how many Government sponsored official histories are in preparation; when each was commissioned; who the authors are; what the estimated dates of completion are; and what the estimated cost in each case is. [74921]

The Prime Minister: The original programme of official histories commissioned by the War Cabinet, and covering military and civil histories of the second world war, was extended in 1966 by the then Prime Minister to include selected periods or episodes of peacetime history. The following are currently in preparation:

Title	*Author*	*Date commissioned*	*Estimated publication date*
Falklands Campaign	Professor Lawrence Freedman	1997	2003
The Official Biography of Desmond Morton	Mrs Gill Bennett	2002	2004
The Development of North Sea Oil and Gas	Professor Alexander Kemp	1999	2005
Channel Tunnel	Dr. Terence Gourvish	2001	2005
UK Accession to the EEC vol 2	Professor Alan Milward	1997	2006
The Civil Service since Fulton	Professor Rodney Lowe	2002	2008
SOE in France (revised edition)	Professor M R D Foot	2000	2003
Secret Flotillas (revised edition)	Sir Brooks Richards	2000	2003
From Defence by Committee to Defence by Ministry	Professor Donald Cameron Watt	1974	2004
External Economic Policy since the War vol 2	Professor Leslie Pressnell	1974	2004
SOE in Italy	Christopher Woods	1989	2004
SOE in Greece	Professor Richard Clogg	1984	2004

In the financial year 2000–01 the cost of running the official history programme was £147,000. This includes fees and expenses of historians and research assistants, costs associated with publication and staff costs of Cabinet Office administrative support. However, it excludes accommodation related overheads. In the case of the SOE histories, no fee is paid for the authors' work. Instead they seek recompense through royalties from their publishers.

SCOTLAND

Departmental Job Vacancies

Mr. McNamara: To ask the Secretary of State for Scotland how many job vacancies there were at *(a)* administrative assistant or equivalent, *(b)* administrative officer or equivalent, *(c)* administrative executive officer, *(d)* higher executive officer, *(e)* senior executive officer, *(f)* grade 7 principal and *(g)* all positions above grade 7 level in her Department for jobs located in *(i)* London and (ii) the South East between 1 April 2001 and 31March; and what is the total employment for each civil service grade. [76554]

Mrs. Liddell: My Department has a number of staff located in London. The following table provides a breakdown of staff numbers and vacancies between 1 April 2001 and 31 March 2002.

	London region	
Responsibility level	*Vacancies*	*Total staff*
G6 and above	—	5
G7	—	3
SEO	—	—
HEO	—	3
EO	—	9

London region

Responsibility level	*Vacancies*	*Total staff*
AO	5	12
AA	—	4
Other	0	0
Total	5	36

TREASURY

UK Property Prices

Mr. Laws: To ask the Chancellor of the Exchequer if he will make a statement on the effect of recent changes in UK property prices on his fiscal policy. [77018]

Ruth Kelly: Consistent with the Code for Fiscal Stability, an interim update of the public finance projections will be published in the forthcoming pre-Budget report.

Biofuels

Paddy Tipping: To ask the Chancellor of the Exchequer (1) what assessment he has made of the value of biofuels for road transport in contributing to achieving his environmental and rural development goals; [75025]

(2) what representations he has received about further reductions in the rates of duty on biodiesel and biomethanol; and if he will make a statement; [75026]

(3) what discussions he has had with the EU over reduced rates of duty for road gas fuels and hydrogen as a road fuel; and what plans he has for similar discussions to reduce the rates for biomethanol. [75027]

John Healey *[holding answers 21 October 2002]:* Ministers and officials have had a number of discussions with the European Commission and other member states about road fuel duties.

The former Department for Environment, Transport and Local Government published an environmental appraisal of the green fuels originally submitted in response to the Chancellor's Green Fuel Challenge in March 2001. This set out the Government's views on different alternative fuels. In addition, the Department for Environment, Food and Rural Affairs has commissioned an assessment from Sheffield Hallam University on biodiesel. This is an independent evaluation of comparative energy, environmental and social costs and benefits of biodiesel. The results of this study are expected to be published later this year.

We have received a number of representations about fuel duty rates. Decisions on duty rates are taken by the Chancellor of the Exchequer, at Budget time.

Child Tax Credit

Vera Baird: To ask the Chancellor of the Exchequer if he will estimate the number of *(a)* families with children and *(b)* lone parents who will have relevant incomes as defined under section 7 of the Tax Credits Act 2002 of less than £13,230 a year for the purpose of calculating entitlement to child tax credit. [77267]

Dawn Primarolo: The number of families with children expected to benefit from the child tax credit with relevant incomes as defined under section 7 of the Tax Credits Act 2002 of less than £13,230 a year is estimated as 2.4 million.

Vera Baird: To ask the Chancellor of the Exchequer how many *(a)* families with children and *(b)* one-parent families will be eligible for the maximum rate of child tax credit. [77269]

Dawn Primarolo: The number of families with children expected to benefit from the maximum rate of child tax credit is estimated as 2.55 million.

Confederacion Espanola de Caja Ahorros

Mr. Gareth Thomas: To ask the Chancellor of the Exchequer how many complaints the Financial Services Authority and the Bank of England have received about the Confederacion Española de Caja Ahorros in each of the last 10 years. [77227]

Ruth Kelly: Complaints resolution between financial firms and their customers is not a function carried out by the Financial Services Authority. In any case, disclosure of the information sought is prevented by section 348 of the Financial Services and Markets Act (2000).

Customs and Excise

Matthew Taylor: To ask the Chancellor of the Exchequer if he will place a progress report on the Customs and Excise electronic self-service facilities for current internal based administrative processes in the Library; and if he will make a statement. [74781]

John Healey: As part of their e-Business programme to modernise the way the Department delivers its business, Customs are in the process of procuring a commercial off-the-shelf HR package to deliver electronic self-service facilities for their current HR administrative processes.

The Proof of Concept (PoC) phase of the procurement exercise started on 2 September 2002 and will last for three months. This will ensure that the proposed system will meet their HR requirements.

If the outcome is successful, Customs expect to award contracts in early 2003 when an Office of Government Commerce Gateway Review to confirm the investment decision is also planned. Subject to this, the first phase of development can then commence. Implementation is likely to take a minimum of two years.

Departmental Job Vacancies

Mr. McNamara: To ask the Chancellor of the Exchequer how many job vacancies there were at *(a)* administrative assistant or equivalent, *(b)* administrative officer or equivalent, *(c)* administrative executive officer, *(d)* higher executive officer, *(e)* senior executive officer, *(f)* grade 7 principal and *(g)* all positions above grade 7 level in his Department for jobs located in *(i)* London and (ii) the South east between 1 April 2001 and 31 March; and what is the total employment for each civil service grade. [76557]

Ruth Kelly: The information on the number of vacancies as at 1 April 2001 is unavailable. The information on total employment as at 1 April 2001 in HM Treasury is shown in the table:

Position as at 1 April 2001 in HM Treasury (London region

	Total
Non-industrial staff at grade 6 and above	67.7
Range E (equivalent to grade 7)	230.7
Range D (equivalent to HEO/SEO level)	277.1
Range C (equivalent to EO level)	111.0
Range B (equivalent to AO level)	150.6
Range A (equivalent to AA level)	37.9
Total staff as at 1 April 2001	875.0

Digicerts

Mr. Clappison: To ask the Chancellor of the Exchequer (1) whether the use of Digicerts supplied by Equifax to UK firms must comply with USA export law and regulations, with particular reference to those imposing trade sanctions on other countries; [77126]

(2) what assessment he has made of the legal liability of those using Digicerts; [77130]

(3) whether the Government have carried out an audit of Equifax data systems; [77124]

(4) if he will make a statement on the award of the contract to Equifax as a supplier of Digital certificates; [77128]

(5) what representations he has received concerning the New Export System for non-European Community exports; [77132]

(6) what assessment he has made of the application of the provisions of the Data Protection Act 1998 to information supplied under the New Export System; and what assessment he has made of the compliance of the Equifax digital application procedure with the Act; [77123]

(7) what agreements must be entered into by those applying for Digicerts from Equifax and whether *(a)* UK and *(b)* US law governs the use of Digicerts supplied to UK companies by Equifax; [77127]

(8) whether *(a)* individuals and *(b)* organisations may apply for Digicerts; [77131]

(9) whether Digicerts supplied to UK companies by Equifax can be used in the course of exports to *(a)* Cuba and *(b)* Iran; [77125]

(10) what information must be supplied by applicants for Digicerts; and what protection is given concerning the use of such information; [77129]

(11) what assessment he has made of the role of Digital Certificates in the new export system; and if he will list Government approved Digicert-issuing bodies. [77133]

John Healey: Customs and Excise's New Export System (NES) went live at all Maritime and Inland locations (including Inland Clearance Depots) throughout the UK on 27 October 2002. NES is an electronic-based system which enables exporters and agents to send their export declarations to Customs electronically.

It replaces the current paper-based system, facilitates legitimate trade and helps combat VAT and Excise fraud. NES provides a number of tailored models and procedures to meet the needs of different trade sectors. It will allow Customs to target their controls more effectively and therefore minimise disruption to legitimate trade; and there will be a reduction in the time it takes to process an export declaration.

The legal basis for the information supplied by exporters and their agents under NES is the Community Customs Code (Council Regulation (EEC) 2913/92) and the Implementing Regulation (Commission Regulation (EEC) 2454/93). Article 15 of the Community Customs Code imposes an obligation of privacy on customs authorities. NES complies with the Data Protection Act (DPA) 1998.

The Paymaster General received one representation on NES from the British International Freight Association (BIFA) on 20 December last year, to which the Financial Secretary replied on 24 January 2002.

To operate the New Export System electronically a digital certificate may be required. Either an individual or an organisation may apply for a digital certificate.Customs require Level 2 Security to meet authentication and non-repudiation requirements for all non-European Community declarations made via the world wide web to their export declaration processing system.

The policy of the e-Envoy's Office is that Level 2 security requirements should be met by use of digital certificates. Customs have adopted the e-Envoy's Office's policy for Level 2. Agreements concerning digital certificates are a contractual matter between the issuer and applicant; the Electronic Communications Act 2000 and the EU Electronic Signatures Directive determine the general legal admissibility of digital certificates.

The Government do not approve or carry out audits of digital certificate providers, but it encourages them to seek approval from tScheme, a voluntary, not-for-profit, industry-led body or an equivalent approval scheme. Equifax is one of several digital certificate suppliers undergoing tScheme accreditation. tScheme is the organisation set up to create strict service criteria and to approve electronic trust services, including qualified certificate services. Any digital certificate provider that meets the tScheme requirements and is technically compatible is able to supply digital certificates that can be used with the Government Gateway. Other providers are ChamberSign and BT Trust Services (available from mid-November 2002).

The only contract between these digital certificate providers and the UK Government are a standard "relying party agreement". This contract ensures that each provider supplies up-to-date lists of all digital certificate holders so that the UK Government can verify their identities when transacting through the Government Gateway.

The information supplied by applicants will depend on the certificate issuer and the intended use of the certificate. Any personal information provided and not intended for public access is covered by the DPA. It is not the Government's role to make assessments on the compliance of certificate issuers with the DPA but they are bound by its requirements.

Whether or not a digital certificate complies with US export laws is a matter for the firm and the issuer of the certificate, not the UK Government. The certificate policy should make clear the extent of any liability of the certificate issuer to the certificate relying party. This is a matter for the certificate issuer and the applicant.

Estate Sales

Mr. Andrew Turner: To ask the Chancellor of the Exchequer what capital has been realised by the sale of the estates of each of HM Treasury and its agencies since 1997 and what is the estimated value of what remains. [75684]

Dawn Primarolo: Proceeds from estate sales for April 1996 to March 2002 amount to £165,954,000. These sales relate solely to the Office of Government Commerce. The estimated value of remaining property is £107,098,000.

Foot and Mouth Relief

Mr. Drew: To ask the Chancellor of the Exchequer what discussions he has had with the Treasury over the impact of the taxation of foot and mouth relief for small businesses, with particular reference to those involved in tourism. [77307]

Dawn Primarolo: Both the Inland Revenue and Customs and Excise Departments continue to provide help and support, on a case by case basis, to those businesses and individuals who still face financial difficulty because of the foot and mouth outbreak. The Revenue Departments have helped over 27,000 businesses by agreeing to defer over £264 million in tax, national insurance contributions and VAT.

Individual Tax Codes

Mr. Coaker: To ask the Chancellor of the Exchequer what assessment he has made of the accuracy of the Inland Revenue in determining an individual's tax code; and if he will make a statement. [77020]

Dawn Primarolo: Under Pay As You Earn a code number is used to ensure that about the right amount of tax is deducted from pay according to an individual's known circumstances. And, at the end of the year, the Inland Revenue checks to see that the correct amount of tax has been paid. The Inland Revenue issues approximately 26 million notices of coding every year and each is based on the latest information available.

The Inland Revenue computer systems automatically determine a code number for each taxpayer prior to the start of each tax year. During the tax year, some code numbers are revised by staff on receipt of information from a taxpayer or employer. The Inland Revenue undertakes annual reviews to monitor the accuracy of work in the Department. This shows that coding accuracy in 2001–02 was 94 per cent.

Life Insurance

Mr. Cousins: To ask the Chancellor of the Exchequer if he will estimate the value of the tax exemption on the cost of charges and commissions included in life insurance products in the last 12 months. [77677]

Ruth Kelly: I regret the information is not available.

Money Laundering

Harry Cohen: To ask the Chancellor of the Exchequer what amendments are being proposed to the EU Directive on money laundering which allowed prior notification to the legal representatives of suspects; and if he will make a statement. [77217]

Ruth Kelly: The Second EC Money Laundering Directive was agreed in December 2001 and is not subject to amendment.

Network Rail

Matthew Taylor: To ask the Chancellor of the Exchequer when the Office for National Statistics will publish its joint letter with the National Audit Office concerning the accounting treatment of Network Rail; and if he will make a statement. [74769]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from L. Cook to Mr. M. Taylor, dated 28 October 2002:

As National Statistician I have been asked to reply to your recent question on when the Office for National Statistics will publish its joint letter with the National Audit Office concerning the accounting treatment of Network rail. (74769)

The Office for National Statistics made its joint statement with the National Audit Office concerning the accounting treatment of Network Rail on Thursday the 24 October. I am enclosing a copy of this statement, and shall also be placing a copy in the House of Commons Library. The statement is also available on the National Statistics website at: http://www.statistics.gov.uk/pdfdir/networkl002.pdf and on the National Audit Office website at: http://www.nao.gov.uk/pn/01–02/nao—ons.htm.

Pensions

Mr. Laws: To ask the Chancellor of the Exchequer what plans he has to hold an investigation into the erroneous figures on the value of United Kingdom pension contributions which have been published by the Office for National Statistics over the last four years; and if he will make a statement. [77001]

Ruth Kelly: The answer requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. David Laws, dated 28 October 2002:

As National Statistician I have been asked to reply to your recent question on pension contribution statistics [77001].

I commissioned a Review of ONS Pension Contribution Statistics on the 2 July of this year. The Terms of Reference of this Review were set out in a Press Notice (copy attached).

The review panel included senior statisticians from ONS, Inland Revenue, Department of Work and Pensions and the Government Actuaries Department, supported by experts from the Association of British Insurers and from the University sector.

The panel produced a report which I published on 10th October. (I attach a copy of the Press Notice that accompanied the publication of the review).

I am currently drawing up an implementation plan, based on the review recommendations, and I expect to announce the details of that before the end of November. I will steer that programme of work drawing on the same sorts of expertise that contributed to the review.

Pensions (Tax Relief)

Mr. Webb: To ask the Chancellor of the Exchequer if he will estimate the marginal rate of tax at which all contributors' pension contributions could be allowed if *(a)* all contributions were to be allowed at a single rate and *(b)* the cost were the same as that of the present system of tax reliefs. [76787]

Dawn Primarolo: Estimates of the cost of reliefs under the current system are given in table 7.9 of Inland Revenue Statistics. The latest version is on the Inland Revenue website; http://www.inlandrevenue.gov.Uk/stats/pensions/p t09 l.htm

They are subject to a wide margin of error and are not indicative of the effects of changing the system, as there would be significant changes in taxpayers' behaviour.

Population Estimates

Ian Lucas: To ask the Chancellor of the Exchequer if he will publish a list of local authorities in England and Wales ranked by the difference between the Office of National Statistics mid-2000 Population Estimates and the 2001 census *(a)* in absolute terms and *(b)* as a percentage. [76619]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from L. Cook to Mr. Ian Lucas, dated 28 October 2002:

As National Statistician and Registrar General for England and Wales I have been asked to reply to your recent question to the Chancellor of the Exchequer asking for a list of local authorities in England and Wales ranked by the difference between the Office for National Statistics mid-2000 Population Estimates and the 2001 Census *(a)* in absolute terms and *(b)* as a percentage. (76619)

The attached tables supply the information you have requested. I will be placing copies in the House of Commons Library. The current estimates for the years 1982–2000 are based on the 1981 Census figures, rolled forward, and will be shortly revised to take account of the results of the 2001 Census and an assessment of the cumulative errors that have built up in the mid-year estimates. Final revised Mid Year Estimates for 1991–2000 will be released on 13 February and for 1982–1990 at a later date.

In order to assist users in interpreting changes over time, ONS have issued a set of interim revised national estimates for the period 1982–2000. At the national level, for example, the previous mid-year estimate for population of England and Wales for 2000, of 52,943 thousand has now been accordingly revised to 51,913 thousand.

Red Diesel

Mrs. Browning: To ask the Chancellor of the Exchequer if he will list the rates of duty in each EU member state in respect of red diesel. [77542]

John Healey: "Red diesel" is gas oil which has been marked with a red dye and a tracer chemical making it eligible for a rebated rate of excise duty. The effective duty rate in the UK is currently 3.13 pence per litre. This rebate is specific to the UK. While many other EU member states operate rebate schemes that are similar to the UK's, they are applied in very different ways so no direct comparison is possible.

Split Capital Trusts

Mr. Laws: To ask the Chancellor of the Exchequer if he will make a statement on the actions taken by the Financial Services Authority to address investor concerns about the fall in value of the Split Capital Trust market in the UK over the last two years. [77494]

Ruth Kelly: The Financial Services Authority issued a discussion paper on the split capital investment trust market in December 2001. The results of this discussion paper were published in May 2002. Since then the FSA have been investigating past problems, including possible problems with marketing literature, possible mis-selling and alleged collusive behaviour by some managers of split capital trusts. Looking forward, they have been considering if any changes are needed to the rules of their regulatory handbook or the listing rules. They have also been liaising with the Association of Investment Trusts on their proposals for improved disclosure of the portfolios and borrowings of split capital trusts.

Mr. Laws: To ask the Chancellor of the Exchequer what *(a)* oral and *(b)* written communications took place between the Financial Services Authority in the UK and the Guernsey Financial Services Commission between 1st December 2000 and 30th April 2002 on the subject of the (i) risk characteristics and (ii) disclosure and regulation relating to Split Capital Trusts; and if he will make a statement. [77495]

Ruth Kelly: In the course of its duties the FSA liaises regularly with other financial regulators about issues of mutual interest. The details of these discussions is a matter for the FSA itself.

Tax Self-Assessment

Mr. Simon Thomas: To ask the Chancellor of the Exchequer what steps he has taken to ensure that the on-line tax self-assessment service complies with the requirements of the Welsh Language Board. [76744]

Dawn Primarolo: There is no facility at present to enable self-assessment tax returns to be filed on-line in Welsh. The Inland Revenue's aim is to have an on-line filing service available in Welsh and is currently working towards this end.

The Welsh Language Board are aware of the situation, have accepted the current position and accepted the Inland Revenue's plan to make this service available.

Mr. Simon Thomas: To ask the Chancellor of the Exchequer what proportion of the on-line tax self-assessment material is not available in Welsh; and what proportion of this is available in Welsh in another form. [76747]

Dawn Primarolo: There is no on-line tax self-assessment material available in Welsh. 100 per cent. of tax self assessment material is available in Welsh in paper format or electronically via the Welsh language pages on the Inland Revenue's website. The electronic material can be downloaded, printed and completed manually by individuals.

VAT Inspections

Brian Cotter: To ask the Chancellor of the Exchequer how many complaints his Department has received in each of the last five years relating to VAT inspection. [76831]

John Healey: Where available, relevant statistics in relation to their complaints procedures will be published in HM Customs and Excise's Annual report, which is due for publication later this Autumn.

Working Tax Credit

Vera Baird: To ask the Chancellor of the Exchequer if he will estimate the number of *(a)* families with children and *(b)* lone parents who will be eligible for working tax credit and will have relevant incomes as defined under section 7 of the Tax Credits Act 2002 of less than £5,060 a year for the purpose of calculating entitlement. [77268]

Dawn Primarolo: The number of families with children expected to benefit from the working tax credit and to have relevant incomes as defined under section 7 of the Tax Credits Act 2002 of less than £5,060 for the purpose of calculating their tax credit entitlement is estimated to be 350,000.

HOME DEPARTMENT

Violent Crime

Mr. Djanogly: To ask the Secretary of State for the Home Department how many violent crimes were recorded in Cambridgeshire in each of the last three years. [74783]

Mr. Denham: Violent crime is comprised of offences of violence against the person, sexual offences and robbery. The requested figures are given in the table.

Violent crime in Cambridgeshire

Year ending March	*Number of recorded violent crimes*
1999–2000	7,056
2000–01	7,419
2001–02	8,584

It should be noted that recorded violent crime is not necessarily an accurate guide to trends in violent crime, as it is subject to changes in reporting and recording. For example, in the British Crime Survey, for England and Wales as a whole, the number of common assaults showed a statistically significant decrease of 24 per cent. between 1999 and interviews during 2001–02, whereas common assaults recorded by the police in England and Wales increased by 15 per cent. over the same period.

Air Weapons

Joyce Quin: To ask the Secretary of State for the Home Department if he will make a statement on his policy on the acquisition and possession of air weapons. [75309]

Mr. Bob Ainsworth: The Government are very well aware of, and take very seriously, the damage which can result from the misuse of air weapons. We are looking at a number of options for dealing with the problem of air weapon misuse including a change in the age limits at which air weapons may be acquired and possessed. We will bring forward proposals shortly on measures to tackle this problem.

Alcohol (Young People)

Mr. Ben Chapman: To ask the Secretary of State for the Home Department if he will make a statement on the powers of the police to confiscate drink in the possession of young people. [75347]

Mr. Bob Ainsworth: The police have powers to confiscate alcohol from under-age drinkers in public places (Confiscation of Alcohol (Young Persons) Act 1997). Section 29 of the Criminal Justice and Police Act 2001 further clarified the confiscation powers. This enables the police to deal with situations where young people's drinking is causing a nuisance to others or may lead to bad behaviour. We have taken careful note of representations from the police to increase the confiscation powers to include sealed containers, and we intend to bring forward amendments to do this when parliamentary time allows.

Mr. Gibb: To ask the Secretary of State for the Home Department, pursuant to his answer of 19 September 2002, *Official Report*, columns 74–75W, when he will introduce legislation to amend the regulation issued under section 13 of the Criminal Justice and Police Act 2001 in respect of the confiscation of alcohol from under-age drinkers in public places. [76527]

Mr. Denham: The regulations made under section 13 of the Criminal Justice and Police Act 2001 are The Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2001. These set out the procedures to be followed by local authorities, relating to consultation and publicity, before making an order identifying a public place for the purposes of restricting anti-social public drinking. The regulations do not cover police powers to confiscate alcohol, and we have no plans to change them.

We are considering representations from the police and others about existing police powers to confiscate alcohol and we will introduce any changes in the law that may be necessary as soon as parliamentary time allows.

Antisocial Behaviour Orders

Huw Irranca-Davies: To ask the Secretary of State for the Home Department (1) what evidence he has collated on the effectiveness of *(a)* anti-social behaviour orders and *(b)* acceptable behaviour contracts; [76258]

(2) what measures the Government are using to encourage greater use of anti-social behaviour orders and acceptable behaviour contracts in Wales. [76259]

Mr. Denham: A major Home Office review of all aspects of the use of anti-social behaviour orders (ASBOs) was published in April 2002. The review found that ASBOs were being used successfully to reduce many different types of anti-social behaviour, although there were some areas in which the orders were not being applied for. In response to these findings we brought forward a wide range of enhancements to the law relating to ASBOs in the Police Reform Act.

We have also commissioned a survey of Acceptable Behaviour Contract (ABC) schemes in England and Wales, and is also evaluating the original ABC scheme in Islington. This research will be published in spring 2003.

The Home Office is producing new, joint guidance on anti-social behaviour orders (ASBOs) and acceptable behaviour contracts (ABCs). The new guidance will include examples of good practice and reflect the changes to anti-social behaviour orders introduced by the Police Reform Act 2002. It will encourage greater use of ASBOs and ABCs by helping all those involved in protecting the community to implement the measures more effectively.

Asylum and Immigration Policies

Ms Ward: To ask the Secretary of State for the Home Department if he will make a statement on his plans to offer language and citizenship education to those settling in the UK. [75327]

Beverley Hughes: The advisory group, chaired by Professor Sir Bernard Crick, will be making recommendations on language and citizenship education for people seeking naturalisation. The advisory group is working on a programme of study, which will be part of English for Speakers of Other Languages (ESOL) language teaching for those assessed as not having sufficient English. The Group has had two meetings so far and intends issuing an interim report early in the New Year, with a final report around Easter 2003.

The Nationality, Immigration and Asylum Bill refers to applicants having to deomonstrate "sufficient English (or Welsh or Scottish Gaelic)".

The Group is presently interpreting 'sufficient English' as meaning enough linguistic ability to sustain unskilled employment in an English-speaking environment. For those with that minimal level already, they consider that attendance at classes should raise their level of competence to the next entry level, as defined in the existing adult learning language skills criteria. In other words, the Group is considering the concept of attendance and progression, rather than requiring all applicants to reach an absolute standard that for some might never be achievable.

The Group has considered whether there might be some sort of screening process to filter out those people who already have sufficient English. While we do not want to make unnecessary work for people who already have a good command of one of the UK languages, we do want them to demonstrate their knowledge of life in the UK. Screening might also be used to allocate people to programmes which best meet their needs. ESOL teachers are well used to assessing linguistic capability to get people on to the right course and a number of such tools already exist.

Defining these borderlines more precisely will of course take a little time. Issues of numbers and resources, as well as standards, will also need to be considered. And, as I have said already, those with good English already may not be required to attend all the classes and may study privately for the citizenship element of the programme. This will require some innovative thought about delivery methods, bearing in mind that the overall objective is to facilitate integration and not just to test knowledge.

For those people for whom any course of study would be too challenging, perhaps by virtue of their age or infirmity, or because they have learning difficulties, the Bill includes a provision to waive these requirements. So, people who can provide sound reasons for not demonstrating progress or achievement will not be debarred from acquiring British citizenship.

The Group is currently considering a "Living in the United Kingdom" programme under six broad heads. These are:

Information on everyday needs—for instance, types of housing, paying bills, and schooling;

Knowing the law—for instance, the rights and responsibilities of a citizen;

Sources of help and information—including both national and local voluntary and community bodies;

Employment—for instance, understanding how to get a job, and employment rights and responsibilities;

Britain as a changing and multi-cultural society—including the four historical nations, the new ethnic and religious groups and changing patterns in family life and relationships;

British national institutions—political, economic and social.

The level would obviously be basic, and dependent on someone's needs at a particular point in their immigration history. But the Group is involved in ongoing discussions as to whether a more in-depth programme on the last two items would not be sensible for those with good English already.

I understand that, because some migrants do not become eligible for free education immediately, the Group intends recommending that the kind of information contained in the "Living in Britain" programme should be made available, perhaps at the point at which entry clearance is granted, to people such as work permit holders or spouses who have an avenue to indefinite leave to remain. For this purpose, the members will be proposing that the Government produces a 'Living in Britain' booklet to be given out at ports of entry or at posts abroad. Such a booklet could be translated into a number of languages to help those who, as yet, have not acquired language skills but who could, nevertheless, benefit from what it contains in their path to becoming active, involved citizens.

The Group intends to make an interim report early in the new year for public discussion and hopes to make a final report around Easter. The group will shortly be embarking on a widespread programme of consultation.

Asylum Applications

Mr. Tynan: To ask the Secretary of State for the Home Department what proportion of asylum claims received a decision within two months in the last six months. [75314]

Beverley Hughes: The latest available information relates to October 2001 to March 2002, for which 68 per cent. of new substantive asylum applications made in that period were decided and served within two months.

Mr. Bellingham: To ask the Secretary of State for the Home Department, if he will list the countries from which the Government will not as a matter of course accept asylum applications. [75332]

Beverley Hughes: There is no list of countries from which the United Kingdom will not accept asylum applications.

There are provisions in the Nationality Immigration and Asylum Bill to introduce a list of countries from which the starting presumption is that asylum claims will be clearly unfounded. However, there will continue to be individual consideration of those claims.

Mr. Godsiff: To ask the Secretary of State for the Home Department how many nationals of each country from which a visa is required applied for entry clearance to come to the United Kingdom for temporary purposes, including visitor and student applications in 2001; how many visas were issued for temporary purposes; how many recipients of these visas returned to their country of nationality before the visas expired; and how many applied *(i)* to remain permanently in the United Kingdom and *(ii)* for political asylum. [76148]

Beverley Hughes: The available information is given in the attached table. The information on grants of settlement includes persons who entered the United Kingdom with an entry clearance leading to settlement; and the data on asylum seekers includes those applicants who had not previously applied for entry clearance.

Entry clearance data for 2001 by nationality is not yet available. Data for 2000 was published in the Command Paper Control of Immigration Statistics United Kingdom 2000 Cm 5315, a copy of which is available in the Library.

Information is not available on the number of persons who return to their country of nationality before the leave to enter or remain in the United Kingdom expires. Information is not available on the number of holders of visas for temporary purposes who subsequently apply for asylum or for settlement.

Grants of settlement and applications for asylum for nationals of countries or territories which require visas, 2001

Nationality	*Grants*[1]	*Applications for asylum*[2,3]
Afghanistan	1,790	9,000
Albania	160	1,065
Algeria	725	1,145
Angola	220	1,025
Armenia	30	95
Azerbaijan	60	105
Bahrain	15	[4]—
Bangladesh	4,005	500
Belarus	75	80
Benin	5	10
Bhutan	5	50
Bosnia	1,425	50
Bulgaria	290	120
Burkino Faso	5	10
Burma (Myanmar)	65	100
Burundi	210	615
Cambodia	5	[5]—
Cameroon	140	370
Cape Verde	[5]—	[4]—
Central African Republic	[4]—	5
Chad	[5]—	30
China	1,460	2,390
Colombia	495	360
Comoros	[5]—	[5]—
Congo	110	520
Croatia	325	35
Cuba	90	15
Democratic Republic of Congo	465	1,395
Djibouti	25	5
Dominican Rep	45	[6]—
Ecuador	90	245
Egypt	395	45
Equatorial Guinea	5	5
Eritrea	130	620
Ethiopia	410	610
Federal Republic of Yugoslavia	2,450	3,190
Fiji	30	[5]—
Gabon	10	5
Gambia	265	65
Georgia	40	130
Ghana	2,280	200
Guinea	25	105
Guinea-Bissau	5	10
Guyana	185	5
Haiti	5	[5]—
Hong Kong, holder of CI or DI	25	[5]—
India	7,005	1,850
Indonesia	200	20
Iran	1,185	3,415
Iraq	1,205	6,705
Ivory Coast	165	280
Jordan	170	30
Kazakhstan	45	40
Kenya	890	310
Kuwait	15	10
Kyrgyzstan	10	10
Laos	5	[4]—
Lebanon	245	175
Liberia	105	115
Libya	305	145
Macedonia	90	745
Madagascar	5	[4]—
Maldives	5	[4]—
Mali	5	5
Mauritania	50	5
Mauritius	365	20
Moldova	30	445
Mongolia	5	145
Morocco	570	35
Mozambique	15	5
Nepal	170	640
Niger	10	5
Nigeria	4,940	870
North Korea	[4]—	[5]—
Oman	5	[4]—

Grants of settlement and applications for asylum for nationals of countries or territories which require visas, 2001

Nationality	*Grants*[1]	*Applications for asylum*[2,3]
Pakistan	11,160	2,860
Papua New Guinea	10	[4]—
Peru	145	15
Philippines	1,295	15
Qatar	5	[5]—
Romania	350	1,415
Russia	1,010	455
Rwanda	165	540
Sao Tome and Principe	5	[4]—
Saudi Arabia	40	5
Senegal	30	10
Sierra Leone	720	1,930
Slovakia	405	60
Somalia	7,195	6,465
Sri Lanka	2,305	5,510
Sudan	500	390
Surinam	5	[4]—
Syria	145	105
Taiwan	160	[5]—
Tajikistan	5	5
Tanzania	260	80
Thailand	1,175	10
Togo	30	100
Tunisia	180	25
Turkey	2,440	3,700
Turkish Republic of Northern Cyprus	50	[6]—
Turkmenistan	5	5
Uganda	675	475
Ukraine	390	440
United Arab Emirates	20	[5]—
Uzbekistan	30	15
Vietnam	160	400
Yemen	355	170
Zambia	330	20
Stateless/nationality unknown	330	330

[1] Excluding persons given indefinite leave to enter
[2] Excludes dependants
[3] Provisional data
[4] Nil
[5] Figures are rounded to the nearest 5 (1 or 2)
[6] Not available

Asylum Seekers

Keith Vaz: To ask the Secretary of State for the Home Department how many asylum seekers were arrested in 2002. [75649]

Beverley Hughes: Information is not collected centrally on the nationality of the immigration status of persons arrested.

Mr. Hancock: To ask the Secretary of State for the Home Department how many asylum seekers have been directed to *(a)* Hampshire, *(b)* Portsmouth and *(c)* Southampton; and if he will make a statement. [76507]

Beverley Hughes: As at the end of June 2002, 690[1] asylum seekers (including dependants) were being supported in National Asylum Support Service (NASS) accommodation in Hampshire, of which 250[1] were being supported in Portsmouth and 440[1] in Southampton.

Statistics on the number of asylum seekers supported by NASS in each region are available on the Home Office's Immigration and Asylum Statistics website http://www.homeoffice.gov.uk/rds/immigration1.html.

[1] Figures have been rounded to the nearest five.

Note:

Figures exclude cases where the asylum seeker support has been ceased.

Ian Lucas: To ask the Secretary of State for the Home Department what proportion of those who sought asylum in the United Kingdom in 2001 *(a)* entered the country on valid travel documents and claimed asylum immediately, *(b)* entered the country on valid travel documents and claimed asylum after any permission to stay expired and *(c)* entered the country illegally. [76626]

Beverley Hughes: I regret that the information requested is not available. In 2001, 65 per cent. of applications for asylum were made in-country and 35 per cent. were made at port.

The 1951 United Nations Convention relating to the Status of Refugees recognised that people trying to escape persecution often relied upon the use of false documents and unusual means of travel. Article 31 of the Convention provides that refugees should not have any penalties imposed upon them as a consequence of entering the country of refuge illegally in order to seek sanctuary, provided that they travel to that country directly from their own country, present themselves to the domestic authorities without delay and show good cause for their illegal entry or presence.

Information on asylum applications is published quarterly. The next publication will be available from 29 November 2002 on the Home Office Research Development and Statistics Directorate website at http://www.homeoffice.gov.uk/rds/immigration1.html.

Mr. Gerrard: To ask the Secretary of State for the Home Department how many asylum seekers are being supported by the national asylum support service; and of these how many have dependent children. [76916]

Beverley Hughes: *[holding answer 24 October 2002]*: As at the end of June 2002, the national asylum support service (NASS) was supporting 59,660[1] asylum seekers (excluding dependants) of which 10,650[1] had at least one dependant.

The number of asylum seekers supported by NASS who have children among their dependants is not available.

Statistics on the number of asylum seekers supported by NASS are available on the Home Office's Immigration and Asylum Statistics website: http://www.homeoffice.gov.uk/rds/immigration1.html.

[1] Figures have been rounded to the nearest five.

Figures exclude cases where the asylum seeker's support has been ceased.

Mr. Gerrard: To ask the Secretary of State for the Home Department what percentage of the asylum seekers who are supported by the national asylum support service made in-country applications for asylum. [76917]

Beverley Hughes *[holding answer 24 October 2002]*: The information requested is not available.

The only available statistics are on the percentage of asylum applications which were made in-country. In 2001, 65 per cent of asylum applications were made in-country.

Asylum Seekers (Lichfield)

Michael Fabricant: To ask the Secretary of State for the Home Department what plans the Department has to open a camp for asylum seekers in Lichfield District. [77560]

Beverley Hughes: Site searching has continued, as we said it would when we announced our shortlist for Accommodation Centre sites on 14 May. However, we will not be putting into the public domain details of such sites unless and until they are considered to be a serious prospect for the siting of an accommodation centre.

Charity Commission

Mr. Andrew Turner: To ask the Secretary of State for the Home Department how many charities were removed from the list of those registered by the Charity Commission in the last year for which information is available. [75341]

Beverley Hughes: This is a matter for the Charity Commission, as the Government Department that registers charities in England and Wales. The Chief Charity Commissioner will write to the hon. Member, and a copy of his reply will be placed in the Library.

Chelmsford Prison

Mr. Burns: To ask the Secretary of State for the Home Department (1) how many cells there are in Chelmsford Prison; how many are *(a)* single occupancy cells and *(b)* two person occupancy cells; how many prisoners are currently occupying single cells on their own; and how many are sharing a single cell with *(i)* one and (ii) two or more persons; [75569]

(2) what the maximum number of places for prisoners in Chelmsford Prison is; how many prisoners there are in Chelmsford Prison; and if he will make a statement. [75568]

Hilary Benn *[holding answer 22 October 2002]:* The operational capacity of Chelmsford prison is 576. The number of prisoners held there on 18 October 2002 was 576.

There are 430 cells at Chelmsford prison of which 419 are certified single cells, 10 are double cells and one is a triple cell. 285 of the certified single cells have single occupancy and the remaining 134 are doubled. There are currently no cells at Chelmsford which hold three prisoners.

Child Prostitution

Dr. Cable: To ask the Secretary of State for the Home Department what recent discussions he has had with *(a)* his European counterparts and *(b)* senior police officers regarding tackling child prostitution; what proposals were examined; and if he will make a statement. [75113]

Mr. Bob Ainsworth: Discussions with European colleagues about the problem of child prostitution have been largely in the context of negotiations over a Draft European Union Council Framework Decision on combating the sexual exploitation of children and child pornography. This will require member states to criminalise particular aspects of the sexual exploitation of children aged up to 18, including those involved in prostitution. The UK fully supports this framework decision as a significant step to increase protection for children throughout Europe. We hope it will be agreed shortly.

Strengthening our laws to meet the requirements of the framework decision will form part of our plans to reform the framework of laws dealing with sexual offences on which we will be publishing a paper later this autumn. This follows on from "Setting the Boundaries", the report of the Review of Sex Offences published in July 2000, which made a number of recommendations to strengthen the law, including providing better legal safeguards against those who seek to exploit children in prostitution.

We also issued in May 2000 guidance to the police and other agencies on "Safeguarding Children Involved in Prostitution", which highlighted the importance of children involved in prostitution being treated primarily as abused children. This followed discussions with representatives from the Association of Chief Police Officers (ACPO) and the other agencies concerned.

Moreover, we have been supporting under the Crime Reduction Programme a number of local projects aimed at evaluating best practice in dealing with prostitution, including how best to help young people leave behind their involvement in prostitution. All these projects are supported or led by the police and involve local agencies working together to find practical solutions. The aim is to identify the most effective strategies so that these can be disseminated.

Child Protection (Internet)

Laura Moffatt: To ask the Secretary of State for the Home Department, what measures he has taken and plans to take to alert parents to the dangers of paedophiles using the internet to target children. [75335]

Hilary Benn: The Government set up a Task Force on Child Protection on the internet in spring 2001.

A public awareness campaign was launched by the Home Office in December 2001, following discussion in the Task Force, to alert children of 14–16 and parents of younger children to the dangers presented by paedophiles using the internet, to deliver key safety messages, and to advise them of sources of information and support. The campaign used advertisements in national newspapers and magazines, radio, cinemas, satellite TV, and online. The key points were to make clear that someone a child meets on the internet may not be who they seem, and that children should not give out personal information online. This was well received and evaluation showed that it was successful in raising awareness of the key messages. We are now considering further activity to be carried out later this year.

Children in Custody

Mr. Dawson: To ask the Secretary of State for the Home Department how he intends to improve the protection of children held in prison custody. [75346]

Hilary Benn: Improvements in the protection of children held in prison custody are being taken forward by the development of child protection policy and

practice, involving co-operation between the Prison Service, the Youth Justice Board and social services, as well as a range of community-based charities.

Considerable progress has already been made. Through the revision of the child protection protocol and the policy set out in the relevant Prison Service order, the relationship between young offender institutions holding juveniles and their local Area Child Protection Committees (ACPC) have been greatly improved with most governors now having representation on the local ACPC.

Each YOI in the juvenile estate has appointed a child protection co-ordinator (and deputy) and has established a child protection committee within the establishment, with some having representation on that committee from the local ACPC, police and other relevant agencies.

A child protection training programme has been developed for all staff within the juvenile estate.

Community Policing (Wales)

Huw Irranca-Davies: To ask the Secretary of State for the Home Department what steps he will take to encourage use of community police support officers in Wales. [76256]

Mr. Denham: We are committed to the development of Community Support Officers (CSOs) throughout England and Wales. On 23 September my right hon. Friend the Home Secretary, announced a fund of £19million for the recruitment of more than 1,000 CSOs in England and Wales this financial year. 27 forces bid successfully for a share of this funding.

Gwent is among the forces which will benefit from this funding. They bid successfully for £169,029 to recruit 30 CSOs. Gwent is also one of the six forces which were selected to pilot, over the next two years, detention powers for CSOs.

Immigration and Nationality Directorate

Keith Vaz: To ask the Secretary of State for the Home Department what the backlog of hon. Members' correspondence at the IND is; what the target date is which he has set to clear the backlog at the IND; what discussions he has had with posts overseas concerning the processing of applicants for citizenship by British Overseas Citizens; how many persons are awaiting decisions on citizenship applications; and how many passports were lost by IND in 2002. [76098]

Beverley Hughes: The total number of outstanding cases in the backlog of MPs correspondence at the Immigration and Nationality Directorate (IND) as of 30 September was 1,808, of which 361 await ministerial reply and 1,447 official reply. We aim to reduce the backlog to frictional levels by the end of this year and are on course to do so.

The Department published figures in June 2002 relating to the voluntary acquisition of British citizenship. In 2001 IND received 109,005 citizenship applications and made decisions on 90,295 applications. There are no available figures relating to the current number of applications awaiting a decision. There have been no substantive discussions so far with our overseas diplomatic missions about the processing of applications from British Overseas citizens etc. We and the Foreign and Commonwealth Office are preparing the guidance needed by posts and applicants before the amendment in the Nationality and Immigration Asylum (NIA) Bill comes into force.

With regard to the last part of the question, the Immigration and Nationality Directorate issue letters to members of the public where a passport cannot be immediately traced. As at 11 October 2002 a total of 265 such letters had been issued.

Correspondence

Mr. Kaufman: To ask the Secretary of State for the Home Department when he intends to reply to the letter to him dated 3 September from the right hon. Member for Manchester, Gorton with regard to Baez Azez Baez. [76235]

Mr. Blunkett: I wrote to my right hon. Friend on 22 October 2002.

Mr. Kaufman: To ask the Secretary of State for the Home Department, when he intends to reply to the letter to him dated 18 September from the right hon. Member for Manchester, Gorton with regard to Mr. John Alosine Bangura. [76239]

Mr. Blunkett: I wrote to my right hon. Friend on 24 October 2002.

Mr. Kaufman: To ask the Secretary of State for the Home Department, when he intends to reply to the letter to him dated 5 September from the right hon. Member for Manchester, Gorton with regard to Mrs. Vida Obiri (Yeboah-Burgess). [76236]

Mr. Blunkett: I wrote to my right hon. Friend on 21 October 2002.

Crime Detection Rates

Ross Cranston: To ask the Secretary of State for the Home Department what plans he has to improve the crime detection rate and increase the numbers of criminals brought to justice. [75336]

Mr. Denham: The Police Standards Unit is currently working with a number of police forces to improve their crime detection rates. This will be achieved through a structured performance enhancement programme, utilising the good practice guide and supported through other existing initiatives. Force performance is measured through the performance information supplied to the Police Standards Unit on a monthly basis.

Through the further development and structured implementation of the National Intelligence Model (NIM), police activity can be targeted more effectively at both detecting and disrupting crime. This, coupled with the increased provision of analytical support, will provide the crime and disorder partnerships with the ability to detect crime and bring offenders to justice.

On 17 October this year, the Government published the "Narrowing the Justice Gap" framework document. This document sets out a three-pronged approach to increase the number of offenders brought to justice. The strategy involves:

overcoming weaknesses in the overall criminal justice process by encouraging good practice and inter-agency coordination at local levels;

targeting particular types of offences;

targeting particular types of offender, in particular the persistent offender scheme due to commence in 2003.

The Government have made available £182 million over a four-year period to expand the national DNA database. The Home Office, ACPO and the Forensic Science Service are working together to maximise the benefits gained from the expenditure being made in the development and application of DNA and other forensic techniques.

Crime Prevention Partnerships

Mr. Hancock: To ask the Secretary of State for the Home Department what assessment has been made of the effectiveness of crime prevention partnerships in reducing crime in the Portsmouth, South constituency; and if he will make a statement. [76790]

Mr. Denham: The Crime Reduction Director for the South East regards the performance of the City of Portsmouth's crime and disorder reduction partnership as good and Portsmouth recently won the award for the best crime and disorder strategy for 2002–05 in the South East region. According to the latest available figures, total crime in Portsmouth is falling faster than in similar partnerships across England and Wales.

The partnership actively seeks to engage the local community in reducing crime. For instance, following a police operation in the Portsmouth, South constituency, there will shortly be a public meeting to work out with the local community ways of ensuring long-term sustainable improvements to the quality of life for the residents of Somerstown.

Crime Reduction

Mr. Bill O'Brien: To ask the Secretary of State for the Home Department if he will make a statement on progress with reducing *(a)* crime affecting older people and *(b)* the fear of crime among older people. [75313]

Mr. Wills: Crime against the elderly is horrifying, but is thankfully uncommon; levels fell by 20 per cent. between British Crime Survey (BCS) 1996 and BCS 2000, and older people are on average only a sixth as likely as the young to suffer a personal crime. We are making special efforts to reduce the chances still further, and in particular we have developed and implemented a strategy to clamp down on the despicable crime of distraction burglary. Levels of fear of crime among older people are still too high; we are committed to reducing them, and we are working with charities such as Help The Aged to find new and better ways of tackling fear of crime among seniors as well as crimes against them.

Death Forms

Mr. Heath: To ask the Secretary of State for the Home Department what penalties are incurred by erroneous completion of *(a)* death certificates and *(b)* cremation forms. [73417]

Hilary Benn: Under the Births and Deaths Registration Act 1953, the doctor who attended the deceased during his or her last illness is required to state the cause of death to the best of his or her knowledge or belief. The certifying doctor may not be able to be certain in all cases that the cause of death given is beyond question, and such deaths should be reported to the coroner. It would be an offence to refuse to issue a death certificate or to falsify a certificate. On conviction, such a person would be liable to a fine of up to £200.

Contravention of regulations under the Cremation Act 1902 is an offence. On conviction, a fine of up to £1,000 may be imposed. Anyone convicted of wilfully making false representations, or falsifying a certificate, with a view to securing a cremation is liable to imprisonment of up to two years.

Death certification procedures are being considered by the Review of Coroners Services and by the Shipman Inquiry which will be reporting next year.

Prisons (Drug Addicts)

Bob Spink: To ask the Secretary of State for (1) the Home Department what steps he is taking to segregate non drug addicts from drug addicts in prisons. [75466]

(2) what estimate he makes of the number of prisoners who adopt a drug habit whilst in prison. [75467]

(3) what action he is taking *(a)* to segregate inmates on first prison sentence and *(b)* to reduce recidivism among first time prisoners. [74929]

(4) if he will increase the segregation of prisoners in order to reduce *(a)* recidivism and *(b)* prison drug use. [75464]

Hilary Benn: Specific reconviction figures are not collected for first time prisoners. The Prison Service has been set a target to reduce the rate of reconvictions of all released prisoners by five per cent. compared to the predicted rate by 2004. To meet this target the Prison Service draws on 'What Works' research to provide regimes which are effective in tackling offending behaviour and the factors which contribute towards re-offending.

There is no evidence to suggest that segregating prisoners leads to a reduction in recidivism or overall drug use. There are no statistics available on which to base an estimate of the numbers of prisoners who adopt a drug habit whilst in prison; drug taking by its nature is a covert activity.

Voluntary drug testing programmes are available for prisoners who wish to make a commitment to remain drug free. Ninety prisons currently have voluntary drug testing units in operation. These do not provide segregation but they do provide a degree of separation from prisoners not making a formal commitment to remain drug free.

Drug Dealers

Mr. Hoyle: To ask the Secretary of State for the Home Department, if he will commit more resources to police forces in order to combat drug dealers who target the young operating in housing estates and outside schools. [69350]

Mr. Denham: The Government are committed to working to protect the young from any dealers who target them.

Police authorities also participate in the Government's wider drugs' strategy. Over the three years from 2001–02 to 2003–04, the Home Office has made available £220 million for the Communities Against Drugs (CAD) programme. This scheme provides for Crime and Disorder Reduction Partnerships and Drugs Action Teams (DATs) to build a stronger community links and helps local communities tackle neighbourhood drugs problems and associated crime.

The communities themselves allocate the money to local projects reflecting their priorities in the fight against drugs, through education/support programmes, diversionary schemes and the disruption of the local drugs supply market. Police are involved in the partnership activities and receive financial support from the CAD programme.

Drug Treatment and Testing Orders

Mr. Hancock: To ask the Secretary of State for the Home Department how many drug treatment and testing orders have been issued in *(a)* Hampshire and *(b)* the Portsmouth, South constituency; and if he will make a statement. [76526]

Mr. Bob Ainsworth: The drug treatment and testing order (DTTO) was introduced under the Crime and Disorder Act 1998 and rolled out to courts in England and Wales on 1 October 2000, after successfully being piloted. Between 1 April 2001 and 31 July 2002, 192 DTTOs were made in Hampshire, of which 47 orders were made in Portsmouth (including Portsmouth, Fareham and Havant).

DTTO figures for individual constituencies are not available.

Drug-related Crimes

Mr. Evans: To ask the Secretary of State for the Home Department how many *(a)* racially motivated, *(b)* violent, *(c)* street and *(d)* drug-related crimes were reported in *(i)* Lancashire and (ii) the North-West of England in the last 12 months. [73885]

Mr. Denham: Numbers of reported crimes are not collected centrally. Numbers of crimes recorded by the police in the year ending March 2002 are given in the table. As some of the forces in the North West, including Lancashire, implemented the principles of the National Crime Recording Standard in advance of its national implementation in April 2002, the given figures cannot be directly compared with those for previous years.

The crime categories for which racially aggravated crimes are recorded separately are harassment, other wounding, common assault and criminal damage. The total numbers of these racially aggravated crimes are given in the table.

Violent crime is comprised of the offence groups of violence against the person, sexual offences and robbery.

'Street crime' is not a separate category in recorded crime figures, which are based on legal definitions. Figures are given for robberies of personal property

Recorded crime figures do not contain details of whether offences are related to offenders' drug habits. Figures for offences specifically related to drugs themselves, including for example trafficking and possession of drugs, are given.

Recorded crimes in the year ending March 2002

	Lancashire	*North West Government Region*
Racially aggravated offences	1,057	4,746
Violent crimes	18,535	106,892
Robbery of personal property	1,437	13,656
Drug offences	3,169	14,775

Drugs-related Deaths

Mr. Bryant: To ask the Secretary of State for the Home Department what guidance he gives to coroners' courts on recording deaths as drugs-related. [75331]

Hilary Benn: Coroners were advised about recommended verdicts in drugs-related deaths when these verdicts were first introduced in 1984. They have since been encouraged to report details for the National Programme on Substance Abuse Deaths, and have been informed of the action plan to prevent drugs-related deaths in the light of the recent report from the Advisory Council on the Misuse of Drugs. In order to improve surveillance and monitoring, we will provide new guidance for coroners by March 2003.

Dysfunctional Families

Mr. Challen: To ask the Secretary of State for the Home Department what plans he has to support dysfunctional families. [75322]

Beverley Hughes: All families need help from time to time, which is why we have a wide range of policies to help all families bring up their children in the best possible way.

In addition, we have in place measures that support those most in need.

Fireworks

Bob Spink: To ask the Secretary of State for the Home Department what plans he has to tackle the misuse of fireworks. [75342]

Mr. Denham: We have been working closely with the Department of Trade and Industry to address the issue of fireworks safety and misuse, and to curb the problem of noise and nuisance they cause. My hon. Friend, the Parliamentary Under-Secretary for Trade and Industry (Melanie Johnson) launched this year's safety campaign on 15 October when she announced a range of measures, including proposals to ban air bombs.

We are encouraging trading standards officers, Health and Safety Executive and police forces to make full use of existing legislation. Throwing fireworks is one of the offences covered in the fixed penalty notice scheme being piloted in four police force areas. A

monitoring scheme has also been set up with nine CDRPs to focus on best practice and identify clearly the number and scale of the problems caused.

Hampshire Constabulary

Mr. Hancock: To ask the Secretary of State for the Home Department how many police have left the Hampshire Constabulary in the last 12 months because of *(a)* retirement, *(b)* early retirement, *(c)* injury and *(d)* other employment; and if he will make a statement. [76503]

Mr. Denham: The precise information requested is not collected centrally. Her Majesty's Inspectorate of Constabulary has provided the figures set out in the table for the 12 months ending 31 March 2002.

Hampshire constabulary wastage 2001–2002

	Number
Dismissed or required to resign	4
Voluntary resignations	48
Medical retirements	19
Ordinary retirements	102
Transfers	61
Died in service	1
Total wastage	234

Illegal Raves

Mr. Liddell-Grainger: To ask the Secretary of State for the Home Department what recent guidelines he has issued to chief constables on the control of illegal raves in England. [76121]

Mr. Bob Ainsworth: Guidance was issued to police on illegal raves in November 1994 and was contained in Home Office circular 45/94. This circular contained an introductory guide to provisions in the Criminal Justice and Public Order Act 1994. We have made clear in the White Paper "Justice for All" (CM 5563) our intentions to supplement police powers to deal with nuisance caused with raves, and legislation will follow at the earliest opportunity: further guidance to the police will then be issued.

Immigration Service Removal Centres

Mr. Malins: To ask the Secretary of State for the Home Department what the net cost is in a full year of substituting contract and agency staff to undertake work in removal centres that previously was undertaken by detainees; from what budget the extra cost is taken; what proposals he has for giving financial incentives to detainees to assist in the running of removal centres; what factors he considered before deciding to prevent detainees from working; and if he will make a statement. [75422]

Beverley Hughes: Immigration detainees held in Immigration Service removal centres have never been required to work nor are they expected to assist in the running of the centres.

Following their redesignation earlier this year as removal centres, the prison service detention facilities at Dover, Haslar and Lindholme ceased to operate under Prison Rules. As a consequence, detainees no longer had the opportunity to undertake paid employment in the centres and the practice of relying on such work for the provision of certain ancillary services came to an end. Work formerly undertaken by detainees at these centres has been contracted out or transferred to agency staff. For this year this has resulted in a net additional cost of £1.09 million. This will be met from the Immigration and Nationality Directorate's budget.

Regimes in immigration removal centres provide detainees with a wide range of constructive activities based on education, crafts, physical education, religion and recreation. All activities are voluntary although detainees are encouraged to take part in them. Some centres provide a cash allowance, although not as an incentive to engage in activities, and we are considering standardising this and making it universal. While we are considering incentives and further ways to enhance activities available to detainees, we have no plans to require detainees to undertake paid work or to assist in the running of removal centres.

Imprisonment of Juveniles

Mrs. Brooke: To ask the Secretary of State for the Home Department what plans he has to end and to reduce imprisonment of juveniles. [75345]

Hilary Benn: The Government strongly believe that custody for juveniles should very much be a last resort, and we have provided the courts with a wide range of community-based penalties which are specifically targeted at young people. Sadly, however, we recognise that there is a small minority of young people—just 4 per cent. of those juveniles dealt with by police and courts each year—whose offending is so serious or so persistent, that custody may be the only immediate answer. In those cases, we must ensure that such a sentence is as constructive an experience for them as possible, and to this end we have introduced the new Detention and Training Order for juveniles and improved the custodial regimes with supervision and support after release.

Justice and Home Affairs Council

Mr. Connarty: To ask the Secretary of State for the Home Department what the outcome was of the Justice and Home Affairs and Civil Protection Council held in Brussels on 14 and 15 October; what the Government's stance was on the issues discussed, including its voting record; and if he will make a statement. [76018]

Mr. Blunkett: Together with my right hon. and noble Friend Lord Filkin and my noble Friend Baroness Scotland, I represented the United Kingdom at the Justice and Home Affairs Council in Luxembourg on 14 and 15 October.

The A points were approved as in document PTS A 48 (12810/02) (a copy of which has been placed in the Library) with the exception of item 9. The Council also reached political agreement on the Directive on legal aid and the Framework Decision on combating sexual exploitation of children and child pornography.

The Framework Decision on combating corruption in the private sector and the Framework Decision laying down minimum provisions on the constituent elements of criminal acts and penalties in the field of drug

trafficking remained subject to reservations on the scope of the offence and the penalties for trafficking in small quantities of drugs respectively.

The Council discussed whether the Framework Decision on confiscation of crime-related proceeds, instrumentalities and property should create an obligation on member states to provide for confiscation of property beyond that arising directly from the offence. Lord Filkin argued that it should and that the burden should be on the offender to prove that the property was acquired legitimately. The majority of member states agreed but argued that this obligation should arise only in circumstances involving a limited number of offences and that the burden should be on the court to establish the origin of the property. Member states shared the view that there should not be an automatic assumption that the property of a spouse or co-habitee was also acquired from criminal proceeds.

The Council examined some of the outstanding reservations on the Framework Decision on the application of the principle of mutual recognition to financial penalties. There was agreement to include a provision recognising the application of fundamental human rights, subject to negotiation of an accompanying Recital. Member states were, however, divided on the level of the financial threshold below which member states could refuse to execute a financial penalty. Four member states were also unable to accept the absence of a dual criminality requirement in the instrument.

The Council reached a general approach on the Council Decision on the investigation and prosecution of war crimes, genocide and crimes against humanity subject to parliamentary scrutiny reserves from five member states, including the UK, and pending the opinion of the European Parliament.

The Presidency sought agreement to the Council Decision establishing a mechanism for evaluating the legal systems and their implementation at national level in the fight against terrorism. Lord Filkin expressed the Government's broad support for the measure but said that it could not enter into a political agreement since the text remained subject to parliamentary scrutiny in the UK. He reserved the right to return to the substance. Two other member states also maintained parliamentary scrutiny reserves.

The Council agreed the principles for determining the selection procedure for the appointment of the Europol Directorate as part of the proposal for amending the Europol Staff Regulations. Lord Filkin said that it was essential to establish a fair and open procedure which led to appointment on merit.

Justice and Home Affairs Ministers of the member states and of candidate countries met in the margins of the Council and discussed the timetable for the removal of internal frontier controls in the Schengen area post-enlargement. There was also a discussion of the obligations and responsibilities created by new instruments applying the principle of mutual recognition. Lord Filkin emphasised that the successful application of these instruments required trust in each other's judicial systems. He welcomed the Commission's new proposals for monitoring arrangements to be included in the accession treaties. A Declaration was agreed condemning violence against commercial lorry drivers. The candidate countries were informed of the Council's intention to agree, the following day, a declaration concerning applications for asylum from citizens of the candidate countries.

The Commission presented its two proposals for a Council Directive on minimum standards on procedures in member states for granting and withdrawing refugee status and a Council Directive on the conditions of entry and residence of third-country nationals for the purposes of studies or other purposes. The Commission also reported on its progress in negotiating readmission agreements with third countries. The Presidency presented a draft programme on EU returns to Afghanistan.

The Presidency provided information on member states' planned projects to follow up the plan for the management of the external borders and the plan for fighting illegal immigration and trafficking in human beings. The Council agreed conclusions on action to be taken as a matter of urgency to further prevent and combat illegal migration and trafficking in human beings.

The Council discussed the criteria for assigning responsibility for an asylum claim and the deadlines for transfers in the Regulation establishing the criteria and mechanisms for determining the member states responsible for examining an asylum application lodged in one of the member states by a third-country national (Dublin II). Lord Filkin supported the existing qualifying period for the application of the illegal presence criterion and called for the deletion of the requirement to prove illegal entry before applying this criterion.

The Council discussed the definitions of a refugee and the concept of "serious and unjustified harm" in the Council Directive on minimum standards for the qualification and status of third-country nationals and stateless persons as refugees or as persons who otherwise need international protection. The UK and the Presidency welcomed a proposal from Commissioner Vitorino reformulating the definition of "serious and unjustified harm" to clarify its scope of application in conflict situations, responding to UK concerns.

The Presidency sought adoption of the Directive laying down minimum standards for the reception of asylum seekers in member states. One member state maintained the view that the provision on access to labour markets should be deleted. The Presidency agreed that the Council should work with a view to incorporating an addition to the Directive, proposed by the UK, to allow a member state to refuse support in cases where the applicant does not submit his claim as soon as reasonably practicable. The Council would seek to approve the Directive at its November meeting.

The Council agreed conclusions on the integration of third country nationals and discussed the outstanding issues on the Council Directive concerning the status of third-country nationals who are long-term residents. The majority of member states were able to accept the inclusion of refugees within the scope of the text and favoured a five year residence requirement. There was

also general support for the measures regarding rights of mobility for third country nationals. The UK has not opted in to the adoption of this measure.

Ministers agreed a Declaration asserting that from the point of signature of the Accession Treaties applications for asylum from citizens from the EU candidate countries should be treated as manifestly unfounded.

The Council also invited COREPER to report on the possibility of agreeing a list of safe third countries and the Schengen Mixed Committee to consider possible amendments to the Schengen manual with a view to strengthening the procedures for passport control at the Schengen area entry points.

Local Government Funding Settlement

Mr. Viggers: To ask the Secretary of State for the Home Department what recent discussions he has had with chief constables on the effect on police forces of the proposed local government funding settlement. [75343]

Mr. Denham: My right hon. Friend the Home Secretary regularly meets chief constables. Matters of police funding and the local government funding settlement are discussed periodically.

Money Laundering

John Barrett: To ask the Secretary of State for the Home Department which Government agencies are responsible for tackling money laundering in the UK. [75076]

Mr. Bob Ainsworth: A number of Government agencies have responsibility for combating money laundering in the United Kingdom.

In England and Wales, the Economic Crime Branch of the National Criminal Intelligence Service (NCIS) is responsible for the receipt, analysis and dissemination of all reports made in the United Kingdom which are indicative of a suspicion of money laundering. Subsequent investigations of a suspected money laundering offence are undertaken primarily by police forces, the National Crime Squad or Her Majesty's Customs and Excise (HMCE), but can also fall within the investigative remit of other agencies such as the Serious Fraud Office or Inland Revenue. Prosecutions for money laundering offences are conducted by the Crown Prosecution Service and HMCE.

In relation to Scotland, investigations of a suspected money laundering offence are carried out by the police and Customs and Excise under the direction of the procurator fiscal. Prosecutions are conducted by the Lord Advocate or his representative, the procurator fiscal.

In addition, the Financial Services Authority has the power to make rules on money laundering, and impose civil penalties for breaches of those rules. It also has the power to prosecute breaches of the Money Laundering Regulations. HMCE has responsibility for the oversight of Money Service Operators and has powers to prosecute for a range of money laundering offences.

In November 2001, the Government published its National Asset Recovery Strategy drawn up by the Asset Recovery Committee. One of the central aims of the strategy is to prevent criminals and their associates from laundering the proceeds of criminal conduct, and to detect and prosecute such laundering where it occurs. The strategy has the support of the Departments and agencies involved in the fight against money laundering activity who have committed themselves to acting in accordance with its principles.

National Crime Intelligence Service Report

Mr. Wiggin: To ask the Secretary of State for the Home Department what assessment he has made of the recent National Crime Intelligence Service report. [73852]

Mr. Bob Ainsworth: The National Criminal Intelligence Service published their annual assessment of the threat to the United Kingdom from serious and organised crime on 22 July. The assessment, based on available information and intelligence, is important in providing an authoritative statement on the threat and informing the Government's response to it.

Nationality, Asylum and Immigration Bill

Mr. Malins: To ask the Secretary of State for the Home Department how many *(a)* amendments and *(b)* new clauses he has introduced to the Nationality, Immigration and Asylum Bill *(i)* in the Commons between Second Reading and the commencement of Committee stage, (ii) in the Commons during Committee stage, (iii) in the Commons during Report stage and (iv) subsequently. [75409]

Beverley Hughes: The numbers of Government amendments and new clauses introduced into the Nationality, Asylum and Immigration Bill since 12 April 2002 are set out in the table. The majority were minor or technical. The substantive amendments which were introduced in the Lords reflected new policy developments and additional time was given to the Bill with the recommitment of Parts III, V and VIII.

Bill stage	*Amendments*	*New clauses*
(i) between Second Reading and Committee	3	1
(ii) during Commons Committee stage	105	5
(iii) during Commons Report	95	7
(iv) subsequent to Commons Report	139	12
Total	342	25

Nottingham Police

Paddy Tipping: To ask the Secretary of State for the Home Department how many *(a)* police officers and *(b)* civilian staff were employed by the Nottinghamshire Police on (i) 31 March 1997, (ii) 31 March 1998, (iii) 31 March 1999, (iv) 31 March 2000, (v) 31 March 2001, (vi) 31 March 2002 and (vii) 31 September 2002; and what the projected number is for 31 March 2003. [77353]

Mr. Denham: The information requested is set out in the table. Police strength information for September 2002 is not yet available. Plans for strength in March 2003 are a matter for the Chief Constable.

Nottinghamshire Police

Year as at 31 March	*Police Strength*	*Civilian Support Staff*
1997	2,323	1,003
1998	2,323	987
1999	2,225	1,039
2000	2,204	1,024
2001	2,212	1,039
2002	2,330	1,087

Source:
Home Office Statistical Bulletins—Police Service Strength—1997–2002.

Oakington Reception Centre

Mr. Malins: To ask the Secretary of State for the Home Department whether he plans to ensure that those released from Oakington Reception Centre pending appeals have a duty to report daily or weekly to the police or other authorities. [75399]

Beverley Hughes: Those released from Oakington are granted temporary admission. As part of the conditions attached to this they can be required to live at a specified address and to report at specified times to an immigration or police officer.

It is Government policy that wherever possible asylum seekers on temporary admission should be required to report at regular intervals to immigration officers, who are best placed to monitor progress on the application and act on up-to-date information.

The Immigration Service already has eight reporting centres for this purpose and more are planned. Immigration officers also operate reporting in a number of police stations in the regions. In all cases where those released from Oakington are granted temporary admission to an area with existing reporting facilities, reporting restrictions will be imposed. In addition the Immigration Service will shortly be introducing teams of visiting officers and a mobile reporting van. This will result in more asylum seekers being required to report to an immigration officer on a regular basis.

Persistent Offenders

Mr. Laws: To ask the Secretary of State for the Home Department what action he is taking to tackle the problem of persistent re-offending; and if he will make a statement. [75738]

Hilary Benn *[holding answer 23 October 2002]:* Last week we announced that a persistent offender scheme will start in February 2003 across the whole criminal justice system. Its aim will be to target the most prolific offenders, to bring more offences committed by them to justice, and to rehabilitate them more effectively. This scheme is an important part of the 'Narrowing the Justice Gap' programme which aims to reduce the difference between the number of crimes reported to the police and the number of offences brought to justice. In addition the Government have already: given the courts new secure remand and tagging powers for 12 to 16-year olds who repeatedly offend on bail; funded the Youth Justice Board's intensive supervision and surveillance programmes for the most prolific young offenders; and renewed its commitment to maintain the time from arrest to sentence for persistent young offenders at or below 71 days.

Police (Part-time)

Mr. Stunell: To ask the Secretary of State for the Home Department what plans there are to recruit part-time police officers and to allow full-time officers to change to part-time if they wish to *(a)* before and *(b)* after they have completed 30 years service. [75317]

Mr. Denham: All new recruits may apply to work part-time, as may established police officers of all ranks, regardless of whether officers have completed 30 years' service or not. Managers must give full consideration to all requests to change to part-time working, taking into account operational needs.

As part of the Police Negotiating Board (PNB) Agreement of 9 May, part-time working will be made easier for officers in all ranks, regardless of whether they have completed 30 years service or not. We plan to remove the current 16-hour a week minimum requirement for part-time working by 1 April 2003, together with the requirement for job sharing in respect of middle and senior ranks.

Police (Pay)

David Wright: To ask the Secretary of State for the Home Department what plans to improve the pay and conditions for frontline police officers. [75348]

Mr. Denham: The Police Negotiating Board (PNB) Agreement of 9 May, approved by the Secretary of State, contains a number of measures that will improve the pay and conditions of all police officers and particularly frontline officers from 1 April 2003. There will be a new special priority payment scheme which is targeted on frontline operational officers in particular and gives extra rewards to officers in the most difficult and demanding posts. In addition, there will be increases in basic pay on top of the annual police pay award, shorter pay scales and competence-related pay for the most experienced officers in the federated ranks.

Police (Surrey)

Mr. Hammond: To ask the Secretary of State for the Home Department what action he proposes to take to ensure the maintenance of present levels of police services in Surrey. [75319]

Mr. Wills: Sufficient resources will be provided to support all police authorities, including Surrey, in maintaining stable levels of service and continuity in local policing.

Police Authority Funding

Mr. Simmonds: To ask the Secretary of State for the Home Department, if he will make a statement on proposed changes to the police funding formula and their impact on future police authority funding. [75328]

Mr. Denham: I am considering all the responses received on the proposed changes to the police funding formula. A final decision will be taken shortly.

Police Numbers

Mr. McWalter: To ask the Secretary of State for the Home Department what plans he has to expand the provision of community officers to all areas: and over what timescale. [75330]

Mr. Denham: The number of police officers in England and Wales is the highest ever, 129,603 officers on 31 March 2002. Police strength is on track to reach our target of 130,000 officers by March 2003. We have set a further target for it to reach 132,500 officers in 2004.

Decisions about the deployment of officers to community policing or other duties are for Chief Officers.

Community Support Officers (CSOs) will have a vital role to play in support of the police. By tackling anti-social behaviour and the host of public nuisance, disorder and environmental problems that accompany it, they will make an invaluable contribution to community safety and regeneration.

More than £19 million has been made available this year to recruit, train and deploy CSOs. Twenty-seven police forces in England and Wales bid for a share of this fund and we were able to fund them all. Hertfordshire made a successful bid for 14 CSOs to provide reassurance and a visible presence for communities in Watford and Stevenage.

We expect to see more than 1,000 CSOs on the streets by April 2003 and more than 4,000 by 2005.

Police Paperwork

Roger Casale: To ask the Secretary of State for the Home Department what plans he has to reduce the paperwork of police officers. [75337]

Mr. Denham: We are committed to tackling the administrative burdens and inefficient working practices that keep officers off the streets. My right hon. Friend the Home Secretary established a task force, under the chairmanship of Sir David O'Dowd, to identify ways in which forces can free up the time of front line officers. The task force's report was published on 17 September and contained 52 recommendations to increase the presence of police in communities. This is a vital opportunity to change the culture of the police service and bring about a real difference to the everyday lives of officers on the front line.

We have now set up a steering group, co-chaired by the Association of Chief Police Officers and the Home Office, to take forward these recommendations. We are working with key stakeholders to reduce bureaucracy in police stations, on the streets and in court.

Police Vehicles

Dr. Pugh: To ask the Secretary of State for the Home Department, what measures are being taken to reduce the number of collisions involving police vehicles which lead to injury and death. [75333]

Mr. Denham: Measures already in place include a new police driver training course, launched in December 2000, which introduced a universal standard for driving in England and Wales. An essential element of the course is that officers should recognise the need to give priority to public safety above all other considerations such as attending an incident or apprehending a suspect. Where pursuits are concerned, there is a nationally agreed ACPO Pursuit Code of Practice and it is already police policy to consider continuously the consequences of a pursuit and whether to break it off. In addition, all forces have adopted some or most of the recommendations from the 1998 Lind Report on Police Pursuit Driver Training.

Policing Charges

Ms Walley: To ask the Secretary of State for the Home Department if he will review his guidance in respect of policing charges. [75324]

Hilary Benn: Guidance on recovering costs for the policing of football matches is set out in Home Office Circular 34/2000. We have recently set up a working group, with representatives of the Home Office, Department for Culture Media and Sport, Association of Chief Police Officers and the football authorities to consider a range of issues, including charging for the policing of matches, and the investment of football clubs in the wider community.

Prisons

Andrew George: To ask the Secretary of State for the Home Department what plans he has to reduce the prison population. [75316]

Hilary Benn: The Government believe that prison is right for those convicted of an offence who are a danger to the public or who are serious or persistent offenders and that sentences served should be as long as necessary for punishment, public protection and rehabilitation but no longer. It also recognises that short sentences with no support and no supervision after release do not allow the correctional services to do effective behavioural or rehabilitation work with offenders. We set out our proposals for reducing the use of short sentences in the White Paper "Justice for All".

Home detention curfew plays an important role in managing the prison population by enabling prisoners to be released from prison early, while still subject to restrictions placed on their liberty. This facilitates a smoother and more effective integration back into the community and helps offenders to serve or resume employment or training as soon as possible.

As also announced in the White Paper "Justice for All" I have commissioned an independent review of the correctional services in England and Wales looking particularly at effectiveness and value for money in the delivery of services to reduce re-offending and how we improve our ability to manage the prison population. This review is in progress. As well as the correctional services, other professional and voluntary sector stakeholders have also been invited to submit their views.

Racial Equality Services

Mr. Weir: To ask the Secretary of State for the Home Department (1) how much money has been spent on racial equality services by the Commission for Racial Equality in Scotland in each of the last five years; [74979]

(2) what the breakdown of spending is in each of the areas of Scotland served by a racial equality council. [74978]

Beverley Hughes: The total spend on racial equality services in each of the last five years broken down by spend in each area of Scotland served by a Racial Equality Council (REC) is as follows:

£

REC	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
Central Scotland	54,500	55,700	56,700	45,400	74,500
Edinburgh and Lothian	16,900	50,900	57,900	61,400	77,800
Fife	24,200	22,200	36,300	61,200	48,700
Grampian	63,100	61,200	52,000	61,600	80,100
Tayside	25,400	26,100	34,100	55,300	47,300
West of Scotland	79,200	73,500	90,000	103,800	114,300
Total spend	263,300	289,600	327,000	388,700	442,700

Rape

Mr. Evans: To ask the Secretary of State for the Home Department (1) what his estimate is of the number of cases of rape that went unreported in *(a)* Lancashire and *(b)* the north-west of England in the last 12 months; [73866]

(2) what his estimate is of the number of cases of rape that went unreported in Wales in the last 12 months; [73867]

(3) how many cases of rape were reported in *(a)* Wales, *(b)* Lancashire and *(c)* the North West of England in the last 12 months. [73813]

Hilary Benn: The number of rapes cases reported to the police is not available centrally. The following details the number of rape incidents (both male and female) recorded by the police in the 2001–02 financial year.

Recorded crimes of rape in Wales, Lancashire and the north-west of England

2001–02	*Number*
Wales	420
Lancashire	194
North-west	1,174

It should be noted however that the British Crime Survey (BCS) estimates that only 20 per cent. of rapes come to the attention of the police (Home Office Research Study 237). In the calendar year 1999 there were 8,281 incidents of rape recorded by the police in England and Wales; however the British Crime Survey estimates that there were 61,000 rape victims (once or more) aged 16 to 59, in this year.

Mr. Evans: To ask the Secretary of State for the Home Department what action she plans to take to help protect female students from rape. [73799]

Hilary Benn: The Government provide targeted crime prevention advice to students regarding their personal safety. While not intending to cause unwarranted alarm, this advice aims to equip both male and female students with information to make themselves safer by taking some common sense precautions. The Government have undertaken a wide range of initiatives across the criminal justice system aimed at protecting women and men—including students—from rape.

One of the key parts of our preventative strategy is the management of previous offenders, to prevent re-offending. Recent legislative changes have provided an improved framework within which the Prison Services, the National Probation Service, the Police, the Youth Justice Board and others can work together to assess and manage the risk posed by sex offenders both in custody and in the community.

Other initiatives include the introduction of a rigorous assessment system throughout the Prison and Probation Services.

We have taken a number of key steps with regard to sentencing of sexual offenders. The Crime and Disorder Act 1998 introduced extended sentences for serious sexual and violent offences. Under the broad review of sentencing that began in July 2001, we are looking at tougher determinate sentences for sex offenders that will ensure that they stay in prison, up to the full term if necessary, so long as they present a risk of harm to our communities. We are also undertaking a root and branch review of sex offences legislation, in order to provide new, coherent, and clear law to protect individuals from abuse and exploitation. We will be publishing our proposals for legislative reform shortly.

The Violence Against Women (VAW) initiative is a key part of the Home Office's Crime Reduction Programme (CRP). The aim of the VAW initiative is to identify the most effective and cost effective approaches to reducing domestic violence and rape and sexual assault by known perpetrators.

In July of this year we published an inter-agency action plan ope, which details practical measures across the criminal justice system to:

Improve the investigation of rape cases;

Enhance the quality of advice, decision making, case preparation and presentation at court, and;

Better the treatment of victims and witnesses in cases involving allegations of rape.

Mr. Wiggin: To ask the Secretary of State for the Home Department what steps the Government is taking to prevent rape and related crimes against women and to promote rehabilitation after the crime has occurred. [73845]

Hilary Benn: The Government has undertaken a wide range of initiatives across the criminal justice system aimed at preventing rape and supporting victims.The

Crime and Disorder Act 1998 introduced extended sentences for serious sexual and violent offences. Under the review of sentencing that began in July 2001 we are looking at tougher determinate sentences for sex offenders. We have also undertaken a review of sex offences legislation. We will be publishing our proposals for legislative reform shortly.

An important part of our preventative strategy is the management of previous offenders to stop re-offending. Recent legislative changes, including the establishment of the multi-agency public protection panels, have improved the way in which public protection agencies—the prison services, the national probation service, the police, the Youth Justice Board and others—work together to assess and manage the risk posed by offenders both in custody and in the community.

The probation service has run sex offender programmes for many years, which aim to reduce the risk of re-offending by changing the offender's behaviour. The programmes have recently been researched and evaluated and three accredited programmes, which challenge conventional thinking regarding the deviance and social inadequacy of sex offenders, are now being implemented in England and Wales. The service is also working on an accommodation plan, since the provision of appropriate accommodation is essential to the management of sex offenders in the community. Other initiatives to prevent rape include the introduction of a rigorous assessment system throughout the prison and probation services.

The Violence Against Women (VAW) initiative is a key part of the Home Office's Crime Reduction Programme (CRP). The aim of the VAW initiative is to identify the most effective and cost effective approaches to reducing domestic violence and rape and sexual assault by known perpetrators. Its projects will be independently evaluated to provide evidence of impact and cost effectiveness, with a view to disseminating findings and recommendations from the successful projects as good practice.

In July of this year the Home Department published an action plan on rape, which details practical measures across the criminal justice system to: improve the investigation of rape cases; enhance the quality of advice, decision making, case preparation and presentation at court; and, provide better treatment of victims and witnesses in cases involving allegations of rape.

We are also continuing our work to reduce the occurrence of assaults against women through the provision of targeted crime prevention advice to women regarding their personal safety. While not intending to cause unwarranted alarm, this advice aims to equip women with information to make themselves safer by taking some common sense precautions.

The Government have also taken action to help the victims of rape. We have: provided grant support to the Rape Crisis Federation; more than doubled the grant to Victim Support, which has helped to introduce a national telephone helpline for victims in magistrates courts; improved payments made to victims of sexual offences by the criminal injuries compensation scheme; and, given victims in serious cases—where offenders are sentenced to 12 months or more for a violent or sexual offence—the right to be consulted about the release plans of those who attacked them.

Reoffenders

Mr. Laws: To ask the Secretary of State for the Home Department what proportion of notifiable offences is committed by persistent reoffenders; and if he will make a statement. [75739]

Hilary Benn *[holding answer 23 October 2002]:* Research suggests that about half of notifiable offences are committed by persistent reoffenders; and that about 15 per cent. of notifiable offences are committed by the core group of offenders who will be targeted under the persistent offender scheme, due to start in February 2003. These estimates are derived from studies on the reconviction of offenders for more serious crimes, with assumptions made to relate them to unsolved crimes. Details of the relevant research can be found in Annex B of the White Paper "Criminal Justice: the Way Ahead" (February 2001).

Sex Offenders Act 1997

Bob Spink: To ask the Secretary of State for the Home Department when *(a)* child murderers and *(b)* sex offenders, who have been convicted abroad and who subsequently return to the Untied Kingdom, will have their details recorded on the sex offenders' register and be monitored and controlled in the same way that would occur if they had been convicted in the United Kingdom; and if he will make a statement. [74925]

Hilary Benn: The review of Part One of the Sex Offenders Act 1997 looked at ways of both:

requiring offenders convicted of sex offences abroad to register on their arrival in the UK; and

imposing the registration requirements on offenders who commit offences of violence, including murder, when there is a sexual element to the offence.

The Government consulted on the proposals contained in the review and responses are currently being analysed. My right hon. Friend the Home Secretary has announced that he intends to publish his proposals for reform of the law in the Autumn and to legislate specifically to enable sex offenders from abroad to be required to register. Such registration would attract the full range of mechanisms for monitoring and control as domestic sex offenders.

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Special Constables

Matthew Green: To ask the Secretary of State for the Home Department how many special constables are members of the police forces in England and Wales as at the beginning of April; and what his estimates are of the numbers in *(a)* April 2003 and *(b)* April 2004. [75334]

Mr. Denham: Data on special constabulary strength is collected for March and September each year. On 31 March 2002 there were 11,598 serving special constables in police forces in England and Wales.

We have made it clear that the special constabulary has a vital role to play in reducing crime and providing reassurance to the public. The Government is committed to increasing the numbers of specials. We are working with the police service on a number of measures, including a new headline role, new training packages and good practice guidance, to help forces improve performance on the recruitment, management and deployment of specials. A number of "Specials Champions" forces have been identified to take forward iniatives and support the good practice guidance. Deputy Chief Constable, Peter Fahy, of Surrey Police has agreed to lead the police on this work.

Street Crime

Mr. Waterson: To ask the Secretary of State for the Home Department what recent progress has been made in reducing street crime in Sussex. [75157]

Mr. Denham: The Government's street crime initiative is targeted at the 10 forces which account for 83 per cent. of robbery in England and Wales. The initiative is serving to identify and remove any systemic blockages which currently hinder the tackling of street crime not only in those 10 areas, but across the country. Good practice in partnership working across the criminal justice system and between other agencies will be disseminated to all areas, including Sussex.

The Government have recently published figures for the first six months of the initiative including a document detailing the achievements made through partnership working, the "Delivering the Street Crime Initiative: Partnership in Operation" can be found in the Library or on the Crime Reduction website on www.crimereduction.gov.uk/streetcrime.

Examples of what has been achieved so far which have national implication are:

The extension of section 130 of the Criminal Justice and Police Act 2001 to provide for remands of 12 to 16-year-olds. This power has now been extended to the rest of the country.

The extension of the Bail Act 1976 and the Child and Young Persons Act 1969 to provide tagging while on bail for 12 to 17-year-olds. Tagging for 12 to 16-year-olds has now been extended to the rest of the country. The provision of door-steeping conditions while on bail which allows police officers to check on curfew conditions.

To combat the theft of mobile phones, we have introduced legislation making the reprogramming of the phones unique identifying number (IMEI) illegal.

Through this initiative we are sending out a clear signal that we will not tolerate crime on our streets, wherever it occurs.

Mrs. Dean: To ask the Secretary of State for the Home Department what recent discussions he has had with ministerial colleagues on coordination of policies on street crime. [75338]

Mr. Denham: The Street Crime Action Group, chaired by my right hon. Friend the Prime Minister, has been meeting regularly since March. These meetings involve ministerial colleagues from across Government, the police and other criminal justice agencies, and local government. The group's discussions have focussed on how the police in the 10 areas with the highest levels of street crime can target the problem most effectively. They have also been on how the whole of Government can make a difference, how other agencies, the Crown Prosecution Service, the courts, the Youth Justice Board, schools, local authorities, health, education and social services can join together in a concerted effort to rid the streets of crime on a sustainable basis.

Jim Dobbin: To ask the Secretary of State for the Home Department if he will make a statement on the levels of street crime. [75339]

Mr. Denham: On 14 October 2002, my right hon. Friend the Home Secretary announced the results of the Street Crime Initiative to date. The figures show that, since the start of the initiative, street crime has fallen by 16 per cent. during the period April to September in the 10 police forces which accounted for over 80 per cent. of the robbery problem in 2001–02. For robbery, the more serious offence, the number of offences in September is 25 per cent. lower than March for the 10 forces as a whole.

The new figures show that what was an escalating situation has been reversed over the period since the launch of the Street Crime Initiative. There has been a 10 per cent. reduction (4,600 offences) in the number of robberies during the period April to September, compared to the same period last year.

The full report, "Street Crime Initiative: Figures to the end of September", is available in the Library.

Strip Searching

Mr. McNamara: To ask the Secretary of State for the Home Department if he will make a statement on action taken following the recent Prison Service report on strip searching; what assessment he has made of technological developments that might replace routine strip searching; what his estimate is of the cost of replacing strip searching by metal detectors at Her Majesty's Prison, Holloway; what guidance he has issued on Prison Service policy and minor changes in procedures; what research he has commissioned to explore further changes in strip searching procedures; and what arrangements he has made for the statistical recording and monitoring of strip searches. [74268]

Hilary Benn: The Review of Searching was an internal Prison Service review. The recommendations were accepted by the Prison Service Management Board and action to implement the recommendations, including the issue of policy guidance, has been or is being taken.

The recommendations of the review were to:

1. commission research into the effectiveness of strip searching;

2. introduce procedures to ensure that new receptions understand they will be strip searched and what is involved;

3. evaluate emerging technology;

4. ensure statistical recording and monitoring of strip searches will be provided using future information technology (IT) to be introduced throughout the Service;

5. issue guidance on strip searching of menstruating women;

6. issue guidance on strip searching of pregnant, disabled or elderly prisoners;

7. post-operative and bedridden prisoners, and those who are in severe pain or have recently given birth, should be strip searched only in exceptional circumstances;

8. when the prison officer entry level training course is revised, include awareness of searching of under-18s;

9. revise searching strategies and make specific provisions for young offender institutions (YOIs) continuing to hold juveniles. New strategies for prisons to be re-roled as juvenile centres;

10. issue guidance that gender is not a genuine occupational qualification for cell searching;

11. consider using the sideways stance for rub down searching of violent prisoners;

12. ensure managers set and communicate realistic targets for rub down searches;

13. cease the practice of randomly rub down searching official and professional visitors to Category C and D prisons and to most women's prisons and YOIs;

14. draw a distinction between solicitors and barristers, and legal advisers who are not counted as solicitors for the purposes of the Police and Criminal Evidence Act (PACE), and should be searched as though they were domestic visitors;

15. issue guidance on how to react to a passive drug dog indication; and

16. issue guidance on when a prisoner may be in the 'sight' of the person of the opposite sex, for the purposes of Prison Rule 41(3).

A copy of the review is available in the Library.

12 of the 16 recommendations have now been implemented, and action on recommendations 2, 4, 11 and 14 is in hand.

Recommendation 2 will be implemented when the Prison Service Order on Reception, which is currently being reviewed, is re-issued. Recommendations 11 and 14 will be covered in the revision of the Security Manual, which is under way. Recommendation 4 is that the Prison Service should make arrangements for the statistical recording and monitoring of strip searches. An IT solution to this requirement is being considered by the Prison Service's IT provider, although its achievement will depend on an assessment of the relative priority compared with other major IT developments needed by the service.

Recommendation 3 was to set aside resources to evaluate technology to replace routine strip searching. The Prison Service has set aside resources to enable the Police Scientific Development Branch to do this. As present, there are no suitable available alternatives capable of finding all items found during a search, such as drugs, weapons or other contraband.

There are no plans to use metal detectors in place of strip searching at Holloway prison, or elsewhere. Metal detectors are unable to detect drugs and any non-metallic contraband hidden beneath clothing.

A Prison Service Instruction issued in August 2000 dealt with the minor changes in procedures covered in recommendations 5, 6, 7, 10, 12 and 16. Governors were asked to comply with recommendations 9, 13 and 15 in separate guidance and correspondence.

The Prison Service has commissioned research into strip searching procedures and perceptions (to meet recommendation 1). The research will be carried out by a research team from Nottingham University. The research methodology is being developed, and the research will be carried out in a representative sample of prisons over the next nine months. The researchers are due to make their report to the Prison Service by September 2003.

Victim Impact Statements

Ms Coffey: To ask the Secretary of State for the Home Department what discussions he has had with the Lord Chancellor's Department about victim impact statements. [75340]

Hilary Benn: The Lord Chancellor's Department (LCD) was closely involved in developing the new Victim Personal Statement Scheme, which was introduced in October 2001. Since then, the LCD has been represented on the Home Office led working group, which is overseeing the evaluation for the scheme.

Violent Crime

Tim Loughton: To ask the Secretary of State for the Home Department how many children have died from violence in each of the last five years. [75553]

Hilary Benn *[holding answer 21 October 2002]:* Homicide statistics are published annually in Chapter 4 of "'Criminal Statistics England and Wales'. Data are published on a calendar year basis up to 1997 and a financial year basis from 1997–98. The latest statistics relating to 2000–01 were published in December 2001 in "Criminal Statistics England and Wales 2000". Table 4.6 gives currently recorded homicides by age and gender of victim.

Homicides of children under 16 years are given in the following table.

	Age of victim		
	Under one year	*One and under five years*	*Five and under 16 years*
1996	27	20	33
1997	33	20	30
1997–98	30	16	26
1998–99	40	22	25
1999–2000	31	13	23
2000–01	50	19	29

Note:
Data as at 3 October 2001; figures are subject to revision as cases are dealt with by the police and by the courts or as further information becomes available.

Workers from Eire

Mr. Heathcoat-Amory: To ask the Secretary of State for the Home Department what restrictions there are on the entry into the UK of workers from Eire who have been accepted by that country from EU candidate countries. [75904]

Beverley Hughes: Workers from EU candidate States seeking entry to the United Kingdom (UK) through the Common Travel Area remain subject to immigration control. A work permit, and where appropriate a visa, would be required if they sought leave to enter the UK to work.

WORK AND PENSIONS

Benefits Offices

Mr. Burstow: To ask the Secretary of State for Work and Pensions what percentage of those employed in benefits offices were over 55 years old in each of the last five years; and if he will make a statement. [74313]

Mr McCartney: Information on the percentage of staff employed in benefits offices who were over 55 years old at 30 April in each of the last five years is in the following table.

Date	*Percentage of staff over 55*
April 2002	8.1
April 2001	6.9
April 2000	5.9
April 1999	5.3
April 1998	5.4

Note:
2002 figures include staff from the former Employment Service because of the creation of Jobcentre Plus

Child Maintenance

Mr. Webb: To ask the Secretary of State for Work and Pensions, pursuant to his answer of 15 October 2002, *Official Report*, column 635W, on child maintenance, for what reason the figure given was on a different basis to his Department's PSA target; and if he will make a statement. [77784]

Malcolm Wicks: The figures are consistent with one another.

The figures given in the answer of 15 October 2002, *Official Report*, column 635W, on child support maintenance, are based on aggregates of:

(a) for 1997, figures, for both total number of parents with care in receipt of the relevant benefit and the number of such parents with care receiving maintenance, for income support, income-based jobseekers allowance, family credit and disability working allowance;

(b) for 2002, figures, for both total number of parents with care in receipt of the relevant benefit and the number of such parents with care receiving maintenance, for income support, income-based Jobseekers allowance and working families tax credit.

The Department's Public Services Agreement target refers only to clients who are in receipt of Income Support.

Departmental Job Vacancies

Mr. McNamara: To ask the Secretary of State for Work and Pensions how many job vacancies there were at *(a)* administrative assistant or equivalent, *(b)* administrative officer or equivalent, *(c)* administrative executive officer, *(d)* higher executive officer, *(e)* senior executive officer, *(f)* grade 7 principal and *(g)* positions above grade 7 level in his Department for jobs located in (i) London and (ii) the South East between 1April 2001 and 31 March; and what is the total employment for each civil service grade. [76559]

Malcolm Wicks: The information on job vacancies is not held centrally and could be obtained only at disproportionate cost. The information on the total numbers of people employed for each Civil Service grade is in the table.

Total number of people employed for each Civil Service grade

	London		*South East*	
Grade	*SIP*	*WTE*	*SIP*	*WTE*
SCS	103	101	—	—
Grade 6	89	84	8	8
Grade 7	287	279	22	22
SEO	375	370	52	51
HEO	1,035	1,007	357	335
EO	5,215	4,942	2,868	2,609
AO	6,616	6,150	5,348	4,789
AA	1,214	1,127	831	729
Total	14,934	14,060	9,486	8,543

Notes:
1. Figures are point in time as at 31 March 2002.
2. Figures are shown as headcount totals (Staff In Post) and whole-time equivalent totals (WTE).

Disability Living Allowance

Mr. MacDougall: To ask the Secretary of State for Work and Pensions (1) what the basis is of his policy on payment to people who become disabled over the age of 65 years of the mobility component attached to disability benefits; [76031]

(2) what the basis is for the difference in the qualifying period for old claimants and younger claimants for disability benefits. [76035]

Maria Eagle *[holding answer 21 October 2002]:* Disability living allowance and attendance allowance are designed to provide a contribution towards the extra costs associated with severe disability. The benefits are assessed by looking at the disabled person's care needs and, in the case of disability living allowance, mobility needs.

Disability living allowance was introduced in 1992 by bringing together the separate attendance and mobility allowances into a single benefit, which gave additional help to severely disabled people under age 65 for whom disability is more financially disruptive in terms of lost opportunity to earn and save.

The vast majority of people can expect to have some restrictions as they get older and it is reasonable to expect people to make provision for this. Attendance allowance continues to be available for severely disabled people aged 65 or over who need help with personal care.

Disability living allowance unified and simplified the six months qualifying test inherited from attendance allowance and the 12-month prospective qualifying test inherited from mobility allowance by providing that a severely disabled person must have satisfied the entitlement conditions throughout the past three months and be likely to continue to satisfy them throughout the next six months.

Attendance allowance retains a six month qualifying period because a prospective test is less likely to be relevant to the disabilities—often degenerative—suffered by older people.

The Government believe that this broad framework is fair and sensible, and in particular that it is right to give the most help to those who are severely disabled early in life and who may face limited opportunities to work and save.

Mr. Simon Thomas: To ask the Secretary of State for Work and Pensions if he will make it his policy to allow recipients of disability living allowance to receive these benefits in another European Union country. [76268]

Maria Eagle: Disability living allowance is a non-contributory benefit designed to complement the substantial range of other help available to severely disabled people in the United Kingdom. It has always been Government policy, therefore, that it should be available only to people who normally reside here.

Disability living allowance is listed as a 'special non-contributory' benefit in EEC Regulation 1408/71. Such benefits are granted exclusively in the member state in which a person resides. People covered by the regulation can access any special non-contributory benefits, which are available in their country of residence.

European Year of Disabled People

Mr. Boswell: To ask the Secretary of State for Work and Pensions if he will make a statement on the official British contribution to mark the forthcoming European Year of Disabled People. [76819]

Maria Eagle: The Government is contributing £1 million to fund the UK programme of activity to support the European Year of Disabled People.

We have agreed an overall plan for the European Year, including a theme, "Promote Rights and Participation", funding, and a competitive bidding process for projects at local, regional and national level.

Launch events are being planned for England, Scotland, Northern Ireland and Wales. These will be held in January 03.

We expect to announce the successful projects before the end of this year.

Ex-Service Personnel (Benefits)

Mr. Drew: To ask the Secretary of State for Work and Pensions what plans he has to compel local authorities to give disregard for housing and council tax benefit to ex-service personnel. [76984]

Malcolm Wicks: We believe that the current disregard of £10 a week for war disablement and war widows' pensions in the income-related benefits strikes the right balance between acknowledging the special reasons for these pensions and prudent use of public funds.

In addition to the statutory provision, local authorities have the discretionary power to disregard up to the full amount of any war pension in housing benefit and council tax benefit. Any amount on top of the £10 statutory disregard is funded from authorities' own resources.

Local authorities, through their discretionary schemes, are best placed to determine the needs of their local residents, taking account of local priorities. We have no plans to change the present arrangements.

Incapacity Benefit

Mr. Boswell: To ask the Secretary of State for Work and Pensions how many occupational pensioners have protected claims to incapacity benefit because their initial date of claim preceded the inception of the disallowance of such pensions; and how many of such initial claimants have subsequently returned to work. [76409]

Mr. Nicholas Brown: Incapacity benefit recipients with an occupational pension were not separately identified prior to 6 April 2001 as receipt of a pension was irrelevant to their claim. Therefore this information is not available.

Universal Bank

Mr. Webb: To ask the Secretary of State for Work and Pensions, pursuant to his answer of 21 October 2002 to the hon. Member for Harwich, *Official Report*, column 14, on the Universal Bank, what alternative arrangements he will put in place for those people who will not be able to use the PIN number associated with a Post Office card account. [77785]

Malcolm Wicks: Customers will be able to choose from a range of account options. For some people the Post Office card account may not be the most suitable option and they may prefer to use an account with a cheque book or pass book. Customers will be supplied with information which clearly sets out their account options and which will enable them to decide which is right for them.

Customers who do want a Post Office card account but are unable to cope with a PIN number will have the option of nominating someone else to collect their money for them. In these cases, a second card will be issued.

We have always recognised that there will be a small group of people who cannot be paid directly into an account. We will develop an alternative method to pay this group of benefit recipients.

HOUSE OF COMMONS COMMISSION

Modernisation

Mr. Andrew Turner: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, if he will make an assessment of the effect of changes to the sitting hours of the House on the working conditions and remuneration of servants thereof. [77435]

Mr. Kirkwood: As the financial and employing authority of the House, the Commission has been giving careful consideration to the possible effects of these proposals. The extent of the changes will depend on the decisions of the House on motions which are to be debated tomorrow. In turn, the effects of the changes will be determined by how the House, Committees and Members adapt to any new arrangements: for example, in the sitting times of Select Committees and the use of Library and catering facilities. The Commission is

mindful of its obligations as an employer, and has already asked the Board of Management to assess effects on staff as any changes come into force.

HEALTH

Bed Blocking

Mr. Key: To ask the Secretary of State for Health how many beds were blocked in Salisbury district hospital in each month since January 2001. [77313]

Ms Blears: Information on delayed discharges has been collected at health authority rather than individual trust level, on a quarterly basis. As of Quarter 1 of 2002–03 this information will be collected quarterly at primary care trust level. All available information has been placed in the Library.

The Government recognises that delayed discharges are a problem across the south. Health and local authorities are working together to take action to improve the situation. In October 2001 the Government announced an extra £300 million in the "cash for change" initiative to tackle delayed transfers of care. Last year Wiltshire received over £700,000, this year over £2 million.

Mr. Flook: To ask the Secretary of State for Health how many beds were blocked in Taunton and Somerset NHS Trust beds in each month since January 2001. [77761]

Ms Blears: Information on delayed discharges has been collected at health authority rather than individual trust level, on a quarterly basis. As of Quarter 1 of 2002–03 this information will be collected quarterly at primary care trust level. All available information has been placed in the Library.

The Government recognises that delayed discharges are a problem across the south. Health and local authorities are working together to take action to improve the situation. In October 2001 the Government announced an extra £300 million in the 'Cash for Change' initiative to tackle delayed transfers of care. Last year Somerset received over £700,000, this year over £1.5 million.

Blood Products

Brian Cotter: To ask the Secretary of State for Health if he will make available to the House the findings of his Department's inquiry relating to Lord Owen's period as a Minister at the Department in relation to blood products used for transfusion. [76822]

Ms Blears: I have now instigated a comprehensive review of papers from the period in question, which is estimated to be completed early in the new year. The findings from the review will be made available to the House.

Breast Cancer

Mr. Simmonds: To ask the Secretary of State for Health if he will publish the statistics on the incidence rate of breast cancer for *(a)* Lincolnshire and *(b)* each county in England, Wales and Northern Ireland in each of the last 10 years for *(i)* men and (ii) women. [74922]

Ruth Kelly: I have been asked to reply.

The answer requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Mr. Cook to Mr. Mark Simmonds dated 28 October 2002:

As National Statistician I have been asked to reply to your recent question on the incidence rate of breast cancer in *(a)* Lincolnshire and *(b)* each county in England, Wales and Northern Ireland in each of the last 10 years for *(i)* men and (ii) women. (74922)

Incidence rates of breast cancer in women are given in the first table, for each county in England, and for the whole of Wales. The most recent period for which these data are available in the form requested is the nine years from 1991 to 1999. Figures by county in Wales cannot be produced for a similar period because of changes to local government boundaries. The equivalent figures for Northern Ireland are not readily available.

For men, the number of cases of breast cancer is too small to allow reliable calculation of incidence rates. Consequently, the annual numbers of newly registered cases of breast cancer in men, for the whole of England and for Wales, are given in the second table.

Table 1: Age standardised incidence rate for breast cancer [1], females, English counties [2] and Wales, years of registration 1991 to 1999. Rate per 100,000 population [3]

Area	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*	*1998*	*1999*
Bedfordshire[4]	105	127	107	106	112	94	144	126	98
Berkshire[4]	114	113	107	116	114	123	120	124	122
Bristol/Bath area	110	99	97	98	104	98	113	116	126
Buckinghamshire[4]	118	122	116	118	117	138	130	127	131
Cambridgeshire[4]	135	114	109	121	101	110	111	112	128
Cheshire[4]	106	103	98	93	110	100	99	102	113
Cornwall (and Isles of Scilly)	94	100	89	117	116	108	123	115	132
Cumbria	87	101	93	94	87	105	97	107	105
Derbyshire[4]	113	104	101	106	100	101	106	107	113
Devon[4]	104	108	106	93	104	104	113	121	127
Dorset[4]	116	118	133	141	122	135	136	125	153
Durham[4]	97	87	82	99	92	114	109	113	109
East Sussex[4]	106	114	106	94	111	115	124	109	113
Essex	105	99	93	107	111	108	124	113	118
Gloucestershire	108	119	102	96	106	102	101	121	151
Greater London (Metropolitan county)	102	105	98	100	108	106	119	116	114
Greater Manchester (Metropolitan county)	100	104	102	102	105	109	107	114	114
Hampshire[4]	106	114	125	125	121	117	125	115	110
Herefordshire and Worcestershire[4]	97	118	110	116	101	114	124	115	112
Hertfordshire	109	93	123	112	120	124	145	131	130

Table 1: Age standardised incidence rate for breast cancer[1], females, English counties[2] and Wales, years of registration 1991 to 1999. Rate per 100,000 population[3]

Area	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*	*1998*	*1999*
Isle of Wight[4]	107	114	97	131	114	156	171	152	135
Kent[4]	110	116	94	103	107	107	119	113	117
Lancashire[4]	102	107	98	111	104	97	105	108	110
Leicestershire[4]	98	110	107	94	89	86	98	98	113
Lincolnshire	114	119	95	106	107	98	97	125	117
Merseyside (Metropolitan county)	105	97	95	101	104	101	100	104	103
Norfolk	110	104	111	107	110	115	117	107	125
North Yorkshire[4]	104	104	86	100	103	108	116	115	120
Northamptonshire	115	127	100	119	112	127	117	116	126
Northumberland	94	97	98	75	65	69	62	107	107
Nottinghamshire[4]	99	107	109	92	100	104	101	103	99
Oxfordshire	126	141	124	132	115	126	117	127	145
Shropshire[4]	110	128	115	110	112	113	102	108	125
Somerset	114	116	138	97	93	100	108	118	143
South Yorkshire (Metropolitan county)	108	106	97	97	91	92	98	96	111
Staffordshire[4]	105	98	98	94	109	98	110	105	103
Suffolk	105	99	101	119	109	108	110	118	120
Surrey	105	109	110	107	119	113	130	115	125
Tees Valley less Darlington	87	87	91	93	100	105	107	104	100
The Humber	100	94	101	97	107	102	105	94	108
Tyne and Wear (Metropolitan county)	95	99	83	87	80	91	95	109	104
Warwickshire	106	111	102	115	101	93	116	116	112
West Midlands (Metropolitan county)	109	106	101	99	101	101	100	112	110
West Sussex	94	96	93	105	114	114	118	127	114
West Yorkshire (Metropolitan county)	95	103	104	100	98	96	108	110	110
Wiltshire[4]	100	136	132	113	116	128	130	119	136
Wales	97	117	120	124	105	105	110	102	120

[1] For years 1991 to 1994, International Classification of Diseases, Ninth Revision (ICD-9), code 174. For years 1995 to 1999, International Classification of Diseases, Tenth Revision (ICD-10), code C50.

[2] Data are presented for English counties, and former counties, based on boundaries as at 1 April 2002.

[3] Rates are based on mid-year population estimates produced following the 1991 Census.

[4] Former county of.

Note:

Age standardisation is to the European Standard Population.

Source:

Office for National Statistics

Table 2: Number of new cases of breast cancer[1], males, England and Wales, years of registration 1991 to 1999

Number

Year	*England*	*Wales*
1991	189	13
1992	178	13
1993	224	20
1994	166	18
1995	212	19
1996	192	23
1997	230	12
1998	265	13
1999	272	19

[1] For years 1991 to 1994, International Classification of Diseases, Ninth Revision, code 175. For years 1995 to 1999, International Classification of Diseases, Tenth Revision, code C50.

Source:

Office for National Statistics

Mr. Simmonds: To ask the Secretary of State for Health what was the death rate from breast cancer in *(a)* Lincolnshire and *(b)* each county in England, Wales and Northern Ireland in each of the last 10 years for *(i)* men and (ii) women. [74923]

Ruth Kelly: I have been asked to reply. The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Mark Simmonds dated 28 October 2002:

As National Statistician I have been asked to reply to your recent question on the death rate from breast cancer in *(a)* Lincolnshire and *(b)* each county in England, Wales and Northern Ireland in each of the last 10 years for *(i)* men and (ii) women. (74923)

Death rates from breast cancer in women are given in the first table, for each county in England, and for the whole of Wales. The most recent ten year period for which these data are available is 1992 to 2001. Figures by county in Wales cannot be produced for a ten year period because of changes to local government boundaries. The equivalent figures for Northern Ireland are not readily available.

For men, the number of deaths from breast cancer is too small to allow reliable calculation of death rates. Consequently, the annual numbers of deaths from breast cancer in men, for the whole of England and for Wales, are given in the second table.

Table 1: Age standardised mortality rate for deaths with an underlying cause of breast cancer[1], females, English counties[2] and Wales, 1992 to 2001[3]

Rate per 100,000 population

Area	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*
Bedfordshire	38	35	40	39	34	34	34	27	25	32
Berkshire	42	40	35	44	34	35	39	33	32	33
Bristol / Bath area	41	38	36	36	32	34	34	32	34	33
Buckinghamshire	45	39	37	41	31	34	41	37	35	38
Cambridgeshire	41	45	44	41	30	36	37	29	35	31
Cheshire	43	39	38	32	34	32	32	32	27	32
Cornwall (and Isle of Scilly)	36	37	33	43	36	37	31	30	32	28
Cumbria	36	33	32	35	35	33	34	36	37	29
Derbyshire	41	43	41	41	38	37	31	29	30	33
Devon	40	40	39	37	36	33	33	27	33	32
Dorset	42	34	38	38	26	35	33	30	33	25
Durham	34	36	35	33	38	35	29	30	28	29
East Sussex	35	37	40	38	34	37	36	31	32	32
Essex	40	41	38	41	38	32	37	32	34	30
Gloucestershire	37	34	38	41	36	40	34	35	35	32
Greater London (Metropolitan County)	40	39	37	34	36	35	32	32	33	32
Greater Manchester (Metropolitan County)	38	38	37	37	36	33	31	35	32	32
Hampshire	41	38	36	34	36	36	36	36	33	30
Herefordshire and Worcestershire	40	39	37	38	37	37	32	38	33	29
Hertfordshire	33	39	38	42	35	36	41	36	35	35
Isle of Wight	39	33	35	27	21	34	34	37	23	27
Kent	43	44	40	37	33	31	33	33	32	33
Lancashire	34	36	37	39	33	33	32	31	29	32
Leicestershire	36	39	40	42	33	33	27	28	31	28
Lincolnshire	43	40	39	41	34	37	32	32	32	35
Merseyside(Metropolitan County)	37	36	36	35	36	38	35	35	32	31
Norfolk	36	37	36	35	36	37	37	34	33	29
North Yorkshire	40	36	29	30	38	30	31	34	36	30
Northamptonshire	40	39	42	40	38	33	36	33	34	31
Northumberland	42	34	46	27	36	29	34	31	28	33
Nottinghamshire	46	36	40	38	37	36	37	33	27	35
Oxfordshire	39	36	33	37	33	30	40	33	33	28
Shropshire	40	41	36	38	36	43	35	33	36	30
Somerset	36	40	37	36	36	35	32	30	31	29
South Yorkshire (Metropolitan County)	38	39	44	36	39	35	31	33	29	32
Staffordshire	40	40	40	42	40	31	36	34	32	27
Suffolk	42	44	43	39	33	37	36	32	31	29
Surrey	40	42	39	33	29	34	28	34	29	29
Tees Valley less Darlington	39	37	41	35	34	36	32	27	33	30
The Humber	38	38	38	35	43	33	33	30	29	29
Tyne and Wear (Metropolitan County)	41	40	40	35	31	37	37	33	31	30
Warwickshire	48	37	36	39	42	31	35	29	31	27
West Midlands (Metropolitan County)	40	37	39	35	37	37	33	34	32	28
West Sussex	39	36	36	33	36	27	38	32	34	30
West Yorkshire (Metropolitan County)	35	35	34	34	31	30	28	29	28	28
Wiltshire	38	41	37	38	41	39	35	35	28	32
Wales	39	40	39	36	36	35	34	34	34	32

[1] For years 1992 to 2000, International Classification of Diseases, Ninth Revision (ICD-9), code 174 For 2001, International Classification of Diseases, Tenth Revision (ICD-10), code C50

[2] Data are presented for English counties, and former counties, based on boundaries as at 1st April 2002.

[3] The introduction of ICD-10 for coding cause of death in 2001 means that the number of deaths for this year are not comparable with data for earlier years.

Research has shown that the Introduction of ICD-10 led to an apparent increase of 2.7 per cent. in the number of deaths coded to female breast cancer.

Rates for the years 1993 to 2000 have therefore been adjusted by 2.7 per cent. to produce comparable trends for this period.

Data for 1992 are not adjusted because of coding changes introduced in 1993.

[4] Rates for 2001 are based on mid-year population estimates produced following the 2001 Census.

Rates for earlier years are based on mid-year population estimates produced following the 1991 Census.

There is therefore a discontinuity in this time series. ONS will publish revised sub-national population estimates for 1991 to 2000 in February 2003.

Age-standardisation is to the European Standard Population

Source:

Office for National Statistics

Table 2: Number of deaths with an underlying cause of breast cancer [1], males, England and Wales, 1992 to 2001 [2]

Number

Year	*England*	*Wales*
1992	85	7
1993	81	6
1994	82	5
1995	74	6
1996	63	4
1997	65	2
1998	73	2
1999	63	2
2000	68	3
2001	77	3

[1] For years 1992 to 2000, International Classification of Diseases, Ninth Revision (ICD-9), code 175.For 2001, International Classification of Diseases, Tenth Revision (ICD-10), code C50

[2] The introduction of ICD-10 led to an apparent increase of 10 per cent. in the number of deaths coded to make breast cancer.The figures should therefore be interpreted with caution.

Source:

Office for National Statistics

Mr. Wray: To ask the Secretary of State for Health how much has been spent on raising awareness of breast cancer since 1997; what progress has been made in cutting the number of deaths from breast cancer since 1997; and what care is available to people who suffer emotionally from the removal of a breast after treatment for breast cancer. [74406]

Ms Blears: We congratulate the charities that work together on breast cancer awareness month and their efforts to raise awareness of the disease. In addition to these efforts, the Government have spent approximately £10,000 on a breast awareness teaching kit for primary care in conjunction with the European Community and the cancer research campaign. £38,500 has also been spent nationally on "Be Breast Aware" leaflets and £131,000 on information leaflets for women about breast screening.

There has been a 6 per cent. reduction in deaths from breast cancer between 1997 and 2000. The annual numbers of deaths in England has decreased from 11,240 in 1997 to 10,609 in 2000. Over the same period the age standardised death rate for breast cancer has fallen by 7.7 per cent. from 1997 to 2000.

The National Institute for Clinical Excellence (NICE) is due to publish guidelines on supportive and palliative care in October 2002. This will include guidance on information, communication and psychological and social support. The NICE guidance is now available for consultation on the NICE website at www.nice.org.uk.

The Patient Cancer Survey 1999–2000 found that women with breast cancer reported generally positive experiences of breast cancer services.

Cancer

Gregory Barker: To ask the Secretary of State for Health what representations his Department has received concerning the number of cancer patients awaiting radiotherapy treatment but not included on official NHS waiting lists. [75772]

Ms Blears: The Department has received a number of informal representations about waiting times for radiotherapy. In order to tackle radiotherapy waiting times, we are making unprecedented investment in new radiotherapy facilities, streamlining care processes through the cancer services collaborative and working to best utilise the current workforce and to increase the number of staff in post and in training.

Gregory Barker: To ask the Secretary of State for Health what representations his Department has received concerning the effectiveness of new systems for logging data relating to cancer treatment introduced under the NHS cancer plan; and if he will make a statement on these systems. [75784]

Ms Blears: No representations have been received. Monitoring the national health service cancer plan targets robustly and effectively requires the ability to track information across the patient pathway of care, from urgent general practitioner referral for suspected cancer, to their first definitive treatment. The Department, in collaboration with the NHS information authority, is developing a national database so that this data can be collated nationally and locally. The database is currently undergoing user testing in the NHS prior to general introduction.

Gregory Barker: To ask the Secretary of State for Health (1) what the waiting list for breast cancer was for each month since September 2002; and how many breast cancer patients were tested to ascertain their suitability for a NICE-approved treatment for each of these months; [75796]

(2) what the waiting lists for breast cancer were for each month since September 2000; and how many *(a)* prostrate, *(b)* ovarian and *(c)* lung cancer patients were tested to ascertain their suitability for a NICE-approved treatment in each of these months; [75797]

(3) what the waiting lists for breast cancer were for each month since September 2000; and how many leukaemia patients were tested to ascertain their suitability for a NICE-approved treatment in each of these months. [75798]

Ms Blears: Data on waiting lists for breast, leukaemia, prostate, ovarian and lung cancer for each month since September 2000 are not collected centrally.

The cancer plan sets out waiting times targets for cancer treatment that will be implemented over the next five years. By 2005, all cancer patients will wait a maximum of one month from diagnosis to treatment and a maximum of two months from urgent general practitioner referral to treatment. We are currently developing systems to monitor performance against this target.

In addition, a new target of one month from diagnosis to first treatment for breast cancer was introduced in December 2001. Central monitoring of performance against this target began in January 2002 with data being collected quarterly. The table shows quarterly performance against this target.

Breast cancer one month from diagnosis to treatment

	Percentage
Quarter 4 2001–02	94.2
Quarter 1 2002–03	94.4

The Department does not collect information about the suitability of patients for specific treatments. The responsibility for arranging tests and deciding what treatment is best for the patient rests with the clinicians concerned. This is done in consultation with the patient and is informed by the patient's clinical history. Relevant guidance from the National Institute of Clinical Excellence would also be taken into account. Discussions between patients and clinicians about suitable treatments are confidential.

Gregory Barker: To ask the Secretary of State for Health (1) what assessment he has made of the number of people diagnosed with lung cancer since 1992; and how this compares with other *(a)* Commonwealth and *(b)* EU countries; [75834]

(2) what assessment he has made of the number of people diagnosed with leukaemia since 1992; and how this compares with other *(a)* Commonwealth and *(b)* EU countries; [75832]

(3) what assessment he has made of the number of people diagnosed with *(a)* breast cancer, *(b)* ovarian cancer, *(c)* leukaemia, *(d)* prostate cancer and *(e)* lung cancer since 1992; and how this compares with other *(i)* Commonwealth and (ii) EU countries; [75831]

(4) what assessment he has made of the number of people diagnosed with prostate cancer since 1992; and how this compares with other *(a)* Commonwealth and *(b)* EU countries. [75833]

Ruth Kelly: I have been asked to reply. The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Gregory Barker, dated 28 October 2002:

As National Statistician, I have been asked to reply to your recent questions concerning what assessment has made of the number of people diagnosed with various types of cancer since 1992; and how these figures compares with other *(i)* Commonwealth and (ii) EU countries. (75831,75832, 75833, 75834).

Figures on the numbers of people diagnosed with cancers of the breast, lung, ovary and prostate, and leukaemia in the EU countries can be found on the EUCAN database. This database contains information for the latest year for which cancer incidence, mortality and population data are available in the 15 Member States of the European Union; at present the latest data available are for 1997. The EUCAN database is available on the International Agency for Research on Cancer (IARC) website at:

Comparable data for the Commonwealth countries can be found on the GLOBOCAN database. The GLOBOCAN 2000 database contains estimates of cancer incidence, mortality and prevalence worldwide for 2000. The GLOBOCAN 2000 database is also available on the IARC website (at the same address).

Figures for the UK are included on both of these databases in the format which allows comparison with other countries.

Cancer Care

Gregory Barker: To ask the Secretary of State for Health if he will give a breakdown of the component parts of the national cancer waiting lists as published by the NHS. [75769]

Ms Blears: The NHS cancer plan set out new goals to reduce waiting times for cancer treatment. The ultimate goal is that no one should wait longer than one month from an urgent general practitioner referral for suspected cancer to the beginning of treatment except for a good clinical reason or through patient choice.

The first step in reducing cancer waiting times was the introduction of the two week waiting time standard from urgent general practitioner (GP) referral to out-patient appointment for cases of suspected breast cancer from April 1999. The two week standard was extended to all other urgent cases of suspected cancer during 2000.

From December 2001 targets of a one month maximum wait from diagnosis to first treatment for breast cancer and a one month maximum wait from urgent general practitioner referral to first treatment for children's cancers, testicular cancer and acute leukaemia were introduced. By 2005 the target of a maximum two month wait from urgent GP referral to first treatment and a one-month wait from diagnosis to first treatment for will cover all cancers.

Existing monitoring arrangements cover the two week standard and the December 2001 targets.

Gregory Barker: To ask the Secretary of State for Health what representations his Department has received concerning its target to introduce 1,000 new cancer consultants to the NHS by 2006. [75781]

Ms Blears: The Department has received a number of informal representations about the expansion of the cancer workforce. The national cancer director works closely with cancer networks, professional organisations and workforce development confederations to ensure that national decisions about workforce planning reflect the needs of the service. The table shows good progress in increasing the number of doctors working in cancer services. This increase means the national health service is on track to hit the target set out in the cancer plan of nearly 1,000 extra cancer consultants by 2006.

Hospital medical consultants within selected specialties relating to cancer—England

	Headcount	
	1999	*March 2002*
All Cancer specialties	3,360	3,860
Of which		
Clinical oncology	300	320
Clinical radiology	1,510	1,680
Haematology	510	580
Histopathology	840	960
Medical oncology	110	180
Palliative medicine	90	150

Source:
Department of Health medical and dental workforce census

Gregory Barker: To ask the Secretary of State for Health (1) what representations his Department has received concerning the transparency of cancer fund allocation within NHS health authorities in England and Wales; [75804]

(2) what steps his Department is taking to ensure greater transparency on how public money for cancer is spent; [75775]

(3) what procedures are in place to ensure that funds awarded for cancer services within NHS health authorities in England and Wales are distributed accordingly and not allocated to other areas of health care. [75805]

Ms Blears: The Department and the national cancer director, Professor Mike Richards, have received both formal and informal representations about cancer funding from national health service and voluntary organisations as well as individual clinicians and managers providing cancer care. Professor Richards is working with chief executives of strategic health authorities to ensure that the money gets through to cancer services and that cancer plan targets are met.

We are devolving power from the centre to locally run services, to allow the freedom to innovate and improve care for patients. The increased resources that we have made available and will continue to make available to support the implementation of the cancer plan will move to the NHS frontline. Primary care trusts will have freedom to decide where NHS resources are best spent, but they will need to account publicly for how they have used resources against the test of high clinical standards and good value for money.

Gregory Barker: To ask the Secretary of State for Health what representations his Department has received concerning the effectiveness of the peer review teams introduced under the NHS Cancer Plan. [75783]

Ms Blears: The Department has received a number of informal comments about the 2000–01 peer review process. A formal evaluation of the peer review process has been commissioned. Decisions about the future of the process will take all these views into consideration.

Cardiac Surgery

Dr. Richard Taylor: To ask the Secretary of State for Health what guidance he has given to primary care trusts to allow patients waiting for cardiac surgery to be treated out of their area in *(a)* the UK and *(b)* abroad. [76244]

Ms Blears: The following guidance on domestic and overseas treatment has been issued to primary care trusts:

Extending Choice for Patients—Establishing the Heart Surgery Scheme (March 2002)

Further Advice and Guidance (April 2002)

Additional Revenue Allocations (April 2002)

Update and Next Steps (June 2002)

Copies of the guidance have been placed in the Library.

Departmental Websites

Dr. Vincent Cable: To ask the Secretary of State for Health if he will list the web site links associated with his Department, including sites now dormant or closed, and indicating whether they are live, dormant or closed; what the start up costs were for each site listed; what the operating costs were in each year since start up for each site; which company hosted each site; what assessment takes place for each site; which company does the assessment; if he will place the assessment reports in the Library; and if he will make a statement. [75584]

Ms Blears: A list of websites associated with the Department has been placed in the Library.

There would be a disproportionate cost associated with identifying the start up costs, the hosting arrangements and what assessment takes place for each site listed. However,we are able to provide the operating costs for all the websites hosted by the Department. These are shown in the table:

Financial Year	*Hosting and maintenance (£k)*	*Estimated staff costs (£k)*	*(£k)*
1998–99	20.9	178.9	199.8
1999–00	54.3	229.4	283.7
2000–01	49.3	277.1	326.4
2001–02	73.3	339.7	400.8
2002–03 (to 30.09.02)	57.5	169.8	227.3

The current hosting supplier is EDS Ltd. The Office of Government Commerce provided hosting until the end of June 2002. EDS provide a monthly service report which includes a web performance return.

Domiciliary Oxygen Service

Jim Knight: To ask the Secretary of State for Health (1) when he intends to publish the review of the Domiciliary Oxygen Service; [75943]

(2) whether he intends to accept the recommendations of the Royal College of Physicians made in their 1999 guidance Domiciliary Oxygen Therapy Services; [75944]

(3) what analysis has been undertaken of the benefits of liquid oxygen to those with respiratory problems; and if he will introduce a three modality system of oxygen supply for such patients. [75945]

Mr. Lammy: The review of the domiciliary oxygen service has not yet been concluded. There are no plans at present to change the arrangements under which oxygen is provided for patients who need it. The therapeutic benefits of oxygen do not depend on the modality of oxygen supply.

Waiting Lists

Mr. Laws: To ask the Secretary of State for Health, how many people died in 2001 while on the waiting list for heart surgery; and if he will make a statement.

Ms Blears *[holding answer 24 October 2002]:* The information requested is not collected centrally. [75944]

Drug Misuse

Mr. Burstow: To ask the Secretary of State for Health if he will set out for each of the last five years the amount of expenditure on preventative measures to tackle the

misuse of *(a)* alcohol, *(b)* tobacco, *(c)* cannabis, *(d)* ecstasy, *(e)* amphetamines, *(f)* LSD, *(g)* heroin, *(h)* cocaine and *(i)* crack cocaine. [75736]

Ms Blears *[holding answer 23 October 2002]:* Most of the work on the prevention of alcohol misuse is undertaken at local level by National Health Service (NHS) health promotion units and primary health care professionals such as general practitioners and practice nurses. It is not possible to separately identify the funds devoted to this alcohol misuse prevention work. Over the period 1999–2003 a total of £76 million will have been invested in the NHS smoking cessation services. Actual spending on the public education campaign is £46 million with £13 million committed for 2002–03.

It should be noted that figures listed below for the years after 1998 when the Government's drug strategy was launched are a Department of Health contribution to overall prevention funding. Other Government Departments, in particular the Home Office and the Department for Education and Skills, also provide substantial funding.

	£
1998/99	Around 1 .5m made available for national campaigns
1 999/00	Around 1 .5m made available for national campaigns
2000/01	Around 1 .5m made available for national campaigns
2001/02	Around 1 .5m made available for national campaigns. In addition 11 .164m ring fenced money for drug prevention spent.
2002/03	Around 1 .5m made available for national campaigns. In addition 15. 75m ring fenced money for drug prevention allocated.

Prior to 2001–02, drug prevention funding was not ring fenced. However health and local authorities could use mainstreamed funds to finance drug prevention.

GP Czar

Mr. Hancock: To ask the Secretary of State for Health how many visits the GP Czar has made to Portsmouth South; and if he will make a statement. [76505]

Mr. Hutton: Professor David Colin-Thome is the national clinical director of primary care for England as well as a practising general practitioner.

He has not visited Portsmouth South during his time in office, nor been invited to do so.

Haemophilia

Mr. Connarty: To ask the Secretary of State for Health if he intends to make a decision before the end of 2002 on whether to make recombinant available to all people with haemophilia. [75866]

Ms Blears: We hope to announce our decision on the availability of recombinant before the end of 2002.

Brian Cotter: To ask the Secretary of State for Health what recent further consideration he has given to making recombinant clotting factors available to all haemophilia patients in England. [76827]

Ms Blears: The Government is still considering whether to make recombinant clotting factors available to all haemophiliacs in England taking full account of representations made by the All Party Parliamentary Group on haemophilia, the haemophilia society, the United Kingdom haemophilia centre doctors organisation and others. We hope to announce our decision before the end of 2002.

Health Care (Portsmouth)

Mr. Hancock: To ask the Secretary of State for Health (1) when the 2002–03 budget was *(a)* finalised and *(b)* published for the *(i)* Portsmouth Hospitals NHS Trust and (ii) Portsmouth City Primary Care Trust; and if he will make a statement; [76504]

(2) what plans he has to bring an end to the Portsmouth Hospitals NHS trust deficit; and if he will make a statement. [76497]

Ms Blears: The management of the trust is a matter for the local health community managing within the context of "Shifting the Balance of Power", local partnership and agreement. Work is under way across the whole health economy to identify recurrent solutions to address the deficit.

I am advised by Hampshire and Isle of Wight Strategic Health Authority that the Portsmouth Hospitals National Health Service Trust board approved initial budgets for 2002–03 at its meeting on 25 April 2002. There were a number of areas of service development that required additional investment, which have been agreed in the last two months. In the case of Portsmouth City Primary Care Trust, the outline budget was presented to its board at a public meeting in June.

The public release of details of the proposed budget and the subsequent publication of audited accounts are matters for each individual organisation to determine.

Meat and Poultry

Mr. David Lidington: To ask the Secretary of State for Health what the Government's planned expenditure is on training in the meat and poultry sectors in *(a)* 2002–03, *(b)* 2003–04 and *(c)* 2004–05; and if he will make a statement. [74734]

Margaret Beckett *[holding answer 15 October 2002]:* I have been asked to reply.

The Learning and Skills Council (LSC) funds generic training leading to a national qualification. While there is a small volume of LSC-supported vocational training for new entrants to the meat and poultry sector, it is likely that the bulk of training in this sector will be in-service and not supported by the LSC.

Sector Skills Councils, which are replacing National Training Organisations, have a responsibility to work with employers to identify training needs and ways of meeting them. Lantra has been designated as a trailblazer sector skills council covering environmental and land-based industries, including agricultural production. Lantra receives some financial support from Defra and DfES, though it will principally be for industry sectors to generate funds for training. The meat and poultry sectors will also benefit from publicly-funded services, such as Defra's Farm Business Advice Service.

The Meat and Livestock Commission (MLC) a Defra non-departmental public body (NDPB), funded by statutory levy, has the general duty of promoting greater efficiency in the livestock industry and the livestock products industry, and other functions which include:

1. In sections of the livestock industry or livestock products industry for which no industrial training board has been established, encouraging and promoting the training of employees

2. Co-operating with the industrial training board for any other sector of either industry in the improvement of the training of employees in that section of the industry. (Agriculture Act 1967, Schedule 1, paragraph 17)

The MLC therefore fund training in the red meat sector, both directly and through support to the Meat Training Council (formerly a national training organisation), discussions are under way regarding its possible inclusion in a larger food and drink SSC). The MLC planned expenditure on training during the periods in question is:

	£
2002–03	160,000 (forecast)
2003–04	175,000 (indicative)
2004–05	200,000 (indicative)

Mental Health

Dr. Evan Harris: To ask the Secretary of State for Health if he will list the annual expenditure per person under the age of 18 on mental health services in *(a)* England, *(b)* each NHS region and *(c)* each health authority in each of the last six years. [75633]

Jacqui Smith: The requested information is not collected.

National Institute for Clinical Excellence

Gregory Barker: To ask the Secretary of State for Health what steps his Department is taking to reduce delays in obtaining NICE guidance for cancer treatments. [75800]

Ms Blears: When the Department becomes aware of an impending licence for a significant new cancer treatment it is considered for referral to the National Institute for Clinical Excellence (NICE). The appraisal process takes a minimum of 54 weeks from referral to completion as it has been designed to allow the full participation of patients, clinicians, companies and stakeholders. NICE is fully aware of the need to ensure that the process is as streamlined as possible, without losing any of the important safeguards it contains, in order to publish guidance soon after the treatments are launched.

Physical Activity Levels

Mr. Hepburn: To ask the Secretary of State for Health what his Department is doing to encourage improved health and preventative health programmes through increased physical activity. [75208]

Ms Blears: The Government recognises the importance of physical activity to improving health and has set up a programme of activity to increase rates of physical activity. Together with the Countryside Agency and Sport England, the Department is developing a programme of local exercise action pilots (LEAPs), which will test out different community approaches to increasing physical activity. The results will inform and lead action on physical activity across the National Health service.

Local strategies to increase physical activity are being developed as part of the national service framework for coronary heart disease. To support the development of local physical activity programmes, the Department published a national quality assurance framework for exercise referral systems in April 2001. This offers guidance to primary care and fitness professionals who work together to offer tailored exercise programmes to patients whose health would benefit from increased exercise.

Mr. Hepburn: To ask the Secretary of State for Health whether his Department has considered the case for primary care trusts having physical activity co-ordinators within their public health teams. [75209]

Ms Blears: The issue of whether Primary Care Trusts (PCTs) should appoint physical activity co-ordinators as part of their public health teams is a matter for local determination. However, what is clear is that PCTs have a role in delivering improvements to public health, including increasing rates of physical activity. In order to assist PCTs in this, together with the Countryside Agency and Sport England, the Department is developing a programme of local exercise action pilots (LEAPs) to test out different approaches to increasing physical activity.

This programme will fund one pilot in each of the nine regions in England. Pilots will be led by PCTs and based in neighbourhood renewal areas and some will also involve sport action zones. The ongoing results will inform and lead action on physical activity across the National Health Service.

Mr. Hepburn: To ask the Secretary of State for Health whether his Department has considered the case for a cross departmental strategy at national, regional and local level for joined-up action and funding to improve physical activity levels. [75210]

Ms Blears: The Government recognises the importance of a strategic approach in order to increase rates of physical activity. This Department works closely with other Government Departments to ensure that policy initiatives on health, sport and recreation, education and transport are co-ordinated and contribute to our shared goal of increasing access and rates of physical activity. This has been backed up by significant investment, including £581 million from the new opportunities fund for a physical education and sports programme, £459 million to transform physical education, school sport and club links over the next three years and £2.5 million for a new programme of local exercise action pilots, led by primary care trusts (PCTs).

At a national level, Ministers from the Department for Culture, Media and Sport, Department for Education and Skills and the Department of Health have regular monthly meetings to ensure joint working and co-ordination on issues relating to physical activity and sport. The Department of Health has also set up a

national alliance on physical activity that draws together policy makers, experts and practitioners to share local experiences and learning on strategies, plans and practices to increase physical activity.

At a regional level the positioning of regional directors of public health and their teams in the Government offices of the regions provides a very real opportunity to make connections across policy areas that will support increased physical activity.

Locally, PCTs have a key responsibility for ensuring that a strategic approach is taken to increasing physical activity through their involvement in local strategic partnerships.

Pneumococcal Polysaccharide Vaccine

Mr. Hancock: To ask the Secretary of State for Health how much was spent on prescribing the pneumococcal polysaccharide vaccine in each of the last three years, broken down by NHS trust; and if he will make a statement. [76008]

Ms Blears: Information on the net ingredient cost of pneumococcal vaccines prescribed in general practitioners practices in England, by Health Authority, 2000 and 2001 has been placed in the Library.

Data is taken from the prescribing analyses and cost system from the prescription pricing authority and only available by health authority.

Post-Surgery Radiotherapy

Mr. Andrew Turner: To ask the Secretary of State for Health what the average waiting time for post-surgery radiotherapy in *(a)* Southampton Hospital and *(b)* the nearest three units which provide similar services has been in the last year for which figures are available; what clinical guidance is on such waiting times; and if he will make a statement. [76742]

Ms Blears: The information requested on waiting times for post surgery radiotherapy is not collected centrally.

The NHS Cancer Plan sets out new goals to reduce waiting times for diagnosis and treatment. The ultimate goal is that no one should wait longer than one month from an urgent referral for suspected cancer to the beginning of treatment, except for a good clinical reason or through patient choice. In order to tackle radiotherapy waiting times we are making unprecedented investment in new radiotherapy facilities, streamlining care processes through the cancer services collaborative and working to best utilise the current workforce and to increase the number of staff in post and in training.

Palliative Care

Gregory Barker: To ask the Secretary of State for Health (1) what representations his Department has received concerning the success of the 'education and support programme for district and community nurses in the principles and practice of palliative care; [75808]

(2) how many proposals have been received for the 'education and support programme for district and community nurses in the principles and practice of palliative care'; and what the source of these proposals was. [75809]

Ms Blears: Funding of £6 million over three years has been made available to train and support district and community nurses in the principles and practice of palliative care. Bids were invited in April 2001 with one project from each cancer network being chosen. The projects were required to reflect collaboration between education provider*(s)*; training recipients; specialist palliative healthcare professionals; and education consortia/confederations and demonstrate a multi-professional approach to the training provision. Details of the projects can be found on the web at www.doh.gov/cancer/edusup.htm

We are in the second year of the programme. All reports received so far suggest that the project is proving beneficial and is being well received by district and community nurses. The project will be evaluated.

Prostate Cancer

Gregory Barker: To ask the Secretary of State for Health when a full review will be published on current progress in implementing the Government Prostate Cancer Programme issued in December 2000. [75807]

Ms Blears: Good progress has been made since the national health service prostate cancer programme was published on 6 September 2000. All targets within the programme have been achieved, and the planned increase in consultant urologists is currently being exceeded.

Public Health Laboratory Service

Mr. Dismore: To ask the Secretary of State for Health what representations he has received from *(a)* Public Health Laboratory Service Management and *(b)* trades unions concerning *(i)* the transfer of local public health laboratories from Public Health Laboratory Service central organisation to hospital trusts; and (ii) the timing of implementation of the transfer; and if he will make a statement. [74807]

Ms Blears: A discussion document on the proposals was issued in June 2002, and representations were received from the PHLS Board and from Amicus and the British Medical Association on both the detail of the proposals and on the proposed timing. We sought to address issues raised in the final decisions about which laboratories would transfer to the NHS from 1 April 2003. This was announced on 3 September. Representations have since been received from Unison.

Radioactive Xenon Gas

Llew Smith: To ask the Secretary of State for Health what experiments have been conducted using the release of radioactive xenon gas from Harwell Atomic Energy Research Laboratories. [75688]

Mr. Wilson: I have been asked to reply.

I understand from the United Kingdom Atomic Energy Authority that a short series of tests using mildly radioactive xenon gas were carried out in April 1961, in order to improve the understanding of weather conditions on the dispersal of airborne materials.

Radiographers

Dr. Tonge: To ask the Secretary of State for Health what discussions his Department has had with the Health Professions Council regarding the increase in the retention fee for radiographers; and if he will make a statement. [76015]

Mr. Hutton: *[Holding reply issued on Monday 21 October]:* The Health Professions Council (HPC) ended a three month public consultation exercise on 30 September 2002. One of the issues for consultation was the level at which the HPC should set its fees from April 2003. The Department provided a consolidated response to the consultation of which the issue of the level of fees formed part. The HPC will analyse the feedback it has received and produce a document summarising the replies, which they aim to publish in November.

Radiotherapy

Mr. Laws: To ask the Secretary of State for Health (1) how many people have been waiting more than *(a)* six, *(b)* 12 and *(c)* 18 months for radiotherapy treatment in each English health authority area; [76036]

(2) whether waiting times for radiotherapy are reported as part of the waiting times for *(a)* inpatients and *(b)* outpatients; and if he will make a statement. [75992]

Ms Blears *[holding answers 24 October 2002]:* Waiting times for radiotherapy treatment are not collected centrally. In order to tackle radiotherapy waiting times, we are making unprecedented investment in new radiotherapy facilities, streamlining care processes through the cancer services collaborative and working to best utilise the current workforce and to increase the number of staff in post and in training.

Renal Services (Portsmouth)

Mr. Hancock: To ask the Secretary of State for Health whether he has received the South East Health Board Review Panel's analysis of and recommendations for the Portsmouth Hospitals NHS Trust Renal Services; and if he will make a statement. [76005]

Ms Blears: Officials of the Department's directorate of health and social care for the south of England have received the report on Portsmouth renal services by the external review panel, commissioned by the regional director of public health for the south east. In response to the report Portsmouth hospitals national health service trust has produced a detailed action plan. Progress against it is being closely monitored by the Hampshire and Isle of Wight health strategic health authority and the directorate of health and social care (south).

Salisbury Alcohol and Drugs Advisory Service

Mr. Key: To ask the Secretary of State for Health if he will make a statement on the financial position of the Salisbury Alcohol and Drugs Advisory Service; and what the waiting time is for an appointment. [72615]

Ms Blears *[holding answer 15 October 2002]:* I understand that an additional £60,000 has been made available to Salisbury alcohol and drugs advisory service (SADAS) in recognition of the shortfall in the original allocation for 2002–03. This will enable the strengthening of staffing resources, which will allow them to improve all their services, including detoxification, capacity and structured day care provision.

SADAS is taking part in the combined national treatment agency and modernisation agency waiting times pilot. The current waiting times being reported by SADAS are shown in the table.

	Waiting times
Highest priority cases	1–2 weeks
Treatment for under 25 year olds	Up to 8 weeks
Arrest referral	Up to 12 weeks
Low risk	Up to 52 weeks

It should be noted that the figures above measure the time from referral to treatment, and not from the first appointment, which may have occurred at an earlier date.

Smallpox Vaccine

Mr. Bellingham: To ask the Secretary of State for Health how much he estimates it would cost clinically to test the smallpox vaccine to be supplied by Powderject. [67542]

Mr. Hutton: The Government have made no estimate of the cost of clinical trials for this vaccine, as the costs of any such trials normally fall to the supplying company.

There are currently no proposals for clinical trials of this vaccine in the United Kingdom, and the Government are not meeting any costs for any future limited clinical trials that might be required in fulfilment of an application for a product licence for smallpox vaccine supplied by Powderject Pharmaceuticals.

Since smallpox does not currently exist in the population, trials of protective efficacy are not possible. Therefore, the likely protective efficacy of a new

smallpox vaccine must be inferred from other parameters. Clinical trials are not mandatory for unlicensed vaccines.

The National Institute for Biological Standards and Control are conducting independent potency and quality checks on the new vaccine prior to the vaccine being finally accepted.

Smoking

Dr. Evan Harris: To ask the Secretary of State for Health if he will list the percentage smoking rates in each year since 1990 in *(a)* England and *(b)* each NHS region for *(i)* all adults, (ii) non-manual groups and (iii) manual groups. [75640]

Ms Blears: Information on smoking prevalence for adults is obtained from the general household survey; questions on smoking were included every two years. The most recent results are for 2000. Information on smoking prevalence in non-manual and manual groups is not readily available by region; sample sizes for some regions are relatively small and would not be very robust. The available information is given in the tables.

Table 1: Prevalence of cigarette smoking among adults aged 16 and over, by socio-economic group, England 1990 to 2000

Percentage

	Unweighted[1]					*Weighted*[1]	
	1990	*1992*	*1994*	*1996*	*1998*	*1998*	*2000*
Non-manual	24	23	21	22	21	22	23
Manual	35	33	32	34	32	33	31
Total	29	28	26	28	27	28	27
Weighted base (000s)					—	35,290	35,452
Unweighted base	15,002	15,663	14,447	13,381	12,295	—	11,829

[1] From 2000, ONS have weighted the data to compensate for under-representation of people in some groups (for example young men). The 2000 results are provided based on weighted data only. The results based on weighted and unweighted data are not directly comparable, so the results for 1998 have been presented as weighted, and as unweighted data.

Note:

In this table, the non-manual social-economic group category includes professionals, employers and managers, and intermediate non-manual and junior non-manual workers. The manual social-economic group category includes skilled manual (including foreman and supervisors) and own account non-professional, semi-skilled manual and personal service, and unskilled manual workers.

Source:

ONS General Household Surveys, 1990 to 2000.

Table 2: Prevalence of cigarette smoking among adults aged 16 and over, by standard region England, 1990 to 2000

Percentage

	Weighted[1]				*Unweighted*[1]			*Weighted Base 2000 (000)*	*Unweighted Sample 2000*
Region	*1990*	*1992*	*1994*	*1996*	*1998*	*1998*	*2000*		
North	32	31	28	31	27	28	28	2,557	85
Yorkshire and Humberside	29	28	28	28	28	29	28	3,771	1,25
North West	33	30	27	30	31	32	30	4,472	1,52
East Midlands	28	25	26	26	26	27	25	2,895	99
West Midlands	29	26	24	28	28	29	26	3,925	1,30
East Anglia	26	27	24	25	22	23	26	1,733	60
Greater London	31	29	29	29	30	31	27	5,253	1,50
Outer Metropolitan area	29	26	25	25	24	25	25	8,201	2,80
Outer South East	28	28	27	28					
South West	27	25	24	27	24	25	27	3,724	1,30
All England	29	28	26	28	27	28	27	36,531	12,15

[1] See notes to table 1 re: weighting.

Source:

ONS General Household Survey 2000, published as "Living in Britain", results from the 2000 General Household Survey. Available from the internet at: http://www.statistics.gov.uk/lib/index.html

Suicide

Dr. Evan Harris: To ask the Secretary of State for Health if he will publish the data available on death rates from *(a)* suicide and *(b)* undetermined injury in each year since 1996. [75641]

Ruth Kelly: I have been asked to reply. The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from L. Cook to Dr. Evan Harris, dated 28 October 2002:

As National Statistician I have been asked to reply to your enquiry about the publication of death rates from *(a)* suicide and *(b)* undetermined injury in each year since 1996. (75641)

These data were published in Table 3 of Mortality Statistics from injury and poisoning 2000, Series DH4 no. 25 which is available on the National Statistics website at hhttp://www.statistics.gov.uk/downloads/theme—health/DH4—NO25/DH4—No25.pdf.

Heart Surgery Waiting Lists

Mr. Laws: To ask the Secretary of State for Health how many people died in 2001 while on the waiting list for heart surgery; and if he will make a statement. [75994]

Ms Blears *[holding answer 24 October 2002]*: The information requested is not collected centrally.

Waiting Times

Mr. Laws: To ask the Secretary of State for Health whether *(a)* CT scans and *(b)* MRI scans are included in figures for *(i)* in-patient and (ii) out-patient waiting times; and if he will make a statement. [75986]

Ms Blears: *[holding answer 24 October 2002]:* Information on computerised tomography (CT) scans and magnetic resonance imaging (MRI) scans is not collected centrally. Waiting times for consultant-led in-patient elective admissions and consultant-led first out-patient appointments, following general practitioner referral, are collected on the consultant's main specialty not by procedure. CT scans and MRI scans will be included in the figures if they take place as an elective in-patient admission or as a first out-patient appointment, but will not be separately identifiable.

Mr. Laws: To ask the Secretary of State for Health how many people are waiting for a neuro-physiology *(a)* diagnostic test and *(b)* consultant appointment at (i) Musgrove Park Hospital, Taunton and (ii) Yeovil District Hospital; how many of these have waited more than *(A)* three, *(B)* six, *(C)* nine, *(D)* 12, *(E)* 15, *(F)* 18 and (G) 24 months; and if he will make a statement. [75990]

Ms Blears: *[holding answer 24 October 2002]:* Information is not collected centrally on the number of patients waiting for diagnostic tests and consultant appointments.

Information is collected on waiting times for first out-patient appointment for clinical neuro-physiology consultant specialty. There are no data held centrally for Taunton and Somerset National Health Service Trust for this specialty. For East Somerset NHS Trust there were no patients waiting over 13 weeks as at 30 June 2002, the most recent date for which information is available .

Mr. Laws: To ask the Secretary of State for Health how many people in each NHS Trust have been waiting more than *(a)* six, *(b)* 12, *(c)* 18 and *(d)* 24 months for (i) CT and (ii) MRI scans; and if he will make a statement. [75991]

Ms Blears *[holding answer 24 October 2000]:* Information on waiting times for magnetic resource imaging (MRI) scans is not collected centrally. The length of time that a patient may have to wait for any scan is dependent on their clinical condition. Emergency cases need to be seen immediately. Other cases will be carried out as quickly as possible, however this is dependent on the clinical priority of all the remaining patients waiting to be scanned. To increase the capacity of diagnostic services, we are making unprecedented investment for the provision of new and replacement scanners. By 2004, 88 new MRI scanners and 186 new computed tomography (CT) scanners will have been delivered through central purchasing initiatives. In addition to this, workforce initiatives are underway that aim to improve recruitment and retention of staff and we are streamlining the way care is delivered through the cancer services collaborative.

Welfare Food Scheme

Mr. Gareth Thomas: To ask the Secretary of State for Health what progress has been made on the plans to reform the welfare food scheme to help ensure children from poorer families have a healthier start in life. [78310]

Ms Blears: We have today published proposals to reform the welfare food scheme under the title Healthy Start.

The welfare food scheme has done great service for the last 60 years in providing milk and vitamins, primarily to expectant and nursing mothers, babies and children under five years of age in low income families. In line with our commitment in The NHS Plan, we are seeking to bring the scheme up to date in line with the latest expert advice on nutrition. Our proposals for this £142 million scheme will broaden the nutritional base of the scheme and offer a wider choice to families. We propose to do this through the introduction of a fixed face value voucher that can be exchanged for fruit and vegetables, cereal based foods, other foods suitable for weaning, as well as milk and infant formula. We are also proposing to link the scheme more closely with the NHS through antenatal and post-natal clinics. The new scheme will provide a healthier start for children from poorer families and link with our wider efforts to tackle health inequalities, and improve nutrition and food access.

We are already working with the devolved administrations and actively seeking the views of interested parties and stakeholders on these proposals, including the users of the scheme, health professionals, the food and dairy industry and small firms. This consultation will run until 13 December.

Copies of the Healthy Start document are available in the Library and on the Department's website at www.doh.gov.uk/healthystart.

DEFENCE

Anti-tank Missiles

Mr. Liddell-Grainger: To ask the Secretary of State for Defence pursuant to his answer of 16 October 2002, ref: 73313, what steps he will take to find the anti-tank missiles lost in the Bristol Channel. [76178]

Dr. Moonie: Two extensive searches of the range have failed to locate the lost pallet of munitions that contained the anti-tank missiles. The most recent of these was conducted between 7 and 11 October 2002 by a six-strong team from the Royal Navy Southern Diving Group. A report into the findings of this latest search is currently being prepared and its findings will determine the Ministry of Defence's next steps.

C41STAR

Mr. Hancock: To ask the Secretary of State for Defence what the value of the contracts for the two studies awarded to Logica and BAE Systems for the C41STAR is; and if he will make a statement. [76794]

Dr. Moonie: The C4ISTAR contracts awarded in August and September 2002 to Logica and BAE Systems each have a maximum value of £700,000.

Condoms

Harry Cohen: To ask the Secretary of State for Defence how many condoms have been purchased by his Department for non-medical purposes in each of the last five years; and what his Department's planned requirement is for each of the next five years. [77372]

Dr. Moonie: Condoms are not purchased for non-medical purposes. The Ministry of Defence purchases condoms for medical use. They are supplied to service personnel for the prevention of transmission of sexually transmitted diseases and as a form of contraception.

Department Job Vacancies

Mr. McNamara: To ask the Secretary of State for Defence how many job vacancies there were at *(a)* administrative assistant or equivalent, *(b)* administrative officer or equivalent, *(c)* administrative executive officer, *(d)* higher executive officer, *(e)* senior executive officer, *(f)* grade 7 principal, and *(g)* all positions above grade 7 level in his Department for jobs located in *(i)* London and (ii) the south east between 1 April and 31 March 2001; and what is the total employment for each Civil Service grade. [76564]

Dr. Moonie: Information on the number of job vacancies is not held centrally and could be provided only at disproportionate cost.

The available information is given in the table, showing the position as at April 2001.

Responsibility level	*London region*		*South east region*	
	Vacancies	*Total staff (headcount)*	*Vacancies*	*Total staff (headcount)*
Grade 6 and above		215		65
Grade 7		335		179
SEO		606		590
HEO	Information	1,141	Information	1,923
EO	not available	1,358	not available	2,720
AO		1,800		2,720
AA		1,142		2,321
Other[1]		—		18
Trading funds		1,249		6,753
Total		1,846		18,116

[1] Not included in the table. The 'Other' section includes staff who do not have a recorded grade and industrials on temporary promotion.

Note:

A breakdown by grade equivalence is no longer available for Trading Fund staff and will include staff previously classed as Industrial.

Employment

Mr. Bercow: To ask the Secretary of State for Defence pursuant to his answer of 1 February 2002, *Official Report*, column 596W, what the total area in square feet of all empty properties owned by *(a)* his Department, *(b)* his agencies and *(c)* other public bodies for which he has responsibility was in each year since May 1997 [37917]

Dr. Moonie: Other than information held concerning the dimension of offices within the Ministry of Defence, no central records are presently maintained about the size of empty properties owned by the Department, or agencies or public bodies for which I am responsible. Information on such statistics could be provided only at disproportionate cost.

Angus Robertson: To ask the Secretary of State for Defence how many *(a)* special advisers and *(b)* press officers were employed *(i)* full-time, *(ii)* part-time and *(iii)* on a contract basis by his Department in each year since 1992. (6937)

Dr. Moonie: I refer the hon. Member to the answer given to him on 21 November 2001, *Official Report*, column 340, by my hon. Friend the Member for Shipley (Mr. Leslie).

Information about the number of press officers working in the Ministry of Defence Press Office for the period form 1996–97 to 1998–99 is contained in Appendix 10 of the Report on the Government Information and Communication Service by the Public Administration Select Committee dated 29 July 1998. Copies of the report are available in the Libraries of the House. The number of press officers employed in the Department's Corporate Commissions division Headquarters Press Office during the financial years 1999–2000 and 2000–01 was 13 and 25 respectively. The difference in the figures relates to staff turnover throughout the year. In addition, the Defence Agencies, the Permanent Joint Headquarters, and the single Service Commands and units also employ personnel with a press officer function, some as a secondary task to their main roles. Accurate information is not held centrally and could be provided only at disproportionate cost.

BEST COPY AVAILABLE

Eurofighter

Mr. Jenkin: To ask the Secretary of State for Defence when he expects delivery of the first tranche of 55 Eurofighters to be complete. [76359]

Dr. Moonie: Delivery of the first tranche of 55 Typhoons (formerly known as Eurofighter) for the Royal Air Force is expected to be completed by the end of 2005.

Focus Groups

Mr. Allen: To ask the Secretary of State for Defence what use he and his Department has made of focus group research since June 2001; if he will identify for each research project the topics covered, the person or organisation carrying out the research, and the total cost; and if he will publish the research on his Department's website. [74999]

Dr. Moonie : Focus group research is undertaken by various organisations and agencies of the Ministry of Defence. Information is not held centrally and could only be provided at disproportionate cost. However, the Directorate General of Corporate Communications (DGCC) carries out corporate research on behalf of the Department as a whole. Since June 2001 DGCC has let two focus group research contracts: one with Colquhoun Associates to better understand the public reaction to the events of 11 September 2001 as part of our work on theNew Chapter to the Strategic Defence Review; and the other conducted by internal staff supported by Independent Field Work Company to look into the public image of the MOD.

I am withholding the value of each of these contracts as the information is protected in accordance with Exemption 13 [third party's commercial confidences] of the Code of Practice on access to Government information. However the total cost of the two contacts was around £34,000 including VAT. Focus Group research is an important management tool, and we do not routinely publish the reports on the MOD website. However we consider all requests for disclosure on a case by case basis.

HMS Nottingham

Mr. Jenkin: To ask the Secretary of State for Defence what the cost of the heavy-lift recovery of HMS Nottingham from Australia to the UK will be; where HMS Nottingham will be repaired in the UK; and if he will make a statement. [76341]

Mr. Ingram: I refer the hon. Member to the answer I gave on 22 October 2002, *Official Report*, column 143W, to the hon. Member for Portsmouth, South (Mr. Hancock).

Vernon Coaker: To ask the Secretary of State for Defence what plans he has to repair HMS Nottingham on her return to the UK; and if he will make a statement. [77082]

Mr. Ingram: I refer my hon. Friend to the answer I gave on 22 October 2002, *Official Report*, column 143W, to the hon. Member for Portsmouth, South (Mr. Hancock).

Initiatives

Mr. Andrew Turner: To ask the Secretary of State for Defence if he will list the schemes and initiatives sponsored by his Department and its agencies which are not the subject of national roll out, showing *(a)* the authorities or areas covered by the scheme and *(b)* the budget of the scheme in the last year for which information is available. [75668]

Dr. Moonie: The Ministry of Defence has two central schemes, which have not been subject to a national roll out. In the last academic year the Department rolled out its Skill Force programme to 11 pilot locations: Ashfield (Nottinghamshire), Birmingham, Bristol, Great Yarmouth (Norfolk), Knowsley (Merseyside), North Lanarkshire, Leicester, Rochdale, Newcastle, West Norfolk, Islington (London). The budget for the Skill Force programme was approximately £1 million funded by the Treasury's Invest to Save Budget, Ministry of Defence and co-funding from local partner organisations. The initiative is expanding to 23 schemes with a start date of November 2002. This expansion is being co-funded by the DfES and Welsh Assembly.

The Army Cadet 'Outreach' programme is being undertaken by 25 counties within the UK: Berkshire, Bristol, Bucks, Cheshire, Cleveland, Dorset, Durham, Dyfed, Essex, Glamorgan, Gloucestershire, Gwent, Hampshire, Kent, Middlesex, Northumbria, Oxfordshire, Powys, Surrey, Yorkshire, Perthshire, Lancashire, Hertfordshire, Leicestershire, and Wiltshire. The cost for this programme is some £150,000.

The Ministry of Defence has a number of other schemes/initiatives, which have not been rolled out nation wide. such as Ministry of Defence base specific conservation projects. However, details of these types of scheme are not held centrally and could be provided only at disproportionate cost.

Iraq

Llew Smith: To ask the Secretary of State for Defence what is his best estimate of the annual production capacity of chemical weapon agents at the al-Muthanna establishment in Iraq in 1991. [75825]

Mr. Hoon: According to information supplied to the United Nations by Iraq the annual production capacity of the al-Muthanna site in Iraq in 1991 was 4,000 tonnes of chemical weapon agents per annum. This is indicative of the large scale of Iraq's chemical weapons programme at that time.

We assess that the capacity of this production site could have been higher if Iraq had reduced the wastage rates at the site.

Job Advertisements

Annabelle Ewing: To ask the Secretary of State for Defence how many posts were advertised in the press in each year since June 1999; and what percentage of them were advertised in the Scottish press. [76856]

Dr. Moonie *[holding answer 24 October 2002]*: This information is not held centrally and could be provided only at disproportionate cost.

Medical Reservists

Jon Trickett: To ask the Secretary of State for Defence how many *(a)* regular service personnel and *(b)* reservists there are in the medical establishment in the British armed forces. [74651]

Dr Moonie: As at 1 July 2002, there were 6,489 personnel in the regular Defence Medical Sendees. This figures excludes student nurses and other new entry trainees.

As at September 2002, there were 4,829 medical and associated support personnel in the volunteer reserve forces.

MOD Salaries

Mr. Jenkin: To ask the Secretary of State for Defence what have been the salary costs of Ministry of Defence civilian personnel in each of the past four years; and what are the projected costs over the next four years. [76355]

Dr. Moonie: The amount spent by the Ministry of Defence on the salary costs of civilian personnel over the past four years is (in outturn prices):

	£ million
1998–99	2,224
1999–2000	2,259
2000–01	2,267
2002–03	2,246

The latest forecast for civilian salary costs for 2002–03 is £2,328 million.

Decisions on the allocation of the defence budget over the following four years will be made in the normal way through the MOD's annual planning process. I am therefore withholding this information under Exemption 2 of the Code of Practice on Access to Government Information.

Operation Antler

Mr. David Atkinson: To ask the Secretary of State for Defence if he will make a statement on the outcome of Operation Antler into the activities of scientists at Porton Down. [74919]

Mr. Denham: I have been asked to reply.

I refer the hon. Member to the reply I gave the hon. Member for Salisbury (Mr. Key) on 29 April 2002, *Official Report*, column 609W.

I gave an update on progress to my hon. Friend the Member for Salisbury on 29 April 2002, *Official Report*, column 609W.

I am advised by Wiltshire constabulary that the inquiry, Operation Antler, is still ongoing and it would not be appropriate for a statement to be made at this time.

Operation Saif Sareea

Jon Trickett: To ask the Secretary of State for Defence what lessons he has learned from Operation Saif Sareea for the likely requirement for *(a)* additional medical personnel and *(b)* medical reservists to meet the UK's military commitments in 2002–03. [74645]

Dr. Moonie: Medical personnel were deployed on Exercise SAIF SAREEA II solely to provide medical support to the deployed troops. It was not intended that they should participate as part of the exercise and therefore medical facilities were not scaled to cope with casualties that could arise from an actual operation. The Ministry of Defence is satisfied that it will be able to meet its military commitments through the use of Regular medical personnel and medical reserves.

Pay Audit

Mr. Laurence Robertson: To ask the Secretary of State for Defence what representations he has received on the pay settlement awarded to the non-industrial sector at his Department; and if he will make a statement. [77041]

Dr. Moonie: I have received eight letters on this issue. The Ministry of Defences' decision to implement the 2002 pay offer followed ballots by the three unions concerned in which a majority of votes cast were in favour of the deal. The award introduces new pay arrangements from August 2002, including bonuses to reward the best performers for their contribution to Ministry of Defence business during the year. Similar arrangements are being introduced for industrial staff following a separate ballot which also produced a majority in favour of acceptance.

Mr. Laurence Robertson: To ask the Secretary of State for Defence what plans he has to conduct a pay audit on the non-industrial staff of his Department; and if he will make a statement. [77042]

Dr. Moonie: The Ministry of Defence is conducting an equal pay review of its civilian pay systems and will prepare an appropriate action plan by April 2003. All Government Departments are going through this process, in line with Cabinet Office guidance. The work is being taken forward in full consultation with, and the involvement of, the trades unions.

Photo Reconnaissance Imagery Strike Module

Mr. Hancock: To ask the Secretary of State for Defence what the in-service date is for the Photo Reconnaissance Imagery Strike Module Improved Date Modem; and if he will make a statement. [75998]

Dr. Moonie: The programme to fit the Photo Reconnaissance Imagery Strike Module enabled Improved Data Modem (PRISM IDM) to Jaguar aircraft is continuing. The IDM entered service in September 2002, enabling the transmission of data over conventional voice radio links. PRISM offers additional capability and will enter service once other planned enhancements to the aircraft, upon which it depends, have been realised. Work on these enhancements is in hand.

Mr. Hancock: To ask the Secretary of State for Defence what the contract for the photo reconnaissance imagery strike module data modem by QinetiQ is worth and if he will make a statement. [76796]

Dr. Moonie : The total cost of procuring the photo reconnaissance imagery strike module enabled improved data modem for the Jaguar fleet was some £2.5 million. This figure included ground test equipment, documentation, engineering support and integration advice.

QinetiQ

Mr. Cousins: To ask the Secretary of State for Defence when he expects to report to Parliament on the final contractual terms and other arrangements for Carlyle Investments to become the strategic partner for QinetiQ. [77378]

Dr. Moonie: I informed Members at the beginning of September that we were about to enter a limited period of exclusive negotiations with Carlyle Financial Investments as our preferred bidder for partnering QinetiQ. These negotiations are currently well under way and, as we remain on target to complete the sale before the end of the year, I expect to be in a position to give the House details of the arrangements in the near future.

SA80 Rifle

Mr. Drew: To ask the Secretary of State for Defence if he will make a statement on recent findings of investigations into the effectiveness of the SA80. [77067]

Mr. Ingram: I refer my hon. Friend to the answer that I gave on 15 October 2002, *Official Report*, column 550W to the hon. Member for Leominster (Mr. Wiggin).

Suicide

Mr. Prisk: To ask the Secretary of State for Defence how many serving armed forces personnel under 25 years of age have *(a)* attempted and *(b)* committed suicide in each of the last five years for which figures are available. [76624]

Dr. Moonie: We are unable to provide details of attempted suicide. Although data on all self-inflicted injuries are held at the relevant service casualty branches, information is not centrally held on whether the self-inflicted injury was attempted suicide.

Between 1 January 1997 and 31 December 2001 there have been 19 reported suicides by members of the regular armed forces under the age of 25. These figures are based on coroners' (or Procurator Fiscal in Scotland) verdicts of suicide and excludes self-inflicted deaths with: open verdicts, accidental deaths or deaths due to misadventure. Figures from 1999 onwards may change significantly as there are a number of verdicts outstanding. These figures are broken down by year in the table:

Year	*Total*
1997	8
1998	2
1999	5
2000	3
2001	1
Grand Total	19

Tactical Tomahawk Missiles

Mr. Hancock: To ask the Secretary of State for Defence what share of the contract to modify the next generation of Tactical Tomahawk missiles will be paid by the UK; and if he will make a statement. [76793]

Dr. Moonie: An equally funded United Kingdom–United States programme is in progress to develop and test a version of the Tactical Tomahawk Block IV missile capable of being fired from submarine torpedo tubes.

Territorial Army

Mr. Drew: To ask the Secretary of State for Defence what plans he has to allow members of the Territorial Army to become eligible for senior positions. [77068]

Dr. Moonie: Members of the Territorial Army already hold senior positions in the armed forces. There are currently two Territorial Army brigadier posts and one tri- service post open to one-star officers of all reserve forces. In addition, one TA officer currently holds local brigadier rank. I do not currently plan any changes to these arrangements.

Visits

Mr. Chope: To ask the Secretary of State for Defence, pursuant to his answer of 16 October, Ref 36810, if he will give the *(a)* dates of the occasions, *(b)* countries visited and *(c)* parliamentary private secretaries involved. [76104]

Dr. Moonie: *[holding answer 21 October 2002]*: The information requested is set out in the table.

Date of travel	*Country*
30 November to 6 December 1998	Falkland Islands
1–2 December 1999	Germany
16 February 2000	France

The parliamentary private secretaries involved were those for the Minister for the Armed Forces and the Minister for Defence Procurement.

War Pensions

Mr. Drew: To ask the Secretary of State for Defence what changes he plans to make to war pensions. [76982]

Dr. Moonie: There are no plans to make changes to war pensions.

Mr. Drew: To ask the Secretary of State for Defence what plans he has to allow war widows and widowers to keep their pensions on remarriage. [76983]

Dr. Moonie: There are no plans to allow war widows and widowers to keep their pensions on remarriage.

Mr. Drew: To ask the Secretary of State for Defence what plans he has to review the recent settlement paid out to ex-service pensioners. [76985]

Dr. Moonie: Rates of war pensions are reviewed on an annual basis.

Website Links

Dr. Cable: To ask the Secretary of State for Defence if he will list the website links associated with his Department, including sites now dormant or closed, and indicating whether they are live, dormant or closed; what the start up costs were for each site listed; what the operating costs were in each year since start up for each site; which company hosted each site; what assessment takes place for each site; which company does the assessment; if he will place the assessment reports in the Library; and if he will make a statement. [75587]

Dr. Moonie: The information requested is, for the most part, not available centrally or in the form requested, and could be provided only at disproportionate cost.

The Ministry of Defence has registered approximately 460 domain names under the mod.uk second-level domain. These are sub-delegated to numerous organisations within the MOD and armed forces. The MOD does not currently have a record of which are currently in use. A variety of other domain names (under gov.uk, org.uk etc) have also been registered locally, but no central register currently exists.

The MOD does not currently maintain a composite record of individual websites, costs, contractors and assessments. It would entail disproportionate cost to obtain these details for all of the locally managed websites that are operated by departmental organisations.

For the five central corporate websites of the MOD and the armed forces, all of which are live, the data are as follows. In the case of the MOD corporate website, the only metric available across all years is that of the number of hits (i.e. requests for files, including pages, images and others). For the remaining websites, the metric used is of page impressions (i.e. requests for pages only).

Ministry of Defence (corporate)—http://www.mod.uk

Start up costs	Aggregated with operating costs. Website established circa 1996, funding commenced financial year 1998–99. Expenditure includes that on MOD news website (established 2001)	
Operating costs	*Financial year*	*£*
	1998–99	54,000
	1999–2000	100,000
	2000–01	153,000
	2001–02	202,000
Hosting company	*Financial year*	*Contractor*
	1996–97	Defence Evaluation and Research Agency
	1997–98	Defence Evaluation and Research Agency
	1998–99	Defence Evaluation and Research Agency
	1999–2000	Defence Evaluation and Research Agency
	2000–01	PSInet UK
	2001–02	PSInet UK/Defence Science and Technology Laboratory
Assessments (note: news pages on separate website since December 2001)	Internal statistical evaluations only. Usage of the MOD website began to be measured on a monthly basis in December 1997. The figures for 2000–01 are rounded extrapolations based on data recorded between June 2000 and December 2001 . Hits for the period from December 1997 to September 2002 are as follows:	
	Year	*Number of hits*
	December 1997–December 1998	4,576,859
	December 1998–December 1999	18,195,760
	December 1999–December 2000	20,700,000
	December 2000–13 December 2001	26,200,000
	14 December 2001–31 September 2002	30,786,501

Ministry of Defence (news)—http://news.mod.uk

Start up costs	Aggregated with operating costs. Site was established in April 2001 (was previously part of the Ministry of Defence corporate website). Funded as part of the MOD corporate website expenditure	
Operating costs	*Financial year*	*£*
	2000–01	As per Ministry of Defence website
	2001–02	As per Ministry of Defence website
Hosting company	*Financial year*	*Contractor*
	2000–01	Defence Evaluation and Research Agency
	2001–02	Defence Science and Technology Laboratory
Assessments	Internal statistical evaluations only. Page impressions for the period from April 2001 to September 2002 are as follows:	
	Year	*Number of page impressions*
	April 2001–March 2002	1,373,823
	April 2002–September 2002	500,175

British Army—http://www.army.mod.uk

Start up costs	Aggregated with operating costs	
Operating costs	Since the Army website was established in 1996, total expenditure on its construction and maintenance has been approximately £2,630,000	
Hosting company	*Financial year*	*Contractor*
	1996–97	Corsellis-Montford Interactive
	1997–98	Corsellis-Montford Interactive
	1998–99	Corsellis-Montford Interactive
	1999–2000	Corsellis-Montford Interactive
	2000–01	Defence Evaluation and Research Agency
	2001–02	Defence Science and Technology Laboratory
Assessments	Internal statistical evaluations only. Usage of the Army website began to be measured on a monthly basis in November 2001. Page requests for the period from November 2001 to September 2002 are as follows:	
	Month	*Number of page impressions*
	November 2001	1,386,158
	December 2001	1,104,423
	January 2002	1,497,885
	February 2002	1,001,671
	March 2002	1,274,174
	April 2002	1,475,467
	May 2002	1,357,795
	June 2002	1,308,677

British Army—http://www.army.mod.uk

July 2002	1,294,325
August 2002	1,304,292
September 2002	1,527,909

Royal Air Force—http://www.raf.mod.uk

Start up costs £17,500

Operating costs

Financial year	£
2001–01	74,000
2002–03	87,500

Figures for previous years unavailable without incurring disproportionate cost

Hosting company

Financial year	*Contractor*
1997–2002	Defence Science and Technology Laboratory

Assessments (note: news pages on separate website since December 2001) Internal statistical evaluations only. Usage of the RAF website began to be measured on a regular basis in 2000. Page impressions for the period 2000–02 are as follows:

Year	Number of page impressions
1999–2000	5,730,953
2000–01	9,056,317
2001–02	7,164,507

Royal Navy—http://www.royal-navy.mod.uk

Start up costs Aggregated with operating costs. Funding commenced financial year 1999–2000

Operating costs

Financial year	£
1999–2000	93,000
2000–01	96,000
2001–02	114,000

Hosting Company

Financial year	*Contractor*
1999–2000	PSInet UK
2000–01	PSInet/Insite Ltd
2001–02	Insite Ltd

Assessments (note: news pages on separate website since December 2001) Internal statistical evaluations only. Usage of the Royal Navy website began to be measured on a regular basis in 1999. Page impressions for the period from December 1997 to May 2002 are as follows:

Year	*Number of page impressions*
1999–2000	Average 450,000 per month
2000–01	650,000 per month
2001–02	2,100,000 per month

White Paper

Mr. Jenkin: To ask the Secretary of State for Defence when he plans to publish the Defence White Paper. [77788]

Mr. Hoon: I hope to publish the Defence White Paper before the next Summer Recess.

Written Answers to Questions

Tuesday 29 October 2002

INTERNATIONAL DEVELOPMENT

Microcredit Summit

Paddy Tipping: To ask the Secretary of State for International Development who will represent her Department at the Microcredit Summit + 5 being held in Washington from 10 to 13 November. [77359]

Clare Short: : DFID will be represented at the Summit by its Chief Enterprise Development Adviser, David Stanton. We have also invited funding applications to enable prospective participants from developing countries to attend the event.

DEPUTY PRIME MINISTER

Business Improvement District

Brian Cotter: To ask the Deputy Prime Minister what assessment he has made of provisions to alter the voting majority relating to the proposed business improvement districts outlined in the draft Local Government Bill. [76829]

Mr. Raynsford: The Transport, Local Government and the Regions Select Committee recommended that a threshold of two thirds of the number of businesses eligible to vote should vote in favour before a Business Improvement District proposal proceeds. A number of other proposals were also made during the consultation on the draft Local Government Bill. We have considered all the proposals that have been made and will announce our conclusions shortly.

Detrunking

Miss McIntosh: To ask the Deputy Prime Minister what additional monies will pass to the *(a)* shire counties and *(b)* unitary authorities on detrunking. [76271]

Mr. Jamieson: I have been asked to reply.

At the time responsibility for a road passes to a local authority (or very shortly after) it receives revenue funding for routine maintenance in the form of Special Grant under section 88B of the Local Government Finance Act 1988 and support for capital maintenance in the form of supplementary credit approvals. The value of this support is determined by a generalised engineering assessment, with allowance made for local factors such as type of road, level of traffic and the cost of winter maintenance.

Fire Facilities (East Sussex)

Mr. Waterson: To ask the Deputy Prime Minister how many emergency calls were responded to by the fire brigade in each of the last five years in *(a)* East Sussex and *(b)* Eastbourne. [77889]

Mr. Raynsford: The table contains information on incidents attended by East Sussex Fire Brigade for the last five years for which data are available. Incident data are not available below brigade area level.

Fires

	Total incidents	*All fires*	*Primary fires*[1]	*Secondary fires*	*Chimney fires*	*False alarms*	*Special services*[2]
1996	13,232	4,609	2,467	1,726	416	5,481	3,142
1997	13,304	4,266	2,484	1,514	268	6,021	3,017
1998	12,517	4,006	2,619	1,145	242	5,565	2,946
1999	13,286	4,737	2,957	1,560	220	5,351	3,198
2000	14,290	4,845	3,013	1,603	229	5,720	3,725

[1] Including additional "late" call and heat and smoke damage incidents
[2] Special service incidents related to financial years 1996–97, 1997–98, 1998–99, 1999–2000 and 2000–01.

Fire Fatalities

Mr. Waterson: To ask the Deputy Prime Minister how many lives were lost due to fires in *(a)* East Sussex and *(b)* Eastbourne in each of the last 20 years. [77891]

Mr. Raynsford: The following table shows fatal casualties in fires attended by East Sussex Fire Brigade for the period 1982–2000. 2000 is the latest year for which data are available. Fire casualty figures by brigade area are not available prior to 1982. Data cannot be broken down below brigade area level.

Year	*Fatal casualties*
1982	6
1983	12
1984	15
1985	13
1986	15
1987	11
1988	7
1989	9
1990	15
1991	16
1992	15
1993	10
1994	5
1995	9
1996	9
1997	11
1998	11
1999	5
2000[1]	6

[1] Provisional

Fire Service Cover

Mr. Heath: To ask the Deputy Prime Minister what information he has *(a)* received and *(b)* requested from *(i)* chief fire officers and (ii) the Chief Inspector of Fire Brigades on their assessments of the adequacy of fire cover in fire authority areas during a firefighters' strike. [77110]

Mr. Raynsford: The provision of MOD emergency fire cover has been planned centrally in consultation with the Chief Inspector of the Fire Service and locally in consultation with Chief Fire Officers to maximise the effectiveness of call-outs and the availability of a range of firefighting capabilities. The emergency cover would not replicate the firefighting capabilities of the Fire Service, but would aim to minimise the danger to human life. The command and operational structure for emergency cover has been designed to enable maximum flexibility and use of available resources, and there will be a continuous dialogue between the emergency services and Chief Fire Officers.

Mr. Heath: To ask the Deputy Prime Minister what level of cross-border co-operation he anticipates between neighbouring fire authorities during a firefighters' strike. [77112]

Mr. Raynsford: In the event of a firefighters' strike, the command and operational structure for emergency fire cover has been designed to enable maximum flexibility and use of available resources, whether from within a county or from assets deployed nearby in neighbouring counties. The fire crews will use a number of temporary stations across counties but the deployment of fire fighters will be based on the assessment by the military in consultation with others such as the police of how best to respond to an emergency in the quickest time possible. The extent to which retained firefighters continue to work will also be taken into account in determining how best to deploy military fire crews.

Homelessness

Tim Loughton: To ask the Deputy Prime Minister pursuant to the answer of 21 October 2002, *Official Report*, column 61W, what recent guidance produced by his Department in connection with the Connexions service he has issued to homelessness agencies working with vulnerable young people; and on what date it was issued. [78197]

Mrs. Roche: "Working Together—Connexions and youth homelessness agencies" outlined effective models of developing the Connexions Personal Adviser role in partnership with homelessness agencies.

The report was launched in October 2001 and has been distributed at conferences discussing youth homelessness issues since then.

Local Government Finance

Mr. Sheerman: To ask the Deputy Prime Minister if he will introduce a mechanism for ensuring local government ring-fence monies for waste management as part of the new spending assessment. [77513]

Mr. Raynsford: Our policy is to restrict ring-fencing to cases which are high priorities for Government and where we cannot achieve our policy goal by specifying output or outcome targets; any new ring-fenced grant schemes will also be time-limited. We will announce the results of the review of local government revenue grant distribution in early December. There may also be changes to waste management funding arrangements following detailed consideration of the Prime Minister's Strategy Unit's report on the subject.

Mr. Hoban: To ask the Deputy Prime Minister what proportion of spending by *(a)* Hampshire county council, *(b)* Fareham borough council, *(c)* Durham county council, *(d)* Durham city council, *(e)* English county councils and *(f)* district councils was financed bycouncil tax payers in *(i)* 1997–98, (ii) 1998–99, (iii) 1999–2000, (iv) 2000–01 and *(v)* 2001–02. [78171]

Mr. Raynsford: The proportion of revenue expenditure financed from the council tax for the above local authorities and class of authorities in the years 1997–98 to 2001–02 was:

Income from council tax as a percentage of spending

	1997–98	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
Hampshire county council	32	33	35	34	33
Fareham borough council	45	35	39	43	35
Durham county council	23	25	24	24	23
Durham city council	34	30	34	36	35
English county councils	28	30	30	30	30
English district councils	35	39	38	40	38

Source:
1997–98 to 2000–01 Revenue Summary Returns. 2001–02 Budget Estimate Return

Local Government Finance

Miss McIntosh: To ask the Deputy Prime Minister what the implications are for the detrunking programme of the local government finance formula grant distribution. [76270]

Mr. Jamieson: I have been asked to reply.

Decisions on which methodology is to be used for the local government finance formula grant distribution will not impact on the detrunking programme.

Park Homes

Mr. Watts: To ask the Deputy Prime Minister when he will publish the report on the economics of the park homes industry. [78414]

Mr. McNulty: I am pleased to announce today the publication of the research report on the economics of park homes and the park homes industry, copies of which have been placed in the Library of the House. The report will help us consider options for reform, as part of our wider aim of addressing issues of concern to park home residents.

Public Utilities (Statutory Obligations)

Mr. Drew: To ask the Deputy Prime Minister what powers he has to intervene where local authorities have failed to make public utilities comply with their statutory obligations. [77839]

Mr. Raynsford: Any specific powers for the Secretary of State to intervene in such cases would be set out in the relevant legislation. Generally, enforcement of utilities' obligations is entirely a matter for the relevant regulatory body including, in some cases, local authorities.

Regional Assemblies

Sir Nicholas Winterton: To ask the Deputy Prime Minister if he will make a statement on the evidence used by his Department to support proposals for the devolution of powers and functions to elected regional assemblies. [76219]

Mr. Raynsford: This information is set out in the regional governance White Paper "Your Region, Your Choice" (Cm 5511) as part of the rationale for the Government's proposals to give each English region the opportunity to choose whether to have an elected assembly. Elected regional assemblies will have real power and funding to improve the quality of life of people in their region—particularly by improving regional economic performance.

Assemblies will have powers to make a difference in key areas such as jobs, transport, housing, culture and environment. And their block grant will give them much greater freedom to allocate spending according to regional priorities. This offers the prospect of tailored regional solutions to regional problems. It strikes a balance between those issues that are best dealt with at a regional level and those that are best dealt with at a national or a local level. Our proposals for elected assemblies in the English regions will bring decision-making closer to the people and make government more efficient, more effective and more accountable.

The evidence base includes the information presented in "Regional Government in England: a preliminary review of literature and research findings" (published by the Department of the Environment, Transport and the Regions in 2000). Other relevant documentation is included in the White Paper's bibliography (annex J). The Government's approach to determining which powers and functions should become the responsibility of elected regional assemblies is described in chapter 4 of the White Paper. Copies of the documents referred to are available in the Library.

Regional Government

Mr. Hoban: To ask the Deputy Prime Minister what powers exercised by central government will be devolved to the proposed regional assemblies. [78174]

Mr. Raynsford: This information is fully set out in Chapter 4 of the regional governance White Paper "Your Region, Your Choice" (Cm 5511).

Residential Property Purchases

Mr. Love: To ask the Deputy Prime Minister what plans he has to extend the right of local authorities to purchase residential property on the open market; and if he will make a statement. [77103]

Mr. McNulty: We have no plans to make any changes to the powers under which authorities can purchase existing housing outside their compulsory purchase powers.

Travellers

Mr. Drew: To ask the Deputy Prime Minister if he will make a statement on what discussions he has had with the LGA on travellers; and if he will make a statement on what policy options he has evaluated. [77845]

Mr. Raynsford: Prior to the release of the Office of the Deputy Prime Minister and Home Office joint Traveller statement of 5 July, the former Housing Minister met with representatives from the LGA to discuss the Government's proposed approach of linking enforcement powers to site provision.

Officials from the Office of the Deputy Prime Minister will again meet with the LGA to discuss policy development issues in the light of the recently published research on the provision and condition of local authority Gypsy/Traveller sites in England.

Copies of the research are available in the Library of the House.

PRIME MINISTER

Savings

Mr. Clappison: To ask the Prime Minister, pursuant to his answer of 23 October to the right hon. Member for Fylde, columns 267–68, if he will give the calculation behind his statement on the trend in the level of people's savings. [77865]

The Prime Minister: I refer the hon. Member to the answer my hon. Friend the Financial Secretary gave to the right hon. Member for Fylde (Mr. Jack) today.

TREASURY

Amateur Sports Clubs

Mr. Greenway: To ask the Chancellor of the Exchequer how many community amateur sports clubs *(a)* have applied and *(b)* are registered with the Inland Revenue for tax exemptions; and if he will list those registered. [78013]

John Healey: As at 25 October 2002, 334 clubs had applied for registration with the Inland Revenue as community amateur sports clubs. Of those, 126 had so

far been registered. A list of those registered follows. The Inland Revenue will be publishing a monthly update of the list on its website.

3D Dynamos Football Club
Abercorn Sports Club
Acton Reynald Cricket Club
Annbank Angling Club
Antrim Rugby Football and Ladies Hockey Club
Ards Rugby Football Club
Assheton Bowmen Archery Club
Aylesbury Vale Seido Karate
Badenoch Riding Club
Bainsford Bowling Club
Belfast Wado Karate Club
Bishop Sutton Tennis Club
Blaydon Rugby Football Club
Boat of Garten Golf and Tennis Club
Bough Beech Sailing Club
Brigstock Cricket Club
Bristol Croquet Club
Bristol Orienteering Club
Budleigh Salterton Cricket Club
Bullmershe Gymnastics Club
Carrickfergus Rugby Football Club
Castle Cove Sailing Club
Chester Le Street Town FC
Chipping Campden Tennis Club
Chorley Buccaneers American Football
Cliftonville Cricket Club
Clydesdale Cricket Club
Criccieth Golf Club
Cromer Marrams Bowls Club
Crowstone and St. Saviours Lawn Tennis Club
Cwmcarn United RFC
Dalgety Bay Sailing Club
Dedham Cricket Club
Dinnington Rugby Union Football Club
Donaghadee Sailing Club
Doune Cricket Club
Duddingston Golf Club
Dulwich Runners AC
Dunfermline Tennis and Bridge Club Ltd.
Durham Amateur Rowing Club
Eastcote Hockey and Badminton Club Ltd.
Epping Archers
Falkirk Indoor Bowling Club
Fife Athletic Club
Forth Corinthian Yacht Club
Garleton Football Club
Girton Golf Club (Cambridge) Ltd.
Gordonians Hockey Club
Grampian Speleological Group
Grantown-on-Spey Golf Club
Gravesend Sailing Club
Haddington Rugby Football Club
Hampton Junior Football Club
Harborough Flyers Basketball Club
Hawkwell Athletic Football Club
Helensburgh Sailing Club
Herne Bay Lawn Tennis Club
Herne Bay Lifeguard and Swimming Club
Heywood Sports AFC
Highworth Tennis Club
Hindsford Junior Football Club
Hollowell Sailing Club
Hook Norton Sports and Social Club
Kingussie Golf Club
Langtons Cricket Club
Largs Golf Club
Lisburn Rugby Football Club
Llandudno Golf Club (Maesdu) Ltd.
Llandudno Rugby Club Ltd.
Lochaber Camanachd Club
Lochaber Yacht Club
Lochcarron Golf Club
Lundin Sports Club
Lympstone Sailing Club
Mansfield Rugby Union Football Club
Merioneth Yacht Club Ltd.
Morriston Town AFC
Newbury and Thatcham Hockey Club
Nottingham Kayak Club
Oldmeldrum Golf Club
Parkside Raiders Junior Football Club
Pendle Ski Club
Peterborough City Rowing Club
Peterculter Golf Club
Pevensy Bay Sailing Club Ltd.
Philadelphia Cricket Club
Pirbright Tennis Club
Porthmadog Golf Club
Portishead Yacht and Sailing Club
Prestatyn Cricket Club
Prestwick Symington and Ayr Fort Community
Tennis Club
Rogate Bowling Club
Rothley Ivanhoe Tennis Club
Royal Solent Yacht Club
Rye Harbour Sailing Club
Salcombe Rugby Football Club
Scarborough and District Indoor Bowls Club
Sevenoaks Athletics Club
Shipley Juniors AFC
South Antrim Hockey Club
South Northumberland Cricket Club
St. Andrews Fencing Club
St .Andrews Lawn Tennis Club
St. Just Cricket Club
Stanley Sports and Social (Cricket and Rugby League)
Stone-In-Oxney Sports Club
Strathpeffer Spa Golf Club
Street Sub Aqua Club
Sydenham Lawn Tennis Croquet Club Ltd.
Taynuilt Golf Club
Thames Ditton Cricket Club
The Rough-Stuff Fellowship
The Trojans Club
Twinstead Cricket Club
Victoria Hall Badminton Club
Wealden Bowls Centre Ltd.
Wessex Mountaineering Club
West Bridgford Hockey Club
West Kirby Sailing Club
Western Baths Club
White Roding Social and Sports Club
Wigton Moor Junior AFC

Wollaston Lawn Tennis Club
Woodford Rugby Football Club
York Railway Institute
Yoxford Cricket Club

Aggregates Levy

Mr. Beggs: To ask the Chancellor of the Exchequer (1) what assessment he has made of the causes of the change in aggregate sales since April; [77346]

(2) how much revenue Customs and Excise in Northern Ireland has raised directly as a result of the aggregates levy since the aggregates levy was introduced in April and how much revenue Customs and Excise in Northern Ireland forecast would be raised before the introduction of the aggregates levy; [77342]

(3) what action is being taken by Customs and Excise in Northern Ireland to combat non-payment of the aggregates levy on aggregate brought across the land border from the Republic of Ireland; [77344]

(4) if he will estimate the change in tonnes in aggregate sales in Northern Ireland since the introduction of the aggregates levy; [77345]

(5) if he will estimate the total weight of aggregate brought across the border from the Republic of Ireland to Northern Ireland without payment of aggregates levy since April. [77343]

John Healey: It is too early to assess the impact of the levy.

No estimate has been made of the total weight of aggregate brought across the border from the Republic of Ireland to Northern Ireland without payment of aggregates levy since April. Aggregates levy is due at the point of first commercial exploitation in the UK and not at the point of import. Where it cannot be demonstrated that aggregate is from a levy-paid source, Customs will use their powers to recover the revenue due and impose penalties, where appropriate. The resources allocated to administering the levy in Northern Ireland take account of issues associated with the land boundary, and this resourcing will be subject to regular review.

The revenue forecast for the aggregates levy is made for the UK as a whole, and is not available by devolved region; therefore, data on the aggregates levy revenue raised in Northern Ireland are not available. In total, the levy is forecast to raise £0.2 billion during 2002–03.

Budget 2002

Mr. Howard: To ask the Chancellor of the Exchequer pursuant to the answer of 7 November 2001, *Official Report*, column 256W, and the assumption specified in paragraphs 2.30 and 2.52 of Budget 2002, what further assessment he has made of the start date for the current economic cycle, for the purpose of calculating the cyclically adjusted budget surplus or deficit; and what the calculations are on which that assumption is based. [77373]

Mr. Boateng: The Treasury's methodology for assessing the economic cycle for the purpose of calculating cyclically-adjusted budget surpluses or deficits is set out in publication "Fiscal policy: public finances and the cycle", HM Treasury, March 1999.

An updated assessment will be provided in the forthcoming pre-Budget Report.

Credit Unions

Mr. Love: To ask the Chancellor of the Exchequer what discussions he has had with *(a)* credit unions and *(b)* financial services organisations regarding the establishment of a central services organisation for credit unions; and if he will make a statement [78078]

Ruth Kelly: Treasury Ministers have had a number of discussions with representatives from the credit union sector and financial services organisations regarding the establishment of a central services organisation since the idea was proposed by the Credit Unions Taskforce in November 1999.

The Government believe that credit unions have an important role to play to encourage the accumulation of savings and help tackle financial exclusion. We continue to liaise with the movement and develop proposals to support its development. The establishment of a central services organisation is a project for the credit union movement to take forward. We understand that the Association of British Credit Unions Limited (ABCUL) is developing new plans to deliver some of the services that could have been provided through a central services organisation.

Cross-channel Smuggling

Mrs. Lawrence: To ask the Chancellor of the Exchequer what action is being taken to tackle cross-channel smuggling; and if he will make a statement. [78321]

John Healey: Tobacco smuggling grew very rapidly in the late 1990s until, by 2000–01, over 20 per cent. of the cigarette market was illicit. The cost of that tobacco smuggling to UK taxpayers was £3.5 billion. A further 6 per cent. of the market was legally non-tax paid product bought abroad and brought back for own use.

The great majority of cigarette smuggling is undertaken by serious and organised criminals who conceal large volumes of cigarettes in excess of 1 million at a time in freight consignments. In 2000 a smaller proportion was smuggled by cross-channel passengers. However in that year the total cost of such passenger excise smuggling was still £1.7 billion.

Had no action been taken over the past two years Customs and Excise estimate that the illicit share of the cigarette market would have reached 31 per cent. by the end of March 2002.

Since the launch of the Tackling Tobacco Strategy in March 2000, Customs and Excise have been successful in containing growth in the illicit cigarette market, disrupted over 100 organised crime gangs responsible for the vast majority of the smuggling, and have had dramatic success in cutting losses from cross-channel passenger smuggling by almost three-quarters. Figures for 2001–02, the second year of this strategy, will be published at the time of the pre-Budget report and I anticipate they will show that the strategy remains on track. In the same period consumer expenditure on legitimate cross-border shopping for alcohol and tobacco has grown by 10 per cent.

In 2000–01 Customs seized 2.8 billion cigarettes. Of these, 0.9 billion were seized overseas through the work of the Customs Overseas Liaison Officer network, a further 1.2 billion were seized in freight consignments, 400 million were seized inland and 55 million were seized at the ports from cross-channel passenger smugglers.

The sole focus of Customs excise enforcement activity in respect of cross-channel passenger traffic is to tackle those who smuggle tobacco or alcohol, having received or intending to receive money or money's worth for those goods. The Government have consistently made clear that people are entitled to bring into the UK without liability to tax as much EU tax-paid tobacco or alcohol as they wish for their own use. Customs literature also makes this clear.

Just one-tenth of 1 per cent. of those who have crossed the channel in the past two years have had tobacco or alcohol seized by Customs. Since the start of the strategy, the average quantity seized by Customs from cross-channel passenger smugglers was approximately 4,900 cigarettes and 15 kilos of hand rolling tobacco (equivalent to at least 18,000 cigarettes).

Of the 0.1 per cent. of cross-channel passengers who had tobacco or alcohol seized in the years 2000–01 and 2001–02 over 75 per cent. chose not to make any sort of appeal against that seizure. Of those that did appeal, magistrates courts overwhelmingly backed the judgments made by Customs, and found against Customs in less than 0.1 per cent. of cases, and only 1 per cent. of cases were either overturned or restored by a Customs review officer or by an independent tribunal.

Building on the success of the Budget 2000 anti-smuggling measures, I am today announcing the next stage of the Tackling Tobacco Strategy. Despite cross-channel tobacco smuggling having been cut by around three-quarters in the past two years, smugglers are becoming increasingly sophisticated in their attempts to blend in with honest shoppers. So the measures I am announcing today will help make the distinction between smugglers and honest shoppers even clearer. The measures make clear that Customs activity is legal and fair but tough upon those who attempt to smuggle. It comprises the following components:

Regulations will be laid before Parliament today to abolish the 1992 Personal Reliefs Order and replace it with new provisions that:

effectively define shopping and smuggling, specify the factors Customs will take into account in distinguishing one from the other and place the onus for that decision upon Customs;

reaffirm that all Customs stops are lawful and those for excise specific purposes based on reasonable grounds for suspicion;

increase the Indicative Levels for tobacco from 800 to 3,200 cigarettes and from 1 to 3kgs of hand rolling tobacco, representing around six-months supply for an average smoker. Those bringing back larger quantities of tobacco must expect, if asked, to explain how it is that such goods are for their own use. Customs will continue to seize quantities below these levels as well as above them where they are satisfied that those goods are intended for resale or other exchange for money or money's worth.

In addition, the announcements I am making today will confirm that:

Vehicles used to smuggle tobacco or alcohol will continue to be liable to seizure but for small first offences Customs will offer restoration of the vehicle for the value of the attempted revenue evasion. Those who use vehicles to smuggle on a large scale or a repeat basis will not be offered such an opportunity and must expect to lose their vehicles.

A new clearer guide to appealing/complaining is being published by Customs today and will be given to all those who have goods seized or wish to complain about Customs behaviour towards them.

I have asked Customs to undertake, in conjunction with the Lord Chancellor's Department, a review of the present appeals structure and to present proposals for streamlining and simplifying these arrangements to me by the end of January 2003. The Terms of Reference will be available today in the Library of the House and on the Customs website (), together with details for submitting contributions.

Having brought cross-channel passenger smuggling under control the Government is determined that it should remain so. To this end, Customs expect to conduct an increased number of prosecutions against large scale and serial cross-channel passenger smugglers.

Violence against Customs officers in the course of carrying out their duties will not be tolerated under any circumstances. Customs will toughen their policy and prosecute anyone who perpetrates serious assaults on staff.

This set of measures provides the public with a clear guide to their right to shop for alcohol or tobacco for their own use within the EU and to the consequences for those who attempt to evade tax in bringing in such goods having received or intending to receive money or money's worth for some or all of them. It will also enable Customs to continue to prevent the smuggling of tobacco or alcohol and the disorder which accompanies such smuggling from ruining the enjoyment of honest cross-border shoppers. It will also enable Customs to prevent the smugglers from undermining the UK economy in alcohol or tobacco products and from depriving our public services of essential tax revenues. Customs will act fairly and in accordance with the law but they will also act firmly and with the full weight of sanctions against those who break the law.

Euro Payments

Mr. Gordon Prentice: To ask Mr. Chancellor of the Exchequer what recent estimate he has made of the number of retail businesses that accept the euro in payment for goods and services. [77625]

Ruth Kelly: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Harlow (Mr. Rammell) on 13 June, *Official Report*, column 1396W.

European Central Bank

Mr. Love: To ask the Chancellor of the Exchequer if he will make a statement on progress towards reform of the arrangements for the control of inflation of the European Central Bank. [78087]

Ruth Kelly: I refer my hon. Friend to the answer I gave to the hon. Member for Yeovil (Mr. Laws) on 15 January 2002, *Official Report*, column 231W.

National Changeover Plan

Mr. Rosindell: To ask the Chancellor of the Exchequer what has been the cost of the National Changeover Plan to date; what the money has been spent on; and what further expenditure is planned. [78121]

Ruth Kelly: Details of expenditure on changeover planning were included in the Sixth Report on Euro Preparations, published on 18 July 2002. Copies of the report are in the Library of the House.

Private Pension Schemes

Mr. Jack: To ask Mr. Chancellor of the Exchequer how much was put into private pension schemes of all types in each of the last five years, per head of the working population. [77826]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Mr. L Cook to Mr. Michael Jack, dated 29 October 2002:

As National Statistician I have been asked to reply to your recent question on pension contribution statistics [77826].

Following the publication of the Review of Pension Contribution Statistics on 10 October the estimated value of contributions to private pension schemes over the last five years in £ billion are:

Year	*Value of contributions*
1997	33.1
1998	37.3
1999	42.3
2000	47.5
2001	[1]49.9

[1] Data for 2001 are provisional. They are based on quarterly estimates and include a National Accounts coherence adjustment.

These figures are consistent with those published in Annex B, Table 1 on pages 31 and 32 of the Review, a copy of which is attached. They include net contributions to funded occupational schemes, individual and employer contributions to individual/personal pensions and also the employee contributions to unfounded and notionally funded schemes.

The components are shown as follows The row detail refer to Annex B, table 1 of the Review of Pension Contribution Statistics:

£ million

Year	*Contributions to individual and personal pensions* [1]	*Contributions to unfounded and notionally funded schemes* [2]	*Contributions to occupational pensions (self administered and insurance managed* [3]	*Total*
1997	8,200	2,801	22,051	33,052
1998	9,000	2,715	25,603	37,318
1999	9,400	3,024	29,874	42,298
2000	10,300	3,472	33,741	47,513
2001[4]	11,600	3,912	34,374	49,886

[1] Row M
[2] Employee's part of row L
[3] Row I + row K
[4] Data for 2001 are provisional. They are based on quarterly estimates and include a National Accounts coherence adjustment.

Estimates of the total working population have been taken from Labour Market Statistics issued in October. These estimates cover employed and self-employed persons and include part time employees and represent the position at April. They are the average of the four quarters in each of the five years. The totals, in thousands, are:

Year	*Number of people employed*
1997	26,663
1998	27,044
1999	27,465
2000	27,830
2001	28,090

To the nearest £10, the contributions per head of the total working population are:

£ per year

Year	*Value of contribution*
1997	1,240
1998	1,380
1999	1,540
2000	1,710
2001	1,780

Public and Employers' Liability Insurance

Mr. Drew: To ask the Chancellor of the Exchequer what assessment he has made of changes in the ability of employers to obtain public and employers' liability insurance. [77988]

Ruth Kelly: The Government are aware of recent increases in premiums for public and employers' liability insurance, and is monitoring the situation closely.

Public Service Agreements

Mr. Hoban: To ask the Chancellor of the Exchequer what assessment he has made of the impact that the level of public sector pay settlements is having on the money available to meet the targets set out in public service agreements. [78177]

Mr. Boateng: Departments are responsible for ensuring that targets are delivered within the budgets which have been set.

Small Businesses

Mr. Rosindell: To ask the Chancellor of the Exchequer what recent discussions he has had with the Confederation of British Industry regarding the position of small businesses. [77940]

Dawn Primarolo: Treasury Ministers meet regularly with business leaders and others to discuss a wide range of topics.

Tax Receipts

Mr. Hoban: To ask the Chancellor of the Exchequer if he will make a statement on the expected outturn for tax receipts for 2002–03. [78179]

Dawn Primarolo: Consistent with the Code for Fiscal Stability, an interim update of projections for the public finances will be published in the forthcoming pre-Budget Report.

CULTURE, MEDIA AND SPORT

Departmental Vehicles

Dr. Cable: To ask the Secretary of State for Culture, Media and Sport how many vehicles she and her Ministers have access to, broken down by vehicle type; what the annual operating costs are for the last three financial years; how much it costs to convert a car so it is suitable for a Minister; and if she will make a statement. [76925]

Dr. Howells: Four cars are accessible to Ministers in the Department for Culture, Media and Sport as follows:

Vauxhall Omega Elite;
Vauxhall Vectra GLS; and
two Ford Mondeo Zetec's.

The annual operating cost for the past three years are:

£

	April 2000 to March 2001	April 2001 to March 2002	April 2002 to March 2003
Secretary of State	61,028	62,700	67,620
Minister	48,497	50,145	51,148
Minister	57,705	59,292	55,258
Minister	56,763	50,145	51,216

The cost of converting a car to enable it to be suitable for a Minister is £510.

Draft Communications Bill

James Purnell: To ask the Secretary of State for Culture, Media and Sport when she plans to publish the Government's response to the Joint Committee on the Draft Communications Bill. [78438]

Tessa Jowell: With my right hon. Friend the Secretary of State for Trade and Industry, I have pleasure to inform the House that the Government's formal response to the Joint Committee on the Draft Communications Bill will be published this afternoon. I would also like to express my gratitude to Lord Puttnam and his committee for their valuable contribution to our preparations of the Communications Bill.

Drug Testing

Mr. Gareth Thomas: To ask the Secretary of State for Culture, Media and Sport how many tests for EPO have been conducted in the UK during *(a)* the Commonwealth Games and *(b)* other sporting events; and if she will make a statement. [77518]

Mr. Caborn: The anti-doping programme in the UK is delivered through the national anti-doping organisation, UK Sport. In addition, UK Sport was contracted by the Commonwealth Games Federation in conjunction with Manchester 2002 (the organising committee for the 2002 Commonwealth Games) to manage the anti-doping programme over the Games period.

UK Sport has confirmed that during the Commonwealth Games it conducted 16 tests for erythropoietin (EPO). The other sporting events where UK Sport has conducted EPO testing have been the 2002 London Marathon, where 16 EPO tests were undertaken, and the World Half Marathon, which took place in Bristol in October 2001, where five EPO tests were undertaken.

Firefighters' Strike

Mr. Evans: To ask the Secretary of State for Culture, Media and Sport what preparations she has made to ensure the safety and continuity of service to the public in the event of a firefighters' strike; and what the cost is to the Department of these actions. [77657]

Dr. Howells: DCMS staff are fully trained in fire safety, and have been reminded of the need for greater care and vigilance in the event of a firefighters' strike. This measure, which will ensure the continuity of services operated directly from DCMS, has been achieved at no additional cost to the annual administration budget. The majority of our services are provided through the Department's NDPBs, who are responsible for making their own provisions for ensuring business continuity in the event of a firefighters' strike.

ITV Digital

Keith Vaz: To ask the Secretary of State for Culture, Media and Sport what representations she has received from football clubs over the collapse of ITV Digital; and if she will make a statement. [77960]

Mr. Caborn: My right hon. Friend the Secretary of State and I have received 31 representations from Football League clubs on this issue.

Sport England

Mr. Greenway: To ask the Secretary of State for Culture, Media and Sport, pursuant to her answer of 26 September 2002, *Official Report*, column 131W, on Sport England, if she will list the projections for UK Sport's income from the National Lottery for *(a)* 2002–03, *(b)* 2003–04, *(c)* 2004–05 and *(d)* 2005–06. [78267]

Mr. Caborn: The projected income for UK Sport from the National Lottery, based on the most recent forecast figures provided to the Lottery Distributors, excluding interest, is shown in the table.

£ million

	2002–03	*2003–04*	*2004–05*	*2005–06*
UK Sport	20.732	20.318	20.318	20.318

DEFENCE

Beef Supplies

Annabelle Ewing: To ask the Secretary of State for Defence what percentage of the beef supply contracts for the Ministry of Defence and its agencies are sourced from Scottish herds. [76812]

Mr. Ingram *[holding answer 24 October 2002]:* I can confirm that 50% of the beef and beef products purchased for consumption by the armed forces in the United Kingdom is British. Of that total, in the past 12 months, 53 per cent. came from Scottish herds.

Chinook Helicopters

Mr. Jenkin: To ask the Secretary of State for Defence when the six Chinook MSH/HC2A and eight Chinook MSH/HC3 ordered by his Department in 1995 will enter service with the RAF. [76379]

Mr. Ingram: The six Chinook MSH/HC2A entered RAF service in 2000.

On current plans, it is intended that the RAF will begin to fly the Chinook MSH/HC3 from the end of 2003.

Civil Service Pay

Mr. Laws: To ask the Secretary of State for Defence, pursuant to his answer of 22 October 2002, *Official Report*, column 151W, if he will estimate the annual increases in pay for Ministry of Defence non-industrial civil servants working only in his Department, excluding agencies and non-departmental public bodies, for each year from 2001–02 to 2005–06; and if he will make a statement. [77520]

Dr. Moonie: The figures are listed in the table:

	Percentage increase to paybill of non-industrial staff
2002	3.2
2003	3.1
2004	3.1
2005	3.1

Continuous Attitude Survey

Mr. Keetch: To ask the Secretary of State for Defence how many personnel in the *(a)* Army, *(b)* RAF and *(c)* Royal Navy answered the last Continuous Attitude Survey; and what proportion of the service members in each service this represents. [77285]

Mr. Ingram: The number of personnel that responded to the last Continuous Attitude Survey for each Service is set out in the table.

	Number responding	*Proportion of personnel (percentage)*
Naval Service	957	2
Army	1,867	1.9
RAF	1,182	2.4

Note:
Based on trained strength figures for the United Kingdom regulars as at 1 September 2002.

Defence Logistics Organisation

David Wright: To ask the Secretary of State for Defence if he will publish the McKinsey report on the future strategy for the Defence Logistics Organisation. [77064]

Mr. Ingram: We have no plans to publish the joint McKinsey/Ministry of Defence report.

Discharged Service Personnel

Mr. Hancock: To ask the Secretary of State for Defence how many personnel have been *(a)* discharged and *(b)* retired early from the RAF after being in service in (i) Sierra Leone, (ii) Saif Sareea, (iii) Afghanistan, (iv) Kosovo and *(v)* Macedonia as a direct result of their involvement in the deployments; and if he will make a statement. [78287]

Mr. Ingram: The detailed information requested is not held centrally and cannot be determined from individual personnel records without incurring disproportionate cost and effort. There are no recorded instances of RAF personnel being medically discharged as a direct result of disabilities sustained during service in the named theatres of operation.

Fire Services

Mr. Key: To ask the Secretary of State for Defence if *(a)* MoD Fire Service appliances and *(b)* QinetiQ fire appliances from Boscombe Down will be deployed to provide fire service cover to the civilian community. [77232]

Mr. Ingram: Ownership of all fire service appliances at Boscombe Down was transferred to QinetiQ in 2001. The fire fighting capabilities at Boscombe Down are tailored to meet the primary need to provide emergency support to the airfield at the site and to support QinetiQ's activities. Although QinetiQ's fire service may be able to assist in response to emergency calls elsewhere in circumstances where their primary responsibility was not put at risk, this cannot be guaranteed.

Mr. Key: To ask the Secretary of State for Defence how many Green Goddess fire engines will be deployed in Salisbury constituency; how many service personnel will man each appliance; and from what duties they have been withdrawn to provide fire service cover. [77316]

Mr. Ingram: One Green Goddess fire engine will be based in Salisbury. The command structure is designed to ensure flexibility when deploying emergency fire cover, and where necessary resources may be deployed from adjacent areas.

Each Green Goddess has a crew of six per shift, with two shifts, each of 12 hours, providing 24-hour cover. The personnel involved may be withdrawn from a variety of other duties, depending on changing circumstances.

Mr. Flook: To ask the Secretary of State for Defence how many fire service vehicles there are at Norton

Manor Camp; and what fire service appliances kept at Norton Manor Camp will be deployed to provide fire service cover to the civilian community. [77763]

Mr. Ingram: There are no emergency fire service vehicles at Norton Manor Camp and there are currently no plans to deploy any emergency fire cover from there. However, a range of fire fighting capabilities, including breathing apparatus and heavy cutting capability will operate from Taunton TA Centre nearby.

It is intended to use all available resources in a flexible manner to provide the most appropriate cover. Where necessary, resources may be deployed from adjacent areas.

Mr. John Taylor: To ask the Secretary of State for Defence, in the event of a firefighters' strike, what disposition of service personnel and Green Goddesses will be made for the protection of the people and their property in the Solihull constituency; and where they will be stationed. [77782]

Mr. Ingram: *[holding answer 28 October 2002]:* Emergency cover in Solihull, as in the rest of the country, will consist of a number of elements including Green Goddess crews, breathing apparatus teams, rescue teams (equipped with specialist equipment) and the police. The provision of Ministry of Defence emergency fire cover has been planned in consultation with the Chief Fire Officer and local police to minimise call-out times and maximise the availability of the range of firefighting capabilities.

Temporary fire stations will be located at the Police Traffic Centre, Aston, and the Police Training Centre, Pershore Road. Each location will have three Green Goddess appliances and one Specialist Breathing Apparatus Rescue Team. The Operational Control Centre, based at Bournville, will be responsible for co-ordinating emergency response in the quickest time possible, either through the deployment of these assets, or by requesting assistance from other areas.

First World War

Mr. Laurence Robertson: To ask the Secretary of State for Defence what recent representations he has received asking him to review the cases of soldiers who were shot for cowardice during the First World War; and if he will make a statement. [77046]

Dr. Moonie: In the last six months I have received six representations from hon. and right hon. Members and 22 from members of the public on this issue.

As the House has been told on previous occasions, my right hon. Friend the then Minister of State for the Armed Forces, Dr. Reid, examined this matter in great detail and with deep care and concern. There are considerable legal difficulties in considering pardons, particularly the lack of evidence available today, and all these points were explained in my right hon. Friend's statement to this House on 24 July 1998, *Official Report*, columns 1372–86.

While there are, I am afraid, no grounds to reconsider this matter, it is important that we do not overlook the very important steps that have been taken to recognise these men as victims of the war, and to draw them and their families into the nation's consciousness and remembrance. The public commemoration of these men in the new memorial in National Memorial Arboretum is very fitting.

Gulf War Veterans

Dr. Cable: To ask the Secretary of State for Defence how many Gulf War veterans from the Twickenham constituency have been seen by the Gulf Veterans' Medical Assessment Programme; how many of these were assessed; how many were assessed as having a cancer; and if he will make a statement. [76929]

Dr. Moonie: As at 18 October 3,334 patients have attended the Gulf Veterans' Medical Assessment Programme (GVMAP), and of these, three Gulf veterans were recorded as living in the Twickenham constituency. None were assessed as having a cancer.

The clinical findings for 3,000 Service and ex-Service patients who attended the GVMAP in the period between 11 October 1993 and 18 June 2001 was published in the *Journal of the Royal Society of Medicine* on 1 October 2002. The paper found that 75 per cent. of the 3,000 patients seen were well at the time of attendance. The authors found no unusual pattern of disease among patients attending over time.

International Interoperability Council

Mr. Jenkin: To ask the Secretary of State for Defence what the membership of the International Interoperability Council is; what its objectives are; and if he will make a statement on its method of proceeding. [77791]

Mr. Hoon: I assume that the hon. Member is referring to the Multinational Interoperability Council (MIC) which comprises Australia, Canada, France, Germany, United Kingdom and the United States of America. The objectives of the MIC are to identify interoperability issues and to articulate actions which, if implemented pan-nationally, would contribute to more effective coalition operations. The work of the MIC is principally conducted by means of Working Groups. Further information on the MIC is available at www.c3i.osd.mil/org/c3is/ccbm/mic.html.

Iraq

Llew Smith: To ask the Secretary of State for Defence what has been the annual cost of implementing the no-fly zones over northern and southern Iraq since RAF military overflights began; how many bombs have been dropped on Iraq by British aircraft over this period; and what United Nations resolutions give authority for the policing of the no-fly zone. [75981]

Mr. Ingram: Our records do not separately identify expenditure incurred in maintaining the no-fly zones. However, the table sets out the overall additional expenditure incurred by the Ministry of Defence as a direct result of operations in the Gulf from 1992–93 onwards.

£million

	Additional expenditure
1992–93	551
1993–94	179
1994–95	58
1995–96	14
1996–97	6
1997–98	16
1998–99	35
1999–2000	28
2000–01	25
2001–02[1]	22[2]

[1] Estimate.
[2] Calculated on a resource basis; all previous figures are cash-based.

The Royal Air Force aircraft patrolling the Iraqi no-fly zones had dropped 318 bombs during this period (to 30 September 2002), 52 of those weapons were released during Operation Desert Fox.

The Royal Air Force patrol the Iraqi no-fly zones in support of UN SCR 688, which demanded an end to Saddam's brutal repression of its own people.

Medical Negligence Claims

Mr. Keetch: To ask the Secretary of State for Defence how many medical negligence claims were received by his Department in *(a)* 2000–01, *(b)* 2001–02 and *(c)* 2002 to date; how many complaints in *(i)* 2000, (ii) 2001 and (iii) 2002 resulted in compensation being paid; how much compensation was paid in each year; and if he will make a statement. [77286]

Dr. Moonie: The number of claims received for alleged clinical negligence together with the amount of common law compensation paid in 2000–01, 2001–02 and between 1 April to 23 October 2002 was as follows:

	Clinical negligence claims received	Number of claims settled	Compensation paid including claimants' legal costs (£)
2000–01	128	79	10,617,263
2001–02	142	59	8,924,255
2002–03[1]	78	26	6,427,000

[1] 1 April to 23 October 2002

When compensation claims are submitted, they are considered on the basis of whether or not the Ministry of Defence has a legal liability to pay compensation. Where there is a legal liability to pay compensation, we do so. Most claims are settled amicably on a legal liability basis without recourse to the courts. The payment of compensation does not necessarily occur in the financial year that the claim was received.

A record of complaints from Service personnel and their families alleging medical negligence is kept only for those cases where compensation is being sought.

Military Trucks

Mr. Hoyle: To ask the Secretary of State for Defence if he will list the companies which have submitted bids for the military trucks contract; and when an announcement on the award of the contract will be made. [77601]

Dr. Moonie: Bids for the military trucks contract were received from four companies—MAN UK Truck & Bus Limited, Mercedes-Benz UK Limited, Oshkosh Truck Corporation and Stewart & Stevenson Services Inc. An announcement on the award of the contract will be made at contract placement in late 2003.

Network-centric Capability (Armed Forces)

Mr. Hendrick: To ask the Secretary of State for Defence what measures his Department is taking to enhance the network-centric capability of the armed forces. [76863]

Mr. Ingram *[holding answer 28 October 2002]:* As we stated in the Strategic Defence Review New Chapter, the key to delivering networked capabilities is the ability to collect, fuse and disseminate accurate, timely and relevant information to deliver improved situational awareness—a shared understanding of the battlespace among commanders at all levels. We are already committed to investment in a range of sensor capabilities such as Nimrod MRA4, ASTOR and RAPTOR and communications systems such as SKYNET 5, BOWMAN, FALCON and tactical datalinks—part of the backbone of our network infrastructure. We are also investing in information processing applications that will enhance our capability to collate, analyse and control the distribution of information within the network. As part of the New Chapter we announced a number of early capability enhancements that will help improve situational awareness, for example, an extra Mission Console for the E3-D and advancing the WATCHKEEPER Surveillance UAV programme.

Nuclear Weapons

Mr. Cousins: To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for Blaenau Gwent (Llew Smith), *Official Report*, 15 October 2002, column 547W, on nuclear weapons, if he will estimate the size of the credits payable to the UK under the 1998 MOU. [77799]

Dr. Moonie: The size of the credits payable to the United Kingdom under the 1998 MOU total $47 million, based on fiscal year 1999 constant dollars.

Partnered Defence Supply Chain

David Wright: To ask the Secretary of State for Defence what assessment he has made of the employment implications of the Partnered Defence Supply Chain Initiative; and when he will be able to inform the House. [77065]

Mr. Ingram: The Defence Logistics Organisation has challenging targets to reduce costs whilst improving the quality of logistics support to the Front Line. As part of this, the Partnered Defence Supply Chain Initiative is seeking to assess the risks and opportunities of increased levels of commercial participation in managing and

operating the Defence Physical Supply Chain. This analysis has only just commenced therefore it is too early to ascertain what potential employment implications there could be. I will inform the House of the results of the current initial assessment, anticipated to be complete in the middle of next year.

Pension and Compensation Arrangements

Mr. Jenkin: To ask the Secretary of State for Defence when he expects to publish proposals on armed forces pension and compensation arrangements; and what consultation process he envisages following such publication. [77790]

Mr. Ingram: Proposals on the new Armed Forces Pension Scheme and Compensation Scheme were published in March 2001. The formal consultations took place between March 2001 and July 2001, although they were informally extended to October 2001 to admit some late replies. In parallel, discussion groups took place at Service units throughout the country and discussions were also held with ex-Service organisations, such as the Royal British Legion and Forces Pension Society. The final proposals are currently being staffed for final approval by Ministers. These proposals have taken account of the comments received during the consultation process, the recommendations of the House of Commons Defence Committee, and discussions with the ex-Service community. Subject to approval around the turn of the year, the final details of the schemes and a report on the consultations will be published early next year.

Puma (Tenders)

Mr. Paice: To ask the Secretary of State for Defence what actions he took to obtain tenders for the refurbishment of six ex-Republic of South Africa SA330 Puma aircraft before announcing his intention to place the main structural contract with Eurocopter of France; and what steps he took to ascertain what other companies were capable of undertaking this work. [77120]

Dr. Moonie *[holding answer 28 October 2002]:* The ex-Republic of South Africa Air Puma helicopters were procured to supplement the existing Ministry of Defence Puma fleet. Because the aircraft had not flown for over five years, and their previous usage spectrum was unknown, it was essential to ensure that the airworthiness and structural integrity of the aircraft could be adequately assured. Options for effecting the refurbishment of the aircraft to the same standard as the existing fleet were evaluated. It was assessed that Eurocopter, the design authority for the Puma, was the only company with the necessary knowledge of, and competences in, the structural load paths of the Puma to be able to act as a prime contractor. As a result, an entry was placed in the MOD Contracts Bulletin notifying that the work would be placed with Eurocopter, while encouraging Eurocopter to maximise sub-contractor opportunities.

RAF Innsworth

Mr. Laurence Robertson: To ask the Secretary of State for Defence what plans he has to reduce the number of civilians employed at RAF Innsworth; and if he will make a statement. [77039]

Mr. Ingram: A wide-ranging review, PTC 2002, was initiated last year. Its aim was to optimise management processes and structures to support operational capabilities in a more timely, efficient and cost-effective manner. PTC 2002 reported in April this year, and recommended a rationalised HQ structure.

A formal evaluation to validate the revised structure is currently being undertaken. However, the latest available figures indicate that there will be a reduction of around 180 posts across PTC (140 civilian (non-industrial) posts and 40 service posts). We estimate that civilian reductions at RAF Innsworth will be in the region of 50, with the remainder 90 occurring at other PTC stations. We intend that all manpower reductions will be effected through natural wastage.

Rapid Deployment Force

Mr. Jenkin: To ask the Secretary of State for Defence what the UK contribution to the proposed NATO rapid deployment force unit will be; and if he will make a statement. [77811]

Mr. Hoon: The NATO Response Force (NRF) concept is currently being discussed within the Alliance, with the guiding principles expected to be put before Heads of State and Government at the November 2002 NATO Summit in Prague for their agreement. While it is premature to discuss what the United Kingdom's precise contribution will be, the UK strongly supports the NRF concept as a means of optimising the utility of the NATO Force Structure across the range of missions. We can therefore anticipate that the UK led Headquarters of the Allied Command Europe Rapid Reaction Corps, the United Kingdom Maritime Force and our contribution to NATO Readiness Forces (Air), will form the basis of our participation in the NRF.

Thefts

Llew Smith: To ask the Secretary of State for Defence if, pursuant to his answer of 15 October 2002, *Official Report*, column 548W, he will assign monetary values to each of the items *(a)* to *(e)*. [77233]

Mr. Ingram: I will write to my hon. Friend, and a copy of my letter will be placed in the Library of the House.

Vaccination

Mr. Keetch: To ask the Secretary of State for Defence what vaccination programmes for UK armed forces are *(a)* under way and *(b)* planned in advance of possible military action in Iraq; and if he will make a statement. [76291]

Dr. Moonie *[holding answer 24 October 2002]:* Regular and reserve forces personnel are offered immunisations as part of an established vaccination programme. Members of the regular forces are given routine vaccinations, with immunity being maintained by the administration of regular boosters. Reservists at

high readiness for deployment also have their immunity maintained at a similar level by routine booster immunisations. All other reserve forces personnel receive a lesser number of routine immunisations with additional vaccinations, and any necessary boosters, being administered upon an increase to a high readiness state. In advance of overseas deployment, any personnel deploying to areas with a specific health hazard, and those in special occupational risk groups (such as medical personnel), may also be given additional vaccinations before deployment. It is the responsibility of Commanding Officers to ensure that personnel are up to date with the appropriate immunisations. Units should also carry out pre deployment checks of vaccination states. Immunisation also forms part of the package of capabilities which protects our troops from, and enables them to respond effectively to, the threat of biological warfare. Since May 2001, personnel deploying on operations to the Gulf and in specialist NEC units have been included in our programme of voluntary immunisation against anthrax. We have since expanded this programme; I refer the hon. Member to the answer my right hon. Friend the Secretary of State for Defence gave on 3 June 2002, *Official Report*, column 1343–44W, to my hon. Friend the Member for High Peak (Mr. Levitt).

EDUCATION AND SKILLS

Local Education Authority Funding

Mr. Dave Watts: To ask the Secretary of State for Education and Skills how many children aged between four and 18 years are in schools in local education authorities; if she will list the funding allocated to each school under her Department's proposed options; and if she will publish the deprivation allocation from additional educational needs under the Government's options *(a)* with and *(b)* without any ethnicity-weighting factor. [77160]

Mr. Miliband: There were 7,438,964 pupils between 4 and 18 in maintained schools in local education authorities recorded in the most recent annual schools census. It is not possible to identify the funding allocated to each school under the options set out in the consultation paper on Local Government Finance issued on 8 July: that would depend on decisions to be taken by LEAs on their formulae for distributing funding to their schools. The amounts of funding distributed for additional educational needs, and within that for ethnicity and English as an additional language (EAL), under each of the four consultation options is set out in the table below:

Funding for 2002–03	*Option 1*	*Option 2*	*Option 3*	*Option4*
Deprivation Funding (£m)	4,880	4,118	4,940	4,006
Ethnicity/EAL Funding (£m)	600	421	600	431

The levels of funding in these options are based on research from PricewaterhouseCoopers (PwC). If an alternative method of funding AEN were used, it would be necessary to consider how it could fit with the evidence from the PwC study, which associated substantial costs with the incidence of EAL.

A Levels

Mr. Hancock: To ask the Secretary of State for Education and Skills what representations he has received since August on the future of A Levels. [76493]

Mr. Miliband: The Secretary of State has received a number of suggestions that AS Levels be abolished, and that a baccalaureate type system be introduced in place of A Levels.

Mr. Damian Green: To ask the Secretary of State for Education and Skills what estimates she has made of the cost of this year's A-level regrading to her Department. [76783]

Mr. Miliband: We have made it clear that universities and higher education colleges will not suffer financial disadvantage as a result of changes to student numbers due to A level regrading. It is, however, too early to determine how much funding individual institutions might need, but the costs are not likely to be high given the relatively small number of students affected.

The A level claims Fund has been established to meet the legitimate costs of students who are able to transfer and students have until 31 January 2003 to apply. The Fund can meet accommodation, books, travel and where necessary tuition fees. We expect the costs falling to the Fund to be small.

A maximum of £105,000 has been set aside for Mike Tomlinson's Inquiry.

Mr. Boswell: To ask the Secretary of State for Education and Skills what assessment he has made of the implications of the admission of downgraded A-level students to university for the admission of *(a)* other EU and *(b)* overseas students. [74666]

Margaret Hodge *[holding answer 15 October 2002]:* All of the 168 UCAS applicants who, as a result of regrading of their A-levels, may now have the necessary grades to make them eligible for transfer to their first or second choice institution. As all are from the UK, and none are from EU countries other than the UK or from overseas, there will be no implication for these students.

Accommodation Centres (Education Facilities)

Lynne Jones: To ask the Secretary of State for Education and Skills whether educational facilities in accommodation centres will have *(a)* a special educational needs co-ordinator and *(b)* classroom assistants trained to assist with special educational needs. [76939]

Mr. Stephen Twigg: The staffing mix in accommodation centres will mirror as closely as possible that of a typical maintained school. The centres will have sufficient experienced and trained staff to meet the needs of most pupils with SEN.

Lynne Jones: To ask the Secretary of State for Education and Skills what her estimate is of the number of *(a)* teachers and *(b)* classroom assistants that will be required to teach a total of 120 children in Years 1 to 13 in accommodation centres. [76940]

Mr. Stephen Twigg: My right hon. Friend has made no such estimate. She has, however, made clear that the composition of the teaching staff in accommodation centres should mirror as closely as possible that of maintained schools and be appropriate to the needs of the children concerned.

Lynne Jones: To ask the Secretary of State for Education and Skills whether children in accommodation centres will be *(a)* allowed and *(b)* required to take GCSEs. [76941]

Mr. Stephen Twigg: There will be no requirement for children in accommodation centres to take GCSE's. However, if a child has the ability to undertake such an examination, they will be able to do so. Each child will be assessed individually and their progress monitored and recorded throughout their stay.

Beacon Schools

Mr. McNamara: To ask the Secretary of State for Education and Skills how many schools have not been successful in reapplying for beacon status. [77746]

Mr. Miliband: There have been two renewal exercises to date involving a total of 250 schools. Beacon status was not extended in 26 cases.

Mr. McNamara: To ask the Secretary of State for Education and Skills what weight he gives to an increase of pupils with statements of special education needs when evaluating the educational results of a school when assessing a renewal application for beacon status. [77747]

Mr. Miliband: Renewal of beacon status is dependent on a school being able to show that it has had an impact as a beacon and that it has maintained or improved its own performance in its three years as a beacon . Schools are advised to provide evidence of any factors that may have an effect on the school's performance, such as the number of pupils with statements of special education needs, so that these can be taken into account at the time of the assessment.

Children's Education

Dr. Ladyman: To ask the Secretary of State for Education and Skills how many SENDIST and IAP members there were as at the end of June; how many SENDIST and IAP members had received any training as at the end of June in their forthcoming disability-related duties; what type and quantity of training they had received respectively; and what measures the Department has put in place to ensure that all SENDIST and IAP members will be able to perform their legal duty effectively when hearing claims of disability discrimination relating to exclusions. [77860]

Mr. Stephen Twigg: There are three main types of panel or tribunal relating to educational provision for children: SEN and Disability Tribunals (SENDIST), Admission Appeal Panels, and Exclusion Appeal Panels.

SENDIST consider disputes between parents and LEAs about statementing of children with Special Educational Needs. They also consider complaints of disability discrimination made by parents against individual schools or LEAs.

At the end of June the Special Educational Needs Tribunal had 51 legal chairmen and 97 specialist members. The Secretary of State appointed 39 new specialist members in July. The Lord Chancellor has appointed 11 new chairmen.

By the end of June, 21 SEN Tribunal chairmen and 40 specialist members had received one and a half day's training on disability discrimination legislation. The training included theoretical and practical sessions that covered all the relevant provisions of the Disability Discrimination Act, including the implications for school exclusions. The President of the Tribunal arranged training for tribunal members at three conferences, in June, July and September. The SEN Tribunal became SENDIST from September. Tribunal panels are likely to hear the first claims under the new legislation in the new year.

Independent Admission Appeal Panels consider parents' appeals against refusal of admission of their children to particular schools. Responsibility for setting up a panel, and recruitment and training of panel members lies with the school's "admission authority" (in the case of voluntary aided and foundation schools this is the school's governing body, for community and controlled schools it is the local education authority). Although admission authorities themselves are responsible for the training of panel members, Information for School and College Governors (ISCG), who are one of a number of organisations delivering practitioner training, produced a training pack which is available free of charge to schools and LEAs. The revised Admission Appeals Code (to be laid before Parliament soon) contains guidance on the Disability Discrimination Act, and refers readers to other appropriate sources of help.

Exclusion Appeal Panels consider appeals made by parents whose children have been excluded from a school, and the exclusion upheld by the school governing body. The panels are set up by LEAs, who are responsible for appointing and training members. The Department is currently revising its guidance in the "Exclusion Appeal Panels Training Pack", with regard to the Disabilities Discrimination Act. This revised guidance will be issued shortly.

The Department does not collect data on admission or exclusion appeal panel members or information on the training they receive.

The Council of Tribunals (which operates under the Tribunals and Inquiries Act 1992) advises and supervises the procedures and working of tribunals. The Council, and the Judicial Studies Board, has a significant interest in the training of panel members. The Council of Tribunals publication "Making Tribunals Accessible to Disabled People: Guidance on Applying the Disability Discrimination Act" is available to both panel members and those responsible for their training.

Children's Health

Mr. Jim Cunningham: To ask the Secretary of State for Education and Skills if she will make a statement on

the role of schools in the health of children; and what measures have been taken to ensure that food and meals provided at school are nutritional. [77010]

Mr. Stephen Twigg: Schools are encouraged, as part of the National Healthy School Standard, to present consistent messages about healthy eating. Food on offer in vending machines, tuck shops and school meals, for example, should complement the information about healthy eating covered in the taught curriculum.

In April 2001, the Government introduced regulations which set minimum nutritional standards for school lunches. They were accompanied by guidance entitled 'Healthy School Lunches', which is available for school caterers, heads and others implementing the standards.

Class Sizes

Bob Spink: To ask the Secretary of State for Education and Skills how many primary schools in Castle Point had class sizes of 30 or above in each of the last three years. [75470]

Mr. Miliband: Figures for January 2002 show that there were 19 maintained primary schools in Castle Point parliamentary constituency with classes of 30 pupils or more. The corresponding figures for 2000 and 2001 were 19 and 21, respectively.

The School Standards and Framework Act 1998 placed a duty on Local Education Authorities and schools to ensure that infant classes for 5, 6 and 7 year olds taught by one qualified teacher are limited to no more than 30 pupils per class by September 2001 at the latest. The legislation does allow the limit of 30 to be exceeded in certain circumstances.

Figures related to the pledge for Castle Point parliamentary constituency show there were no classes of 31 or more pupils in 2002. In 2001 there was one class, and in 2000 there were 9 classes, of 31 or more pupils.

Classroom Assistants

Mr. Austin Mitchell: To ask the Secretary of State for Education and Skills what representations he has received supporting the extension of the work of classroom assistants into some aspects of teaching; who was consulted before the proposal was announced; and how many representations *(a)* for and *(b)* against he has received. [77678]

Mr. Miliband: A working party involving representatives of teachers and support staff, local government employers and other government bodies has met monthly over the past year and has had extensive discussions about the proposed extension of roles and responsibilities of teaching assistants and other support staff. These discussions led to the development of a consultation paper, "Developing the Roles of School Support Staff", which was published on 22 October 2002. An analysis of responses to the consultation will be produced after the response deadline of 22 January 2003.

Connexions

Mr. Hendry: To ask the Secretary of State for Education and Skills how many people have visited Connexions, seeking advice, in each region in which it operates. [77349]

Mr. Stephen Twigg: Information is not collected in the exact format requested; however the following table shows the number of occasions that young people have received assistance in each region since April 2001. Young people may have received assistance on more than one occasion. 2001–02 and 2002–03 are shown separately as different definitions of management information have been used in the two years, reflecting the move away from counting all contacts with young people to recording only those of a substantial nature.

Region	*April 2001 to March 2002*[1] *(assistance given)*	*April 2002 to September 2002*[2] *(interventions)*
South East	74,266	50,250
London	126,849	95,077
East of England	35,345	66,770
South West	188,858	148,272
West Midlands	259,249	161,362
East Midlands	58,532	98,792
Yorkshire and The Humber	148,245	140,472
North West	366,093	282,200
North East	0	83,207
England	1,257,437	1,126,402

[1] Data relate to 15 Connexions Partnerships which were launched before March 2002. There were no Connexions Partnerships operating in the North East during this period.
[2] Data relate to 41 Connexions Partnerships (including the 15 partnerships referred to above) which were launched before the end of September 2002.

Mr. Hendry: To ask the Secretary of State for Education and Skills what the annual budget for the Connexions service is, broken down by region. [77350]

Mr. Stephen Twigg *[holding answer 28 October 2002]:* In total £334,627,254 was allocated to Connexions Partnerships in 2002–03. The regional totals are as follows:

	£
South East	32,060,363
London	58,091,947
East of England	29,063,827
South West	34,644,952
West Midlands	44,858,545
East Midlands	26,890,604
Yorkshire and the Humber	34,626,011
North West	54,093,700
North East	20,297,304

Mr. Hendry: To ask the Secretary of State for Education and Skills what grants have been made to voluntary organisations working with young people by the Connexions service, for each region in which it operates. [77351]

Mr. Stephen Twigg *[holding answer 28 October 2002]:* 15 Connexions partnerships became operational through the course of 2001–02. Details of grants provided by these partnerships to voluntary and community organisations in 2001–02 by English region

are as given in the table. Connexions partnerships will be allocating grants throughout the year so figures for 2002–03 are not currently available.

Grants to voluntary and community organisations 2001–02

	£000
Eastern	109
East Midlands	—
London	453
North East	—
North West	505
South East	—
South West	605
West Midlands	738
Yorkshire and the Humber	216
Totals	2,626

Note:
These figures are as reported to the Connexions Service National Unit by Government offices for the regions. No Connexions partnerships were operational in the north east during 2001–02. In the east midlands and south east only one partnership was operational in each region during 2001–02. Grant arrangements in these partnerships had not been finalised at the time so figures are unavailable. The total represents 4.17 per cent. of the total grant allocation to partnerships by the Connexions Service National Unit.

Criminal Records Bureau

Mr. Evans: To ask the Secretary of State for Education and Skills (1) how many teachers were unable to gain clearance from the Criminal Records Bureau before the first day of the new school year in *(a)* Lancashire and *(b)* the North West of England; [77631]

(2) how many school days were lost due to teachers being unable to gain clearance from the Criminal Records Bureau before the first day of the new school year in the North West of England. [77632]

Mr. Miliband: The information requested is not available.

Departmental Projects (Hull, North)

Mr. McNamara: To ask the Secretary of State for Education and Skills if she will list the projects to which his Department has allocated funding in the Hull, North constituency since 1997, indicating the amount in each case. [76561]

Mr. Stephen Twigg *[holding answer 28 October 2002]:* The information requested has been placed in the Libraries.

Education SSA

Martin Linton: To ask the Secretary of State for Education and Skills what the education SSA is per head in secondary schools in Wandsworth. [77289]

Mr. Miliband: In 2002–03 Wandsworth's Education SSA per pupil in secondary schools is 4,460.

Note:
Figure in cash terms for pupils aged 11–15—rounded to nearest £10

English/Mathematics Targets

Harry Cohen: To ask the Secretary of State for Education and Skills what special assistance she proposes to provide to those local education authorities whose results in English and Mathematics for 11-year-olds in 2002 fell a long way short of the Government's 2004 target; and if she will make a statement. [77340]

Mr. Miliband: Following this year's Key Stage 2 results the Department asked all LEAs to draw up specific plans to identify and provide targeted support to those schools which are underperforming—both low attaining schools and those which are not helping their children make as much progress as other similar schools. Over the next couple of months the Department is meeting with all LEAs individually to discuss these plans and the further support they need to meet the challenging targets for 2004. The National Literacy and Numeracy Strategies will continue to help LEAs improve their results, in particular by focusing low attaining and underperforming schools, improving leadership and intervention programmes for pupils who are not achieving their potential. We are allocating an additional £11 million this year to support schools make improvements in 2003.

Examinations

Mr. Hancock: To ask the Secretary of State for Education and Skills what plans he has to alter the administration of examinations in England. [76490]

Mr. Miliband: The Tomlinson report on A Level standards made a number of recommendations, which the Department accepted in full. The Qualifications and Curriculum Authority are now acting to implement these. The second stage of the Tomlinson inquiry will make further recommendations by the end of November.

Exclusion

Mr. Randall: To ask the Secretary of State for Education and Skills how many pupils have been excluded from *(a)* state primary and *(b)* state secondary schools in the London Borough of Hillingdon at each of the key stages in each year since 1997. [77294]

Mr. Miliband: The available information is shown in the table. Information collected centrally on permanent exclusions does not record the Key Stage of the pupil; a breakdown of the figures by age is given as a proxy. Figures are not available centrally on fixed-term exclusions.

Maintained primary and secondary schools in the London Borough of Hillingdon:
Number of permanent exclusions by age of pupils
England 1996–97 to 2000–01[1]

Primary Schools[2]	*Age of Pupils*			*Total*
	6 and under	*7 to 10*	*11 and over*	
1996–97				
Number of permanent exclusions	2	1	0	3
Percentage of all permanent exclusions[3]	66.7	33.3	0.0	100.0
Percentage of school population[4]	0.02	0.01	0.00	0.01

Maintained primary and secondary schools in the London Borough of Hillingdon: Number of permanent exclusions by age of pupils England 1996–97 to 2000–01[1]

Primary Schools[2]	*Age of Pupils*			*Total*
	6 and under	*7 to 10*	*11 and over*	
1997–98				
Number of permanent exclusions	0	3	0	3
Percentage of all permanent exclusions[3]	0.0	100.0	0.0	100.0
Percentage of school population[4]	0.00	0.03	0.00	0.01
1998–99				
Number of permanent exclusions	0	4	0	4
Percentage of all permanent exclusions[3]	0.0	100.0	0.0	100.0
Percentage of school population[4]	0.00	0.03	0.00	0.02
1999–2000				
Number of permanent exclusions	1	3	0	4
Percentage of all permanent exclusions[3]	25.0	75.0	0.0	100.0
Percentage of school population[4]	0.01	0.02	0.00	0.02
2000–01[1]				
Number of permanent exclusions	4	11	0	15
Percentage of all permanent exclusions[3]	26.7	73.3	0.0	100.0
Percentage of school population[4]	0.03	0.09	0.00	0.06

Secondary Schools[2]	*Age of Pupils*			*Total*
	11 to 13	*14 to 15*	*16 and over*	
1996–97				
Number of permanent exclusions	32	25	0	57
Percentage of all permanent exclusions[3]	56.1	43.9	0.0	100.0
Percentage of school population[4]	0.41	0.51	0.00	0.38
1997–98				
Number of permanent exclusions	24	28	0	52
Percentage of all permanent exclusions[3]	46.2	53.8	0.0	100.0
Percentage of school population[4]	0.31	0.57	0.00	0.34
1998–99				
Number of permanent exclusions	34	25	0	59
Percentage of all permanent exclusions[3]	57.6	42.4	0.0	100.0
Percentage of school population[4]	0.44	0.51	0.00	0.390
1999–2000				
Number of permanent exclusions	15	22	2	39
Percentage of all permanent exclusions[3]	38.5	56.4	5.1	100.0
Percentage of school population[4]	0.18	0.43	0.08	0.24
2000–01[1]				
Number of permanent exclusions	30	16	0	46
Percentage of all permanent exclusions[3]	65.2	34.8	0.0	100.0
Percentage of school population[4]	0.35	0.31	0.00	0.28

[1] Permanent exclusions data for 2000/01 are estimated as they are known to be incomplete.
[2] Includes middle schools as deemed.
[3] The number of permanent exclusions expressed as a percentage of the total number.
[4] The number of permanent exclusions expressed as a percentage of the number (headcount) of full and part-time pupils (excluding dually registered pupils in special schools) in January each year.
Source:
Annual Schools Census

Exclusion Appeals Panels

Mr. Damian Green: To ask the Secretary of State for Education and Skills what guidance has been sent by her Department to school exclusion appeals panels since 1998. [76786]

Mr. Stephen Twigg: Circular 10/99 published in July 1999 contained statutory guidance on exclusion including the working of appeal panels. Letters amending the guidance in Circular 10/99 were issued in January and August 2000 and January and June 2001.

This guidance was sent to local education authorities which are responsible in law for establishing the panels.

In addition a training pack for exclusion appeal panels was sent to all LEAs in September 2001.

Expenditure (Secondary Schools)

Mr. Laws: To ask the Secretary of State for Education and Skills (1) what his estimate is of the average expenditure on *(a)* secondary school places per pupil in the state sector and *(b)* secondary school places per day pupil in the independent sector; and if he will make a statement; [75255]

(2) what his estimate is of the total local and national government expenditure, per pupil, in state secondary schools in 2001–02; and if he will make a statement. [76547]

Mr. Miliband *[holding answer 24 October 2002]:* For the state sector, the estimated average recurrent expenditure funded by central and local government in 2001–02 was £3,600 per pupil. Independent Schools Council figures suggest a private school recurrent spending figure of £5,400 per annum. Some caution is needed in making detailed comparisons between the sectors as it is not easy to calculate per pupil funding exactly on a like-for-like basis.

Focus Group Research

Mr. Allen: To ask the Secretary of State for Education and Skills what use he and his Department has made of focus group research since June 2001; if he will identify for each research project the topics covered, the person or organisation carrying out the research, and the total cost; and if he will publish the research on his Department's website. [74987]

Mr. Stephen Twigg: Since June 2001 the Department has completed focus group work for:

Higher Education Student Support commissioned groups to explore how first year students and parents navigated the HE student support website. This was at a cost of £44,050. The work was done by the research agency Conway Smith Rose.

Strategic research was done by the agency Campbell Keegan to gauge young people's attitudes to, and perceptions of, education. The cost was £62,334.

Fathers were asked their reaction to the new magazine "Dads and Sons" to find out if the publication had any impact on their behaviour to their sons. This work was done by Solutions Strategy Research for £23,030.

Women between 18 and 40 joined a focus group run by Solutions Strategy Research to discuss child care recruitment at a cost of £17,743.

Men and women over 40 were followed up by the same agency for £27,143.

Solutions Strategy Research conducted focus groups with ethnic minorities to look at the barriers to working in child care for £41,000.

Ethnic minority pupils' views of education and learning were gathered by Connect Research and Consultancy at a cost of £51,113.

Employers were invited to discuss their information needs. This research was conducted by MORI at a cost of £43,113.

The agency Cragg Ross Dawson was commissioned to discuss parents' information needs in respect of children's education. The cost was £58,985.

For £3,138, the agency Rosenblatt conducted evaluation of the Aimhigher Roadshow withYear 9 pupils at schools across England.

A pack to aid transition between Key Stages 2 and 3 was researched by Solutions Strategy Research, which cost £96,800.

The agency Carne Martin researched attitudes to implementing and promoting basic skills training to employers for £26,849.

Reactions to careers information and advertising about Modern Apprenticeships were gathered by Stimulating World Research for £58,444.

Educational Communications sought the reactions of children from 10–19 on the Science Year Pack and advertising for £43,181.

For £90,475, the agency Rosenblatt looked at current and potential communications media for young people.

In addition to the projects listed, the Department regularly commissions research as part of the development of advertising and publicity campaigns. Focus group and other market research into creative development work of this type are regarded as commercially confidential and therefore cannot be published.

The Department's website has details of its research programme (www.dfes.gov.uk/research). Information about focus groups and other forms of research commissioned by the Department's agencies and non-departmental public bodies is not held centrally.

Free School Meals

Vera Baird: To ask the Secretary of State for Education and Skills what estimate she has made of the number of families not entitled to *(a)* income support and *(b)* income-based jobseeker's allowance who will be passported to free school meals under the new tax credits scheme. [77276]

Mr. Stephen Twigg: Section 201 of the Education Act 2002 replaces Section 512 of the Education Act 1996, and anticipates that some families will move from income support and income based jobseekers allowance onto the new tax credits. If we had taken no action, they would have lost their entitlement to free school meals.

As was announced during the passage of the Education Bill through Parliament, we intend to make an order which will protect the school meal entitlement of around 100,000 children whose families will cease to receive Income Support and Income Based Jobseekers Allowance. It will also extend free school meals to an additional 89,000 children.

Vera Baird: To ask the Secretary of State for Education and Skills what the arrangements will be for passporting families to entitlement to free school meals under the new tax credits scheme. [77277]

Mr. Stephen Twigg: Section 201 of the Education Act 2002 replaces Section 512 of the Education Act 1996, and anticipates that some families will move from income support and income based jobseekers allowance onto the new tax credits. If we had taken no action, they would have lost their entitlement to free school meals.

As was announced during the passage of the Education Bill through Parliament, we intend to make an order which will protect the school meal entitlement of around 100,000 children whose families will cease to receive income support and income based jobseekers allowance. It will also extend free school meals to an additional 89,000 children.

LEA Performances

Mr. Laws: To ask the Secretary of State for Education and Skills what her estimate is of the number of local education authorities where performance has been found to be unsatisfactory; if she will list these authorities; and if she will make a statement. [75257]

Mr. Miliband *[holding answer 24 October 2002]:* Since Ofsted began its statutory inspection of local education authorities in 1998, 42 authorities have been found to be unsatisfactory. These are listed. Of the 27 LEAs that have been re-inspected at least once so far, and the findings published, Ofsted found that 26 had improved, and of these 21 were satisfactory.

LEAs that were found unsatisfactory

Barnsley
Bradford
Bristol
Buckinghamshire
Calderdale
Derby
Doncaster
Dudley
Ealing
Enfield
Gloucestershire
Hackney
Haringey
Isles of Scilly
Islington
Kent
Lambeth
Leeds
Leicester City
Lincolnshire

Liverpool
Luton
Manchester
Middlesbrough
Milton Keynes
North Somerset
Plymouth
Redbridge
Richmond-upon-Thames
Rochdale
Rotherham
Sandwell
Sheffield
South Tyneside
Southwark
Swindon
Tameside
Thurrock
Tower Hamlets
Walsall
Waltham Forest
Westminster

Local Education Authority Funding

Mr. Watts: To ask the Secretary of State for Education and Skills if she will list, by local education authority, the percentage of children receiving extra funding from *(a)* area cost adjustment, *(b)* other deprivation, *(c)* ethnicity, *(d)* income support and *(e)* sparsity funding. [77016]

Mr. Miliband: In the current education standard spending assessment system, additional funding for deprivation, area costs, and sparsity is allocated to each LEA according to indicators derived from an analysis of past spending patterns. It is not therefore possible to identify percentages of children receiving extra support for each of these characteristics.

Medical Schools

Dr. Gibson: To ask the Secretary of State for Education and Skills what resources have been earmarked for research start-up in new medical schools. [77488]

Margaret Hodge: Higher education institutions themselves decide how to deploy the resources made available to them from the public purse. I understand some institutions have chosen to devote some of their share of the £1 billion science research investment fund to support new medical schools. Alongside this, the Department of Health has provided £4.25 million non-recurrent funding for NHS facilities to support research in the new medical schools in 2001–02, and is making arrangements to provide a further £9.25 million in 2002–03. From 2002–03 it is providing over £1 million in recurrent funding to mobilise NHS support for research at the schools. In addition, researchers at all medical schools and faculties of medicine are eligible to apply to the Medical Research Council for research funds. Awards are made according to their scientific quality and importance to human health.

PSA Targets

Mr. Willis: To ask the Secretary of State for Education and Skills if he will list each target set for schools in England and Wales for each year from 1997–98 to 2001–02, stating whether the target set was achieved, and where the target was not met, what actions were taken by the Department for Education and Skills. [76583]

Mr. Miliband: Information about progress on PSA targets was published in the Department's 2002 Departmental Report in June 2002.

Latest progress will be reported in the Department's 2002 Autumn Performance Report to be published for the first time in November 2002.

Recycling

Mr. Gareth Thomas: To ask the Secretary of State for Education and Skills what action she is taking to encourage schools to promote recycling; and if she will make a statement. [77215]

Mr. Stephen Twigg: Within the national curriculum, for example in Citizenship and geography, pupils learn about sustainable development, including the benefits of recycling.

Many schools are working in partnership with local authorities on recycling projects through Local Agenda 21, which is an action plan for achieving sustainable development at local and community level.

School Exclusions

Mr. Damian Green: To ask the Secretary of State for Education and Skills what powers she has to overturn the decision *(a)* to exclude a pupil and *(b)* to reinstate an excluded pupil; and what effect legislation enacted since 1997 has had on the powers of her office. [76778]

Mr. Stephen Twigg: The Secretary of State has no powers to overturn the decision to exclude a pupil and no powers to reinstate an excluded pupil. These matters fall to be determined at local level. In respect of exclusions and exclusion appeals legislation enacted since 1997 has not changed the powers of her office.

Mr. Maude: To ask the Secretary of State for Education and Skills how many children have been excluded from *(a)* state primary and *(b)* state secondary schools in West Sussex at each of the key stages, in each year since 1997. [76872]

Mr. Miliband: The available information is shown in the table. Information collected centrally on permanent exclusions does not record the Key Stage of the pupil; a breakdown of the figures by age is given as a proxy. Figures are not available centrally on fixed-term exclusions.

Maintained primary and secondary schools in West Sussex Local Education Authority: Number of permanent exclusions by age of pupils England 1996–97 to 2000–01[1]

	Age of pupils			
	6 and under	*7 to 10*	*11 and over*	*Total*
Primary schools[2]				
1996–97				
Number of permanent exclusions	10	8	2	20
Percentage of all permanent exclusions[3]	50.0	40.0	10.0	100.0
Percentage of school population[4]	0.04	0.02	0.09	0.03
1997–98				
Number of permanent exclusions	2	18	3	23
Percentage of all permanent exclusions[3]	8.7	78.3	13.0	100.0
Percentage of school population[4]	0.01	0.06	0.12	0.04
1998–99				
Number of permanent exclusions	6	24	3	33
Percentage of all permanent exclusions[3]	18.2	72.7	9.1	100.0
Percentage of school population[4]	0.02	0.07	0.12	0.05
1999–2000				
Number of permanent exclusions	5	21	4	30
Percentage of all permanent exclusions[3]	16.7	70.0	13.3	100.0
Percentage of school population[4]	0.02	0.06	0.14	0.05
2000–01[1]				
Number of permanent exclusions	7	27	7	41
Percentage of all permanent exclusions[3]	17.1	65.9	17.1	100.0
Percentage of school population[4]	0.03	0.08	0.27	0.07

	Age of pupils			
	11 to 13	*14 to 15*	*16 and over*	*Total*
Secondary schools[2]				
1996–97				
Number of permanent exclusions	49	72	1	122
Percentage of all permanent exclusions[3]	40.2	59.0	0.8	100.0
Percentage of school population[4]	0.24	0.47	0.02	0.30
1997–98				
Number of permanent exclusion	48	94	2	144
Percentage of all permanent exclusions[3]	33.3	65.3	1.4	100.0
Percentage of school population[4]	0.23	0.63	0.04	0.36
1998–99				
Number of permanent exclusions	50	68	2	120
Percentage of all permanent exclusions[3]	41.7	56.7	1.7	100.0
Percentage of school population[4]	0.24	0.45	0.04	0.30
1999–2000				
Number of permanent exclusions	39	58	0	97
Percentage of all permanent exclusions[3]	40.2	59.8	0.0	100.0
Percentage of school population[4]	0.18	0.39	0.00	0.23
2000–01[1]				
Number of permanent exclusions	80	58	0	138
Percentage of all permanent exclusions[3]	58.0	42.0	0.0	100.0
Percentage of school population[4]	0.35	0.38	0.00	0.32

[1] Permanent exclusions data for 2000–01 have been estimated as they are known to be incomplete.

[2] Includes middle schools as deemed.

[3] The number of permanent exclusions expressed as a percentage of the total number.

[4] The number of permanent exclusions expressed as a percentage of the number (headcount) of full and part-time pupils (excluding dually registered pupils in special schools) in January each year.

Source:
Annual Schools Census

School Milk

Mr. Jim Cunningham: To ask the Secretary of State for Education and Skills how many primary schools provide school milk; and what proposals she has to reintroduce it in all schools. [77009]

Mr. Stephen Twigg: My Department does not collect statistics on the provision of school milk. We do not have any plans to reintroduce free school milk, but the nutritional standards for school lunches, brought in April 2001, strongly recommend that drinking milk is available as an option every day.

Schools (Portsmouth)

Mr. Hancock: To ask the Secretary of State for Education and Skills how many *(a)* pupils, *(b)* teachers and *(c)* support staff there were in each school in the Portsmouth, South constituency at the end of the 2001–02 academic year; and if she will make a statement. [76789]

Mr. Miliband: The latest available information is shown in the table below. This gives numbers of pupils as published in the Primary and Secondary School Performance Tables for 2001. Otherwise, school level information is not routinely published.

Number of pupils on roll in schools[1] *in Portsmouth, South constituency*

Name of School on roll	*Number*
Maintained Primary schools with Key Stage 2 pupils	
Charles Dickens Junior School	205
Arundel Court Junior School	239
Cottage Grove Primary School	370
Langstone Junior School	335
Milton Park Junior School	209
Wimborne Junior School	338
Fernhurst Junior School	389
Meon Junior School	343
Craneswater Junior School	298
Newbridge Junior School	464
Somers Park Primary School	311
St. Jude's CofE Primary School	410
St. George's Beneficial CofE Voluntary Controlled Primary School	237
St. John's Cathedral Catholic Primary School	229

Number of pupils on roll in schools[1] *in Portsmouth, South constituency*

Name of School on roll	*Number*
Maintained Secondary Schools	
City of Portsmouth Girls' School	993
Priory School	1,271
St. Edmund's Catholic School	973
St. Luke's CofE VA Secondary School	799
Independent Schools	
Mayville High School	323
The Portsmouth Grammar School	1,321
Portsmouth High School	608
St. John's College	702
Special Schools	
East Shore School	60

[1] Includes schools which have pupils eligible for Key Stage 2 tests or pupils aged 15 and for whom results are published in the primary and secondary performance tables. The primary performance tables only include maintained primary schools with Key Stage 2 eligible pupils. Independent schools and infant schools are therefore excluded.

Source:
2001 Primary and Secondary Performance Tables

Secondary School Standards

Martin Linton: To ask the Secretary of State for Education and Skills what progress she has made in improving standards in secondary schools in *(a)* England and *(b)* Wandsworth. [77287]

Mr. Miliband: We are committed to raising standards significantly in secondary schools. That is why we have set challenging targets for raising pupil attainment at 14 and 16. The GCE results for Wandsworth are currently not available, though we know nationally that over 51 per cent of 16-year olds-have achieved five or more GCSEs or GNVQ equivalent. This is an increase of 4.9 percentage point from when targets were first introduced in 1997/98.

In the case of 14-year-olds, there has been an improvement nationally of 1 percentage point in English and mathematics, while in science the large gains made last year have been consolidated. Provisional data for Wandsworth suggest that the number of 14 year olds achieving the standard expected at the end of Key Stage 3 has risen by 4 percentage points in English, and 2 percentage points in maths and science. This is good news, and suggests that our Key Stage 3 strategy has made an early impact on raising pupil standards in the early years of secondary education.

Technology Paper III

Mrs. Browning: To ask the Secretary of State for Education and Skills what guidance was issued to schools this year in respect of changes to the Technology Paper III exam. [77646]

Mr. Miliband *[holding answer 28 October 2002]:* No such guidance was given by the Department. Guidance to schools on examination matters is the responsibility of the awarding body which offers the qualification.

Mrs. Browning: To ask the Secretary of State for Education and Skills what discussions his Department has had with the OCR Board in respect of this year's Technology Paper III. [77647]

Mr. Miliband *[holding answer 28 October 2002]:* The Department has had no such discussions. Examination contents and assessment are the responsibility of the awarding body which offers the qualification.

Top-up Fees

Mr. Edwards: To ask the Secretary of State for Education and Skills what discussions she has had with university vice chancellors and principals about the introduction of top-up fees; and which universities have informed her of their intention to introduce top-up fees. [77682]

Margaret Hodge: My right hon. Friend and I meet university vice chancellors and principals from time to time in the course of normal business. We discuss a range of issues, and a number have raised the issue of discretionary fees.

Mr. Berry: To ask the Secretary of State for Education and Skills what assessment he has made of the effect on access to higher education of the introduction of top-up fees. [77857]

Mr. Ainsworth: To ask the Secretary of State for Education and Skills (1) what evidence *(a)* from the UK and *(b)* from overseas she has assessed on the effect of top-up fees on levels of participation in higher education; [77750]

(2) what assessment she has made of the impact of top-up fees on improving access to higher education. [77751]

Margaret Hodge *[holding answer 28 October 2002]:* We have announced our intention to publish a strategy document setting out our vision for the development and reform of higher education, including the outcome of the review of student support. The document will be published shortly; it would not be appropriate to pre-empt that strategy at this stage.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Beef Special Premium Scheme

Mr. Steen: To ask the Secretary of State for Environment, Food and Rural Affairs on what basis penalties are applied to claims under the Beef Special Premium Scheme 2001; and whether these penalties are equally applied to farmers in other countries within the Common Agricultural Policy. [77526]

Alun Michael: The Integrated Administration Control System sets down the penalties to be applied to the 2001 Beef Special Premium Scheme. These penalties are detailed in Commission Regulation 3887/92 (as amended). This regulation applies equally in all member states and compliance with it is monitored closely by European Commission auditors.

Mr. Steen: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the appeal procedure regarding the Beef Special Premium Scheme in 2001; under what legislation it operates; and if she will list the names and legal qualifications of those who hear the appeals. [77527]

Alun Michael: There is not a formal appeal procedure for the 2001 Beef Special Premium Scheme. The Integrated Administrative and Control System Appeal Procedure, which was introduced on 1 April 2002, applies only to decisions made for the 2002 and subsequent scheme years. An internal customer complaints procedure is operated by the Rural Payments Agency, which is responsible for operating the scheme.

Mr. Steen: To ask the Secretary of State for Environment, Food and Rural Affairs how many appeals have been made regarding the Beef Special Premium Scheme 2001; and how many were *(a)* successful and *(b)* unsuccessful. [77529]

Alun Michael: There were 3,544 total refusals and 7,203 partial refusals of claims out of 102,495 which were submitted for Beef Special Premium Scheme 2001. Of these a small proportion have made representations to their rural payments agency processing site. A further 47 have made representations via their MP, and 55 have made customer complaints. In the majority of cases the original decision has been maintained because the European regulations governing the scheme do not allow for discretion to be applied where the conditions for claiming aid have not been met.

Breastfeeding

Lynne Jones: To ask the Secretary of State for Environment, Food and Rural Affairs what action she is taking in response to recommendations from the UN Committee on the Convention on the Rights of the Child on measures to promote breast feeding and adoption of the International Code for Marketing of breast milk substitutes. [76402]

Jacqui Smith: I have been asked to reply.

The Government are fully committed to the promotion of breastfeeding, which is accepted as the best form of nutrition for infants. Under the NHS Plan, we have a commitment for "increased support for breastfeeding". As part of the Government's commitment to reduce health inequalities and increase breastfeeding rates, particularly among disadvantaged groups, a target has been set to increase breastfeeding initiation rates by 2 percentage points through the NHS priorities and planning framework.

The Department has undertaken several strands of work in promoting breastfeeding and will be further developed in the context of the children's national service framework. A total of 79 "best breastfeeding practice" projects have been funded across all regions. The aim is to increase the rates of breastfeeding, both initiation and duration among the disadvantaged groups. This is a goal shared by all sure start initiatives and several health action zone programmes.

Other related Department activities include support for an annual National Breastfeeding Awareness Week, that aims to raise the awareness of breastfeeding through the NHS. The Department also has close links with the four main voluntary organisations involved in the promotion of breastfeeding and the UNICEF/ World Health Organisation baby friendly initiative. The Department also conducts research into breastfeeding through quinquennial infant feeding surveys.

Since 1981, the United Kingdom has publicly endorsed the International Code of Marketing of Breast-milk Substitutes and all the relevant resolutions passed at the World Health Assembly. The Infant Formula and Follow-on-Formula regulations came into force on 1 March 1995 and they implement the EC Directive 91/321/EEC, which embraces the principles of the WHO Code of Marketing of Breast-milk Substitutes 1981. The regulations place statutory restrictions on the composition, labelling, advertising and export of infant formulae. By implementing the Directive, the Government have taken seriously their responsibility to protect infant health and are at present revising the policy lines on infant feeding. We will be giving full consideration to the United Nations Committee's recommendations on promoting breastfeeding.

Broadband (Rural Areas)

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to encourage total roll-out of broadband in rural areas. [77848]

Alun Michael: The Government are setting up a new regional broadband unit, co-ordinated by the DTI. This unit will see a broadband expert located in each of the English regions and the devolved Administrations. The experts' role will be to help stimulate the rollout and take up of broadband, including in rural and remote areas. This is part of the Government's strategy to meet their target for the UK to have the most extensive and competitive broadband market in the G7 by 2005. Defra is working closely with DTI in taking the rural broadband agenda forward.

EC Water Framework Directive

Mr. Bryant: To ask the Secretary of State for Environment, Food and Rural Affairs what progress has been made in implementing the EC Water Framework Directive (2000/60/EC). [78378]

Mr. Morley: The Government have today published jointly with the National Assembly for Wales a Second Consultation Paper on the Implementation of the EC Water Framework Directive (2000/60/EC). This technical document, which is the second of three consultations, sets out how the Directive will be transposed into national legislation. I have placed copies of the paper in the House Libraries.

Flood and Coastal Defence

Mr. Bryant: To ask the Secretary of State for Environment, Food and Rural Affairs what recent reports she has received under her Department's high level targets for flood and coastal defence; and if she will make a statement. [78379]

Mr. Morley: During summer recess, we published three reports on the high level targets which are designed to assist in delivery of the Government's policy aims and objectives for flood and coastal defence. Copies were placed in the House Libraries. These reports relate to:
Target 2—Provision of flood warnings;
Target 10—Water Level Management Plans;
Target 12—Development and Flood Risk.
Target 2—Provision of Flood Warnings

This report follows the one published in May of this year and shows the following improvements since the last report was compiled: The percentage of flood warnings meeting target has risen by nearly 4 per cent. from 67.6 per cent. in April 2001 to 71.3 per cent. in April 2002.

The coverage of a direct flood warning system to properties in areas at risk of flooding has risen by 3 per cent. from 58 per cent. in April 2001 to 61 per cent. in April 2002. This is. an increase of some 57,000 properties. Since autumn 2000 a further 322,000 properties are covered by the flood warning arrangements.

Target 10—Water Level Management Plans

This report summarises the Agency's progress in developing and implementing Water Level Management Plans (WLMPs) on European sites.

Target 12—Development in Areas at Risk from Flooding

This is the first report published since PPG25 was introduced in July 2001 and is the starting point to consider whether these guidelines are working. PPG25 is due to be reviewed in 2004. Future reports will provide a clearer picture as the guidelines are embedded. In general, I am pleased to note that Environment Agency advice on flood risk developments is being accepted and followed by Local Planning Authorities (LPAs).

Fuel Poverty

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs how many *(a)* single pensioners, *(b)* older couples and *(c)* families with children are recognised as fuel poor; and what the figures were in each year since 1997. [77450]

Mr. Wilson: I have been asked to reply.

The numbers in fuel poverty in England in 1998 were published jointly by DTI and DEFRA in August 2001 and in the UK Fuel Poverty Strategy published in November 2001. They are available on the DTI website at:
http://www.dti.gov.uk/energy/consumers/fuel—poverty/1998estimates—england.pdf

It is estimated that in 1998 there were *(a)* 1.2 million households containing a single person over the age of 60, *(b)* 0.7 million households with older couples, and *(c)* 0.5 million households containing children in fuel poverty in England (based on income including Housing Benefit and Income Support for Mortgage Interest). When Housing Benefit and Income Support for Mortgage Interest are excluded from the definition of income, the figures become *(a)* 1.5 million households containing a single person over the age of 60, *(b)* 0.8 million households with older couples, and *(c)* 0.9 million households containing children in fuel poverty in England in 1998.

The 2001 English House Condition Survey will update this information and the information on the extent of fuel poverty in England generally. Results from this will be published in the update of the UK Fuel Poverty Strategy which should be published early in 2003.

Fuel poverty is a devolved matter and therefore it is for the respective Assemblies and Parliament to report on the situation in Wales, Northern Ireland and Scotland.

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what procedures are in place to monitor the number of *(a)* single pensioners, *(b)* older couples and *(c)* families with children who are fuel poor. [77451]

Mr. Wilson: I have been asked to reply.

The Government's Fuel Poverty Strategy was published in November 2001 and sets out the proposals for monitoring the numbers in fuel poverty.

The monitoring of progress in tackling fuel poverty will be taken forward in two ways. Firstly the actual number of households in fuel poverty will be monitored, in particular for vulnerable groups such as pensioner households and households with children. Secondly, progress on the factors that affect fuel poverty (income, fuel prices and housing) will be monitored. These factors are referred to as indicators of fuel poverty and they include background information on issues relevant to those in fuel poverty. Together these two approaches should enable progress on tackling fuel poverty to be monitored.

In England, the monitoring of the actual number of households in fuel poverty will be carried out using information collected through the English House Condition Survey. Fuel poverty is a devolved matter and therefore it is for the respective Assemblies and Parliament to report on the situation in Wales, Northern Ireland and Scotland.

Import Controls

Mr. Gummer: To ask the Secretary of State for Environment, Food and Rural Affairs what assistance she proposes to support local councils with the additional expense of the increased regulations relating to the testing of food of non-animal origin at ports of entry. [75919]

Ms Blears: I have been asked to reply.

I am advised by the Food Standards Agency that financing of import controls, including for the testing of food of non-animal origin, will be covered by a European Commission proposal for a regulation on official feed and food controls. This is expected in late November 2002. The Agency will consult on it with all its stakeholders. It will, in particular, work closely with local and port health authorities in considering the charging arrangements for import controls, including the option of full cost recovery.

Mr. Gummer: To ask the Secretary of State for Environment, Food and Rural Affairs what the cost was to the UK for each of the past five years of the inspection of imports of food of non-animal origin. [75923]

Ms Blears: I have been asked to reply.

I am advised by the Food Standards Agency that the information requested on the costs to the United Kingdom of inspection of food of non-animal origin is not held centrally. Local authorities have responsibility for the inspection of imports of food of non-animal origin.

Male Fish

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to the answer of 23April 2002, *Official Report*, column 133W, on male fish, if she will make a statement on the outcome of discussions with the Environment Agency and the water industry regarding gender change in male fish. [77374]

Mr. Meacher *[holding answer 28 October 2002]:* Officials from Defra, the Environment Agency, and the water industry met over the summer to discuss implications of the jointly funded research published by the Agency on 26 March for sewage treatment processes. It was agreed that a joint programme of work, now under way, was needed to:

assess the applicability of results from the 10 UK rivers previously addressed to the wider UK aquatic environment;

quantify the significance of endocrine disrupting pollution in UK rivers;

identify common factors between affected sites, such as key stretches of river, aquatic species, and major sewage treatment works (STW) implicated; and

investigate STW technologies, including cost-benefit assessments.

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to the answer of 23 April 2002, *Official Report*, columns 133–34W, on male fish, if she will publish the findings of research into endocrine disruption in marine life; and if she will make a statement. [77375]

Mr. Meacher *[holding answer 28 October 2002]:* A summary report of the 3-year research programme on endocrine disruption in the marine environment (EDMAR) is due to be published in November. I will place a copy of this and the full report of the programme in the House Library.

Some of the research outcomes from this programme, which was funded by DEFRA, the Environment Agency, the Scotland and Northern Ireland Forum for Environmental Research and the European Chemical Industry Association, have already been published in the scientific press and were presented at two seminars and in a series of newsletters.

The main achievements/findings of EDMAR are as follows:

the development of new methods for detecting endocrine disruption in marine fish and invertebrates;

evidence of a slight decrease in one biomarker of endocrine disruption (egg protein production in male flounder fish) at some sites;

signs of oestrogenic (feminising) endocrine disruption in blenny fish in some estuaries;

very slight effects on migratory trout and salmon, suggesting that endocrine disruption from exposure to oestrogenic contamination in estuaries is not widespread in these species; and

identification of natural and synthetic causal substances, the most important being natural and synthetic steroid hormones.

DEFRA will be discussing with other Government Departments and Agencies how to take forward the recommendations for further research resulting from the EDMAR programme.

Market and Coastal Towns

Mr. Steen: To ask the Secretary of State for Environment, Food and Rural Affairs (1) if she will make a statement on the funds made available by the Government for the Market and Coastal Towns initiative. [77531]

(2) when the Market and Coastal Towns initiative was established; what the criteria are for the awards given by this scheme; who decides how and to whom such funds should be allocated; and if she will list the grants made to whom and when they were made. [77532]

Alun Michael: As announced in the Rural White Paper, the Government made available £37million over three years for the revitalisation of small rural towns under the Market Towns initiative (referred to in the south west as the Market and Coastal Towns initiative). £32 million of this was channelled via the regional development agencies and £5 million via the Countryside agency.

It is for local town partnerships, using the Countryside agency's Healthcheck process, to draw up and agree action plans and for regional development agencies to approve individual projects. Detailed information on grants awarded is not collected centrally.

Organic Food

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what recent discussions she has had with the US Department of Agriculture over the US National Organic Programme and its implementation; [76252]

(2) what assessment she has made of the impact of the US National Organic Programme on UK organic *(a)* exports and *(b)* standards; [76253]

(3) what representations she has received in relation to the US National Organic Programme; and if she will make a statement. [76254]

Mr. Meacher *[holding answer 23 October 2002]:* The Department has been in close touch with the USDA since the submission last year of an application for a determination that UKROFS' standards meet the requirements of the NOP. The USDA has now written to UKROFS to confirm that it accepts the UKROFS control system as sufficient to secure conformity with the NOP. This means that the UK organic inspection bodies are able to certify product for the purposes of the NOP but it does not affect the standards required to be met by products sold as organic in the UK. The Department has also been in close touch with organic certifiers in the US to ensure that the introduction of the NOP does not invalidate authorisations previously issued to import US organic produce into the UK. Discussions are also taking place between the European Commission and the USDA to ensure that disruption to trade between the Community and the US is kept to a minimum. We have received a number of representations about the introduction of the NOP from the UK organic inspection bodies and from companies concerned about the effect of the NOP on their ability to export to the US.

Rural White Paper

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs how much of the

money available under Rural Transport Partnership was spent in 2001–02 and 2002–03 broken down by *(i)* date and (ii) county. [77083]

Alun Michael: The Rural Transport Partnership fund is administered by the Countryside Agency, which has supplied the following information for Defra. Funds are not allocated to specific geographic areas and the level of spend in each region is dependent on the applications approved. The allocation for 2001–02 of £6.89 million was overspent by £0.155 million. £10.35 million has been allocated for the whole period 2002–03. The spend until 24 October 2002 is £4.475 million. Figures at county level are not held centrally. The amount of money spent by region is shown in the table.

£

Region	*2001–02*	*2002–03*[1]
North East	639,282	453,994
North West	514,782	375,700
Yorkshire and the Humber	990,110	479,718
East Midlands	578,518	291,800
West Midlands	1,280,871	821,660
East of England	851,494	493,517
South East and London	1,185,032	731,916
South West	950,466	826,544

[1] Until 24 October

HEALTH

Children in Care

Mr. Hancock: To ask the Secretary of State for Health how many immigrant children have gone missing from social services care in each of the last five years; how many of these were suspected victims of trafficking; and if he will make a statement. [Transferred] [77331]

Jacqui Smith: Based on the information returned to the Department by local authorities, in 2000–01 the number of children that went missing from care for 24 hours or more was approximately 790. The majority of young people were missing for less than one week, while 2 per cent. were missing for over six months. Comparable data for previous years are unavailable, as prior to 2000–01, councils were only required to return data on children who were missing for more than seven days. Provisional data about missing from care episodes in 2001–02 will be available at the end of November 2002.

It is not possible to identify immigrant children from the above data. From 2002–03, councils will be returning statistics on unaccompanied asylum seekers. This information will be available in autumn 2003.

Mr. Waterson: To ask the Secretary of State for Health how many *(a)* chiropody and *(b)* podiatry new episodes of care per head of population there were in each of the NHS regions in each of the last three years. [76305]

Jacqui Smith: Information about the number of new chiropody/podiatry episodes of care per 1,000 population for 1999–2000 and 2000–01 by national health service region is shown in the following table.

NHS region	*1999–2000*	*2000–01*
England	17.3	16.6
Northern and Yorkshire	17.1	16.8
Trent	17.2	17.4
Eastern	10.0	10.7
London	18.3	16.3
South East	12.8	11.3
South West	21.0	21.3
West Midlands	19.3	19.5
North West	23.1	22.0

Source:
Form KT23, Department of Health, Statistics Division (SD3G)

From 1 April 2002 the NHS was reorganised with the establishment of strategic health authorities; the old health authorities and regional offices were abolished. Information about new chiropody episodes of care per 1,000 population is now available by Government Office regions for 2001–02 and is shown in the table.

Government Office Regions	*2001–02*
England	17.1
North East	16.9
North West	21.5
Yorkshire and Humber	17.6
East Midlands	16.9
West Midlands	20.5
East of England	12.2
London	17.6
South East	11.9
South West	20.2

Source:
Form KT23 Department of Health, Statistics Division (SD3G)

Further information about patient contacts with the chiropody service in England is available in the publication "Chiropody services: summary information for 2001–02, England". A copy is available in the Library and on the internet at www.doh.gov.uk/public/kt230102.

Biological Attack

Mr. Dalyell: To ask the Secretary of State for Health if he will make a statement on measures he has taken with regard to the availability of vaccines intended to protect the population against biological attack. [75386]

Mr. Hutton: The Department has contingency plans to deal with the deliberate release of a biological agent. These plans include stocks of antibiotics, antitoxins and vaccines, which can be mobilised rapidly. Specific details concerning vaccine stocks and their availability is not being made public as this information could be of use to terrorists.

Cancer Research

Gregory Barker: To ask the Secretary of State for Health how much money his Department has spent on research into *(a)* breast cancer, *(b)* lung cancer, *(c)* prostate cancer and *(d)* leukaemia for each year since 1997. [75792]

Ms Blears: It is not possible to give meaningful estimates of these figures, for two reasons. First, it is difficult to distinguish expenditure on research that is relevant to one particular tumour site from research on other or all cancers. Second, over 75 per cent. of the

Department's total expenditure on research, including that on cancer, are devolved to national health service and details of these figures are not collected centrally.

We are tackling both of these difficulties. The National Cancer Research Institute (NCRI) is developing a database of research funded by NCRI members. Research projects are being classified according to the "Common Scientific Outline" system drawn up by the National Cancer Institute in the United States of America. This will enable all NCRI members to use the same system for distinguishing expenditure on research that is relevant to one particular tumour site from research on other or all cancers.

The modernisation of the NHS research and development funding system should enable a significant proportion of funds that are currently devolved to the NHS to be entered on to the NCRI database and analysed in a similar way.

Cancer Services

Sue Doughty: To ask the Secretary of State for Health, how much money from the NHS Cancer Plan has been spent to date on cancer services. [75375]

Ms Blears: The Cancer Plan is being backed by a big increase in funding with an extra £407 million in 2002–03 compared with 2000–01. £76 million of this money was earmarked within national health service budgets for 2002–03 to ensure that investment gets through to the front line to be spent on the priorities for cancer services identified by doctors, nurses and other frontline staff. We are looking very closely at progress this year and Professor Mike Richards is working with chief executives of StHAs to ensure that the money gets through to cancer services and that Cancer Plan targets are met.

Gregory Barker: To ask the Secretary of State for Health what the totai cost of *(a)* prostate, *(b)* lung, *(c)* ovarian and *(d)* leukaemia cancer services was in each year since 1997. [75810]

Ms Blears: The Department does not collect figures on the cost of services provided by the national health service in a way that enables an accurate figure to be calculated for the cost of a particular disease. The cost of cancer care to the NHS has been estimated to be approximately 6 per cent. of hospital expenditure.

The Cancer Plan set out the Government's commitment that an extra £570 million would be made available for cancer services by 2003–04.

Care Homes (Closure)

Mr. Hancock: To ask the Secretary of State for Health what his estimate is of the *(a)* number of residential care homes that have closed and *(b)* number of residential care home beds lost in Portsmouth, South in each of the past five years for which figures are available; and if he will make a statement. [76489]

Jacqui Smith: Information is not available by constituency. The number of residential care homes and care home beds in Portsmouth unitary authority is shown in the table at 31 March for the years 1998 to 2001. Data for 2002 are not yet available.

Number of residential care homes and care home beds in Portsmouth unitary authority at 31 March, 1998 to 2001

As at 31 March	*Care homes*	*Care home beds*
1998	165	1,890
1999	165	1,850
2000	155	1,735
2001	140	1,595

Mrs. Brooke: To ask the Secretary of State for Health, if he will make a statement on the closure of care homes. [75363]

Jacqui Smith: Department of Health figures show that between 1997 and 2001 the most recent figures available the number of care homes in England reduced by only 640 or 2 per cent. My right hon. Friend the Secretary of State announced, on 23 July, an extra £1 billion for social services by 2006. Some of this money can be used to boost capacity in the care home sector.

Child Care Workers

Ann Winterton: To ask the Secretary for Health what steps he has taken to improve the vetting of child care workers. [75369]

Jacqui Smith: The Government are committed to improving safeguards for children. They have enacted a raft of new legislation over the last few years, including the Protection of Children Act 1999, the Criminal Justice and Court Services Act 2000 and the Care Standards Act 2000. Together these initiatives establish a coherent cross-sector scheme for identifying those people considered to be unsuitable to work with children. They also ensure that when such people have been identified they are prevented from gaining access to children through their work.

Children's Trusts

Mr. Burstow: To ask the Secretary of State for Health if he will make a statement on children's trusts. [76338]

Jacqui Smith: Children's trusts provide an opportunity for delivering better services and outcomes for children and families. They will be based in local councils with power for the first time to commission health and social care. They will enable local partners to jointly plan, commission, finance—and where it makes sense—deliver services for children by putting their needs at the centre of policy. The first pilot sites will start from April 2003 and we will be seeking expressions of interest in December.

Chinese Community

Mr. Dismore: To ask the Secretary of State for Health if he will make a statement on his action to support the care needs of older members of the Chinese community in London. [77630]

Jacqui Smith The national service framework (NSF) for older people provides local National Health Service bodies and councils with a template for raising the standards of health and social care and reducing inconsistency in access and service provision for all older people. The NSF and the ongoing project, *Developing services for minority ethnic older people,* provides specific guidance on how the needs of minority ethnic older people, including older Chinese people, can be effectively assessed and met.

Clinical Negligence

Bob Spink: To ask the Secretary of State for Health, what policies he has to reduce the human and financial costs of clinical mistakes in hospitals. [75374]

Mr. Lammy: We have established a broad programme of work specifically to address the important issue of patient safety and reduce unintended harm to patients.

The National Patient Safety Agency, established in July 2001, is a key part of this patient safety programme. The NPSA is already beginning to have an impact on the safety of national health service patient care. The agency will establish and run a new national reporting system to record adverse events and near misses in hospitals and primary care. It will promote a culture of reporting and learning so that lessons learnt in one part of the NHS are properly shared with the whole of the health service.

We are also targeting areas of known risk to patients. Work is under way on reducing medication errors, obstetrics errors and maladministered spinal injections. We have also commissioned a programme of research into aspects of patient safety which is under way at the University of Birmingham. [75374]

Community Involvement in NHS

Paul Goggins: To ask the Secretary of State for Health what plans he has to increase community involvement in the organisation and delivery of NHS services. [75380]

Mr. Lammy: The Department will introduce new systems to build the capacity of communities and hard-to-reach groups, so they can influence the way the national health service works.

A new national body—The Commission for Patient and Public Involvement in Health— will be established during next year. Patients' forums will be set up in every NHS trust and primary care trust, to directly involve many thousands of people in the organisation and delivery of NHS services. They will work in local communities to promote involvement in local decision-making processes by generating interest and empowering people to get involved.

In addition, the Department has launched the Community Engagement Learning Network, a major organisational development programme designed to help PCTs throughout England engage with communities, patients, the public and staff in renewing and improving health services.

Day Surgery in Hospitals

Michael Fabricant: To ask the Secretary of State for Health if he will make a statement on the future of day surgery in hospitals. [75378]

Mr. Hutton: Most patients prefer day surgery as it provides fast effective care and is the least disruptive to their lives. As part of the Day Surgery Strategy, we aim to make day surgery the usual way people have their planned operations not the exception, and increase to 75 per cent. the rate of elective operations undertaken as day cases. This is underpinned by £68 million that we are providing in 2002–03 and 2003–04 to improve access and deliver choice to patients in day surgery units.

Drugs-related Deaths

Mr. Laurence Robertson: To ask the Secretary of State for Health how many people have died as a result of *(a)* smoking, *(b)* alcohol and *(c)* drugs, in each of the last 10 years for which figures are available; and if he will make a statement. [77050]

Ms Blears: It is estimated that smoking causes 120,000 deaths in the United Kingdom each year[1].

Estimates of deaths from alcohol range between 5,000 and 40,000 per annum in England and Wales, reflecting the wide range of methods of calculation used in many studies. The trend data requested is not available.

The available information on drug-related deaths is shown in the table.

[1] *Source:*
The UK Smoking Epidemic: Deaths in 1995— health education authority (comparable figures are not available for other years).

Number of deaths related to drug misuse[1], England and Wales, 1993[2] to 2000

	1993	*1994*	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*
Deaths	864	1,002	1,100	1,247	1,302	1,459	1,568	1,662

[1] These data relate to deaths where the underlying cause of death is poisoning, drug abuse or drug dependence and where any of the substances controlled under the Misuse of Drugs Act (1971) are involved.

[2] Comparable data are not available for earlier years.

Source:

Death related to drug poisoning: England and Wales 1993–2000Health Statistics Quarterly 13, Spring 2002, Office for National Statistics;ONS database of drug-related poisonings. Available on the internet at http://www.statistics.gov.uk/downloads/theme health/HSQ13 v4.pdf

Lynne Jones: To ask the Secretary of State for Health how many drug related deaths were caused in the last five years by *(a)* heroin, *(b)* crack cocaine, *(c)* cocaine, *(d)* ecstasy, *(e)* cannabis, *(f)* alcohol, *(g)* solvents and *(h)* prescription drugs; and how many people have used NHS services to treat *(i)* addiction to and (ii) the adverse effects of using each of these drugs in each of the last five years. [76938]

Ms Blears: Information on deaths owing to substance abuse is shown in the table:

Numbers of deaths where selected substances were mentioned on the death certificate, England and Wales, 1996 to 2000

Drug	*1996*	*1997*	*1998*	*1999*	*2000*
(a) Heroin and Morphine	466	445	646	754	926
(b) and (c) Cocaine	19	39	66	88	80
(d) MDMA/ Ecstasy	16	12	16	26	36
(e) Cannabis	12	13	5	8	11

Note:
It should be noted that the figures provided are for the last five years available.
Source:
Death related to drug poisoning: England and Wales 1993–2000;Health Statistics Quarterly 13, Spring 2002, Office for National Statistics; ONS database of drug-related poisonings.

Estimates range that between 5,000 and 40,000 deaths per annum are caused by alcohol in England and Wales, reflecting the wide range of methods of calculation used in many studies: consequently the trend data requested are not available.

Information on deaths owing to volatile substance abuse is shown in the table:

Deaths Associated with Volatile Substance Abuse (VSA)

	1996	*1997*	*1998*	*1999*	*2000*
(g) VSA	78	78	80	75	64

Note:
It should be noted that the figures provided are for the last five years available.
Source:
Trends in death associated with Abuse of Volatile Substances, Report no.15, St. George's Hospital Medical School, June 2002.

Information on deaths through prescription drugs is not available centrally.

Up to March 2001, the number of drug users in treatment with drug misuse agencies and general practitioners was around 118,500. Over the two-year period from 1998–99 to 2000–01, there has been a 16 per cent. increase in the numbers of drug users accessing drug treatment services. National health service trusts provide the majority of medical treatment services, while the voluntary sector primarily provides rehabilitation services. The great majority of drug users, 87 per cent., were receiving treatment within NHS services.

Information is not available centrally as to how many people have used NHS services to treat the adverse effects of using drugs.

Food Labelling

Mr. Wiggin: To ask the Secretary of State for Health what plans he has to bring forward country of origin food labelling. [75387]

Ms Blears: Rules on origin labelling of food are set at European Union level. The Food Standards Agency has taken the lead in pressing for changes to improve the clarity and amount of information available to consumers particularly in relation to country of origin. In the meantime, the Agency has published advice to help enforcement authorities tackle misleading labelling.

General Practitioners (Recruitment)

Brian Cotter: To ask the Secretary of State for Health what plans he has to ensure that in areas where there is a shortage of general practitioners that extra funding will be provided to aid the recruitment process. [75364]

Mr. Hutton: Funding to aid general practitioner recruitment is targeted at primary care trusts classified as being in under doctored areas, on the basis of the number of general practitioner principals, or equivalents, per weighted head of the population. The list will be reviewed and updated periodically.

Health Care

Tim Loughton: To ask the Secretary of State for Health (1) what progress has been made with setting up assertive outreach and crisis intervention/home treatment teams for mental health services in West Sussex; [78169]

(2) what monies have been made available for the development of mental health services in West Sussex; and what monitoring has been carried out by his Department to see whether funds made available for the development of mental health services in West Sussex have been used for that purpose. [78168]

Ms Blears: The earmarked funding included in the allocation for 2002–03 for investment in mental health was £1.112 million. In addition to mandatory cost pressures, over £800,000 of this allocation has been used for the provision of specific mental health services across West Sussex. There has also been additional commissioning of services not provided locally, such as high secure placements, amounting to £0.5 million. Monitoring is undertaken by the strategic health authority through the annual delivery agreement it has with the primary care trusts.

West Sussex Health and Social Care National Health Service Trust is developing plans for outreach, crisis intervention and home treatment teams as part of its adult mental health services strategy. Work is also progressing on the development of a crisis resolution service in Adur, Arun and Worthing with a view to the services becoming operational in April 2003.

Health Inspectors (Imports)

Mr. Key: To ask the Secretary of State for Health how many health inspectors are available to check imports through the ports of *(a)* Southampton, *(b)* Bristol, *(c)* Portsmouth, *(d)* Poole, *(e)* Weymouth, *(f)* Bournemouth Airport and *(g)* Southampton Airport; and if he will make a statement. [72521]

Ms Blears *[holding answer 15 October 2002]:* I am advised by the Food Standards Agency that responsibility for employing environmental health

officers at airports and seaports rests with the local authorities which have responsibilities for port health work. The number of enforcement officers employed is determined by the local authorities. The numbers of such officers are not held centrally.

Health Service Finance

Mr. Hoban: To ask the Secretary of State for Health if he will make a statement on the allocation of responsibility between a primary care trust and a hospital trust in the event that the latter incurs a financial deficit. [78173]

Mr. Hutton: National health service trusts should ensure they do not incur a financial deficit. However, the underlying cause of a financial problem and the identification of any remedial action necessary needs to be handled jointly between primary care trusts and NHS trusts and managed overall by the strategic health authority.

Hospital Acquired Infection

Mr. Andrew Mitchell: To ask the Secretary of State for Health if he will make a statement on progress towards a reduction in hospital acquired infections. [75379]

Ms Blears: A number of actions are already under way to help reduce infections, and analysis of infection control returns shows improved performance over the last two years. However, further work is needed, and we are working with key stakeholders to develop a targeted action plan for health care associated infection as part of our strategy to combat infectious diseases.

Indebtedness

Mr. Gray: To ask the Secretary of State for Health, what the level is of indebtedness of the North Wiltshire and Kennett PCT. [75357]

Ms Blears: Kennett and North Wiltshire Primary Care Trust started the current financial year with a range of financial pressures. These included the distribution of the liabilities of the former Wiltshire Health Authority, the share of underlying recurring deficits in providers within the strategic health authority area and a range of other cost pressures including primary care prescribing. As part of the assistance received from the NHS Bank, following the application by the Avon, Gloucestershire and Wiltshire Strategic Health Authority, the trust was allocated the second highest share of any organisation in the health authority area. The health authority will work with the trust in developing a three year recovery plan to address the underlying shortfall.

Integration of Health and Social Services

Roger Casale: To ask the Secretary of State for Health, what further steps he intends to take to promote the integration of health and social services. [75367]

Jacqui Smith: The Government intend to continue to support the integration of health services, with not only social services but all health-related functions of councils.

This month the Department of Health, working with the Office of the Deputy Prime Minister, will launch a new network to further support and promote joint working.

We have also recently announced our intention to pilot Children's Trusts. We expect as a minimum that these will bring together services from health, education and social care to deliver better co-ordinated services for children and their parents.

Kava-kava

Mr. Heald: To ask the Secretary of State for Health (1) when he intends to publish the conclusions of the Medicines Control Agency's consultation, MLX286, on the herbal ingredient kava-kava in unlicensed medicines; [78166]

(2) if he will make a statement on the Medicines Control Agency's consultation MLX 286 on the herbal ingredient kava-kava (piper methysticum) in unlicensed medicines; [78165]

(3) which herbal interest groups and organisations are participating in the voluntary agreement to withdraw products containing kava-kava from sale in the United Kingdom; how many have not agreed to the voluntary agreement; and if he will list the reasons his Department has received from such organisations for not participating; [78164]

(4) what discussions he has held with *(a)* the Medicines Control Agency and *(b)* the Food Standards Agency with regards to the proposals to prohibit the sale of products containing kava-kava in the United Kingdom; [78163]

(5) if he will make a statement on his position regarding the sale and use of the herbal ingredient kava-kava in herbal remedies and food products; [78160]

(6) what representations he has received from herbal interest groups with regards to the *(a)* voluntary agreement to withdraw the ingredient kava-kava from unlicensed medicines and food products and *(b)* the proposals to prohibit the herbal ingredient kava-kava in unlicensed medicines and food products; [78161]

(7) whether products containing the herbal ingredient kava-kava sold in the United Kingdom are comparable with such products sold in Germany. [78162]

Ms Blears: Following initial advice from the Committee on Safety of Medicines in December 2001 as to public health risk associated with medicines containing Kava-kava, a voluntary agreement between the Medicines Control Agency (MCA) and the herbal sector to withdraw from sale medicinal products containing Kava-kava took effect at the beginning of 2002. In July the Committee on Safety of Medicines (CSM) gave further advice, that there was evidence that in rare cases Kava-kava was associated with hepatotoxicity, which may be serious in nature. The CSM made the provisional recommendation that use of the plant should be prohibited in unlicensed medicines. The Government considered that advice and asked the Medicines Control Agency to consult on proposals to prohibit the sale, supply or importation of unlicensed

medicinal products consisting of, or containing, Kava-kava except those for external use only. The proposals were set out in consultation letter MIX 286.

The consultation period has now ended and the Government have requested further advice on this issue, taking account of the responses to consultation, from the independent advisory committee, the Committee on Safety of Medicines. In addition, in accordance with the statutory procedure under section 62 of the Medicines Act 1968, the consultation responses have been referred to the Medicines Commission, who will report their findings and conclusions to Ministers. The Government will make an announcement once it has considered this advice and the Commission's report.

During the consultation period around 50 responses were received, with a majority of those commenting supporting the proposal. A number of the responses from the herbal sector advocated alternative options, in particular the continued availability of Kava-kava with voluntary inclusion of warning information for the purchaser or the continued availability of Kava but subject to restrictions, for example as to strength.

Over 20 representative organisations in the herbal sector or individual companies have at various stages notified the MCA of their participation in the voluntary agreement. In the period preceding the CSM's further advice in July, the MCA was aware that one company had withdrawn from the agreement on the basis of its view that there was insufficient evidence of risk to the public from Kava-kava to justify the withdrawal of the product, although it subsequently resumed participation. The current position is that the MCA is not aware of any relevant representative groups or organisations that have advised their members not to participate in the agreement. However, the national association of health stores notified the MCA at the end of July of their position that it was a matter for individual shops to check with their insurance companies to establish whether cover would remain in force.

The MCA has received a wide range of oral or written representations and views from the herbal sector relating to the voluntary agreement. The main points made by various parties have included: support for the agreement pending a decision on the future regulatory status of Kava-kava; disagreement or doubt that the strength of evidence of risk justified the agreement or its continuation; requests for an early decision about any regulatory action in order to resolve the position; and concerns over whether all parties were implementing or abiding by the agreement.

As herbal remedies may be supplied under section 12 of the Medicines Act 1968 without a marketing authorisation or any other form of notification to the MCA, a comprehensive record of Kava-kava products on the United Kingdom's market is not available. The MCA therefore requested information from the herbal sector about unlicensed remedies containing Kava-kava which had been on the market prior to the voluntary agreement. The information provided was insufficiently comprehensive to enable a detailed comparison with products on the German market. However, products listed by the herbal sector included ones similar to those sold in Germany, such as standardised extracts providing a daily dose of between 120 and 210 mg of kavalactones.

In relation to the position on food, since December 2001 the Food Standards Agency (FSA) has been advising against consumption of foods containing Kava-kava and encouraging industry to voluntarily withdraw these products from the market. In July 2002, acting on the advice of the chairman of the committee on toxicity of chemicals in food, consumer products and the environment (COT), the FSA initiated a consultation on proposals which would prohibit the use and import of Kava-kava in foods. The consultation period has now ended and the FSA is considering the responses. Around 30 written responses have been received from a range of interested parties with roughly equal numbers supporting and opposing the proposals.

My right hon. Friend the Secretary of State for Health has had no discussions with the FSA on this matter. The FSA has no additional information to that outlined above on compliance with the voluntary withdrawal. The FSA does not hold information on the range of food products containing Kava-kava available on the German market.

Merging NHS Trusts

19 **Mr. Ben Chapman:** To ask the Secretary of State for Health if he will make a statement on the merging of NHS trusts; [75370]

26 **Mr. Burnett:** To ask the Secretary of State for Health if he will make a statement on his policy for merging acute NHS trusts. [75377]

Mr. Hutton: Ministers will agree to proposals from national health service trusts to merge only if we are persuaded that such a merger is in patients' interests through supporting the delivery of the targets set out in the NHS plan.

Ambulance Services

20 **Tom Brake:** To ask the Secretary of State for Health what assessment he has made of the progress of ambulance trusts in meeting response time targets. [75371]

Mr. Lammy: The goal for ambulance service national health service trusts of reaching 75 per cent. of category A calls within eight minutes is more challenging for some than for others, but the Government remain determined that they all should meet it. While there is more to be done, the ambulance service nationally has made significant progress in recent years—in 1996 only one trust performed at the level indicated by current targets.

Strategic health authorities are responsible for managing the performance of ambulance trusts. Any trust not meeting its response time targets is required to produce a recovery plan in conjunction with their strategic health authority.

Bed Blocking

21 **Richard Younger-Ross:** To ask the Secretary of State for Health when he expects to produce final guidance on the proposed fine system to tackle bed blocking. [75372]

Jacqui Smith: We intend to bring legislation forward as soon as possible, including guidance to the national health service and social care about how the system of reimbursement will be administered, in relation to delayed transfers of care.

Mental Health

22 **Dr. Pugh:** To ask the Secretary of State for Health what plans the Government have to increase the number of mental health beds in the NHS. [75373]

Jacqui Smith: Extra central investment enabled the creation of over 500 additional secure beds and 320 24-hour staffed beds by April 2001. There are also NHS plan commitments, which we expect to achieve, to develop 200 long-term secure mental health beds and 140 beds for dangerous people with severe personality disorder by 2004. The main thrust of our policy, however, is to develop community services that can safely treat most mental health patients without hospital admission.

Dentists

30 **Dr. Iddon:** To ask the Secretary of State for Health what incentives are available to attract NHS dentists to work in areas of shortage. [75381]

Mr. Lammy: The Government are committed to modernising national health service dentistry. Over the three year period 2000–01 to 2002–03 over £125 million has been made available to the NHS to improve local services. In addition we introduced a scheme in April 1999 to encourage dentists to increase their NHS commitment.

Working with the profession and other stakeholders, the Department, through its Modernisation Agency, is planning shortly to test new models of providing NHS oral health care through the Options for Change programme, building on the learning already available from the personal dental services pilot projects.

Hemel Hempstead General Hospital

31 **Mr. McWalter:** To ask the Secretary of State for Health what steps he is taking to ensure that financial considerations do not impede the restoration of maternity and paediatric services to Hemel Hempstead General Hospital. [75382]

Mr. Lammy: Bedfordshire and Hertfordshire strategic health authority has agreed with St. Albans Primary Care Trust and Dacorum Primary Care Trust that it will find the necessary funds during this financial year to establish and support the most appropriate model of care at Hemel Hempstead General Hospital. Further discussions are in progress about funding for next year.

Acute Services (East Kent)

32 **Hugh Robertson:** To ask the Secretary of State for Health what progress is being made with the review of acute hospital services in east Kent. [75383]

Ms Blears: A judicial review of the consultation process undertaken to reach the recommendation on the reconfiguration, of acute services in east Kent is to begin in November. Ministers will need to wait for the legal process to be concluded.

Mental Health Bill

Miss McIntosh: To ask the Secretary of State for Health what recent representations he has received concerning the Mental Health Bill; and if he will make a statement. [76687]

Jacqui Smith: The Government published a draft Mental Health Bill and consultation document on 25 June. The consultation period ran for 12 weeks and ended on 16 September. We have received over 1,900 formal responses including letters from the public and hon. Members about issues raised in the Bill.

Mental Health Care (Salisbury)

Mr. Key: To ask the Secretary of State for Health if he will list the staff by grade and specialty in *(a)* the elderly care team, *(b)* the city team, *(c)* the rural team and *(d)* other categories in the Salisbury Mental Health Care team; and who funds each person. [77315]

Ms Blears: The information requested is not available centrally.

Mesothelioma Cancer

Mr. Clapham: To ask the Secretary of State for Health what assessment he has made of current available treatments for mesothelioma cancer; and if he will make a statement. [75388]

Ms Blears: A clinical guideline on mesothelioma cancer is being considered by the Department for referral to the National Institute for Clinical Excellence. This would consider how mesothelioma should be diagnosed and managed.

National Service Frameworks

Dr. Richard Taylor: To ask the Secretary of State for Health if he will make a statement about the topics that are under consideration for future National Service Frameworks in the Health Service; and how they are selected. [76246]

Jacqui Smith: The national service framework (NSF) programme currently includes frameworks for mental health (1999), coronary heart disease (2000) the [national] Cancer Plan (2000), older people (2001) and diabetes standards (2001). The diabetes NSF delivery strategy is due later this year. Work is in hand on national service frameworks for renal services, childrens services and long term conditions. These frameworks amount to a significant programme of quality improvement across the national health service. We have no plans to amend the programme at present. The criteria for selection are set out in "A First Class Service".

Neuroscience Services

Mr. Burstow: To ask the Secretary of State for Health if he will make a statement on the future of regional specialist commissioning groups in respect of neuroscience services. [77005]

Mr. Hutton: The future of regional specialised commissioning groups is being considered as part of the consultation on commissioning arrangements for specialised services for which responses are still coming in. I will be considering the responses and expect to reach conclusions on the way forward by the turn of the year.

Nursing and Midwifery Council

Malcolm Bruce: To ask the Secretary of State for Health if he will make a statement on difficulties experienced by the Nursing and Midwifery Council in dealing with applications. [75366]

Mr. Hutton: The Nursing and Midwifery Council (NMC) was established on 1 April 2002 and inherited from its predecessor the United Kingdom Central Council its resources, systems and processes for the registration of nurses, midwives and health visitors.

Its establishment coincided with the installation of a new information technology system commissioned by its predecessor which has resulted in a backlog in dealing with new applications.

The NMC has taken action to resolve the issues including improving communications, targeting resources to tackle the backlogs and undertaking a review of systems and processes. I am advised that the NMC has cleared the backlogs in the UK applications and is continuing to target resources at registration applications from those qualified overseas.

Nursing Homes

Mr. Drew: To ask the Secretary of State for Health if he will make a statement on the position of elderly residents who are obliged to seek alternative accommodation when nursing homes seek to re-register under a different status. [77987]

Jacqui Smith: If a care home is de-registered, councils should re-assess the needs of the home's supported residents for whom they are responsible to determine the best course of action, which may involve moving residents to another registered care home. In similar circumstances, self-funding residents may turn to councils for information and advice. Where self-funding residents cannot make their own arrangements, councils may make alternative arrangements for them under section 21 of the National Assistance Act 1948. When care homes are de-registered, there should be prior consultation with all relevant parties, including the residents and their families.

Older People's Taskforce

Mr. Burstow: To ask the Secretary of State for Health, pursuant to his answer of 16 October 2002, *Official Report*, column 872W, on the older people's task force, if he will set out the reasons for each of the former members of the task force being replaced with new appointees. [76574]

Jacqui Smith *[holding answer 22 October 2002]*: Mr. Harry Cayton resigned on taking up his post as Director of Patient Experience and Public Involvement at the Department.

Dr. Peter Melton, Mr. David Panter, Mrs. Beth Taylor and Mr. David White stepped down because of other pressing work commitments.

Mr. Chai Patel stepped down because he was no longer the owner of Westminster Healthcare and no longer had a direct interest in older people's services that qualified him to serve on the older people's task force.

Public Health Laboratory Service

Mr. Burstow: To ask the Secretary of State for Health, if he will make a statement on the proposed changes to the Public Health Laboratory Services. [75366]

Ms Blears: We propose that many of the functions of the Public Health Laboratory Service should be incorporated into the proposed Health Protection Agency. The remaining functions—the laboratories predominately undertaking diagnostic microbiology services—will transfer to the management of local national health service trust by 1 April 2003.

Radiotherapy Waiting Times

Gregory Barker: To ask the Secretary of State for Health, what the latest waiting times are for post-operative radiotherapy treatment; and if he will make a statement. [75385]

Ms Blears: Waiting times for radiotherapy treatment are not collected centrally. In order to tackle radiotherapy waiting times, we are making unprecedented investment in new radiotherapy facilities, streamlining care processes through the cancer services collaborative and working to best utilise the current work force and to increase the number of staff in post and in training.

Smoking

Dr. Evan Harris: To ask the Secretary of State for Health if he will list the smoking percentage rates among women during pregnancy in each year since 1990 in *(a)* England and *(b)* each NHS region. [75638]

Jacqui Smith: Information on smoking in pregnancy is obtained from the infant feeding survey, which is carried out every five years; the most recent survey was in 2000. The results are not analysed by national health service region. The available information is given in the tables.

Table 1. Proportion of women who smoked throughout pregnancy/England, 1990,1995, and 2000

Percentage

Smoking prevalence	*1990*[1]	*1995*[2]	*2002*[2]
Smoked during pregnancy	28	23	19
Base number	5,413	4,956	[3] 4,921

Notes:
1. Data for 1990 relate to Great Britain.

2. The results from the 1995 and 2000 surveys are not directly comparable, since some of the smoking questions on the questionnaire were revised in 2000 to improve the reliability of the results.

3. The base for 2000 excludes 200 mothers who did not supply sufficient information for their smoking status to be classified.

Sources:

OPCS Infant feeding survey 1990, ONS Infant feeding survey 1995, and BMRB Infant feeding survey 2000. The latter is available from the internet at http://www.doh.qov.uk/pdfs/infantreport2000.pdf

Table 2. Proportion of women who smoked throughout pregnancy, by region, England and Wales, 2000

Region	*Percentage*	*Base number*
London and South East	15	1,809
South West and Wales	21	784
Midlands and East Anglia	21	984
North	23	1,625
England and Wales	19	[1,2] 5,225

Notes:

1. 216 mothers who did not supply sufficient information for their smoking status to be classified have been excluded.

2. 23 mothers who did not supply information for their region to be classified have been excluded from the regional breakdown.

Source:

(Derived from) BMRB Infant feeding survey 2000. The published report is available from the internet at http://www.doh.qov.uk/pdfs/infantreport2000.pdf

Treatment for the Blind and Partially Sighted

Mr. Cameron: To ask the Secretary of State for Health, what steps he is taking to improve treatment for the blind and partially sighted. [75376]

Jacqui Smith: We have set a new target for the national health service to improve diabetic retinopathy screening. We have invested £20 million to modernise cataract services. At the same time, the Royal National Institute for the Blind is working with us to develop a resource pack for implementation of the Older People's National Service Framework. The National Institute for Clinical Excellence are also carrying out an appraisal of photodynamic therapy.

Waiting Times (A&E)

Mr. Stunell: To ask the Secretary of State for Health if he will make a statement on waiting times in accident and emergency departments. [75384]

Mr. Lammy: Long waits in accident and emergency are not acceptable and improving patients' experience of emergency care is a Government priority.

The NHS Plan set the target to reduce the maximum wait in accident and emergency (A&E) from arrival to admission, transfer or discharge to four hours or less by 2004. By the time of the first milestone in March 2002, 77 per cent, of all patients attending A&E in England spent four hours or less in A&E. This slightly exceeded the milestone which was set at 75 per cent.

Wythenshawe Hospital

Helen Jones: To ask the Secretary of State for Health, if he will list the number of contacts his Department has had with *(a)* Wythenshawe Hospital and *(b)* Greater Manchester health authority concerning the case of Mr. Stanley Ford and list, in each case, the date and nature of contact. [76641]

Jacqui Smith *[holding answer 24 October 2002]:* Officials have been in contact with South Manchester University Hospitals National Health Service Trust and Greater Manchester Strategic Health Authority on a number of occasions since my hon. Friend first raised her constituent's case in five parliamentary questions last July. These approaches have been by letter, telephone and e-mail and not all were individually recorded.

Helen Jones: To ask the Secretary of State for Health what investigations have taken place into hygiene standards at Wythenshawe Hospital following the outbreaks of MRSA in May and June. [76643]

Jacqui Smith *[holding answer 24 October 2002]:* Several meetings took place, attended by all relevant staff, including a consultant microbiologist and an infection control nurse. The trust's cleaning contractor was given instructions about additional cleaning requirements, with which it has complied. These enhanced cleaning measures are continuing to be monitored.

Helen Jones: To ask the Secretary of State for Health if he will make a statement on the reasons why Wythenshawe Hospital was short of theatre staff on 22 March; how many staff were missing; what post each of them held; and, in each case, what the reason for absence was. [76645]

Jacqui Smith: *[holding answer 24 October 2002]:* On 22 March, five of the 20 nursing staff were on sick leave, although four colleagues worked overtime to compensate for their absence. It was as a result of an emergency admission going to theatre at 14:35 hours that my hon. Friend's constituent had to have his operation cancelled.

Helen Jones: To ask the Secretary of State for Health, if he will investigate the procedures adopted by *(a)* Wythenshawe Hospital and *(b)* the Greater Manchester health authority when dealing with complaints about the treatment of Mr S. Ford of Warrington; and if he will make a statement. [76647]

Jacqui Smith *[holding answer 24 October 2002]:* At the request of the national health service chief executive, the director of health & social care—North has reviewed Mr. Ford's case and the handling of subsequent complaints by South Manchester University Hospitals NHS Trust and Greater Manchester Strategic Health Authority. The director wrote to my hon. Friend on 18 September with his findings.

FOREIGN AND COMMONWEALTH OFFICE

Amina Lawal

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a further statement on Amina Lawal. [76991]

Mr. MacShane *[holding answer 28 October 2002]:* I refer my hon. Friend to the reply given by my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs to the right hon. Member for Devizes (Mr. Ancram) on 23 October 2002, *Official Report*, column 363W.

Arms Sales (Israel)

Mr. Sheerman: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement regarding the sale of arms to Israel. [77510]

Mr. Mike O'Brien: The UK arms trade with Israel is tiny. All relevant export licence applications are rigorously assessed on a case by case basis against the consolidated EU and national arms export licensing criteria, taking account of the circumstances prevailing at the time and other relevant announced Government policies. Our criteria clearly set out our commitment to take account of the risk that exports might be used for internal repression or external aggression. The outbreak of the intifada, continued Israeli incursions in the occupied territories and the Israeli breach of its assurance that UK originated equipment would not be used in the occupied territories have all been factored in to the Government's current export licensing policy.

Bali

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs how many consular officials there are in Bali. [77366]

Mr. Mike O'Brien: On 26 October there were 25 British officials (14 in the consular support team and 11 police family liaison officers) in Bali offering help and advice to those affected by the terrorist attack on 12 October. They are working alongside British-funded counsellors. We continue to monitor staffing requirements in Bali closely and will send more personnel as needed. A consular team will remain in Bali for at least the next three months.

Beef Supplies

Annabelle Ewing: To ask the Secretary of State for Foreign and Commonwealth Affairs what percentage of the beef supply contracts for the Foreign and Commonwealth Office and its agencies are sourced from Scottish herds. [76813]

Mr. MacShane *[holding answer 24 October 2002]:* The FCO welcomes competitive offers of beef sourced from Scottish herds.

Bishkek Summit

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs what representatives from his Department will attend the Bishkek Global Mountain summit from 29 October to 1 November 2004. [77796]

Mr. MacShane *[holding answer 28 October 2002]:* UK input will come from DFID staff based in Bishkek, who will be attending as observers.

Catherine Meyer

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the meeting between Baroness Amos and the hon. Member for Leicester, East concerning Catherine Meyer. [77367]

Mr. Mike O'Brien: My noble Friend the Baroness Amos and my hon. Friend the Parliamentary Secretary, Lord Chancellor's Department (Rosie Winterton) held a joint Ministerial meeting with my hon. Friend the Member for Leicester, East (Keith Vaz) and Lady Meyer, at the Foreign and Commonwealth Office on 22 October 2002, to discuss Lady Meyer's consular case. A number of action points were agreed.

Cuba

Mr. Laurence Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Government of Cuba regarding the incarceration and treatment of Juan Carlos Gonzalez Leiva; and if he will make a statement. [77053]

Mr. Mike O'Brien: Our Embassy in Havana raised Mr. Leiva's case last May with the Cuban Foreign Ministry. My noble Friend Baroness Amos raised human rights issues with the Cuban Vice-Foreign Minister during her visit to Havana in June.

Democratic Republic of Congo

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the claims in the UN's Panel of Experts report on the Illegal Exploitation of Natural Resources in the Democratic Republic of Congo that British Aerospace spare parts for Zimbabwe Defence Force Hawk jets were supplied to the DRC early in 2002 in breach of European Union sanctions on Zimbabwe; what information he has on the role *(a)* Mr. John Bredenkamp, *(b)* the Aviation Consultancy Services Company and *(c)* other individuals or companies played in mediating those deals; who granted the export licences; and if he will make a statement. [77983]

Mr. Straw: We are looking into the UN panel report. We take seriously any allegation that the UK or EU arms embargoes on Zimbabwe may have been circumvented. Any action in the UK would be a matter for the relevant authorities. We are aware of allegations of past arms dealing activities by Mr. John Bredenkamp. I am unable to provide the precise information requested by the right hon. Member under Exemption 1 of the Code of Practice on Access to Government Information.

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has received concerning claims made in the UN's Panel of Experts report on the Illegal Exploitation of Natural Resources in the Democratic Republic of Congo that Aviation Consultancy Services Company represents British Aerospace; and if he will make a statement. [77984]

Mr. Straw: We are looking very closely at all allegations made in the report. Any alleged connexion between ACS and British Aerospace is a matter for British Aerospace.

Diego Garcia

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what arrangements are in place to permit United States military forces to use the air base in Diego Garcia; and what consultations have taken place with the Ilois islanders from Diego Garcia over military use of their islands. [76216]

Mr. Mike O'Brien: HMG have entered into a series of bilateral agreements with the United States which allows the territory to remain available for the defence needs of the two countries for an initial period of 50 years. These agreements also deal with the establishment and functioning of a US defence facility on Diego Garcia. There have been no consultations on the military use of the islands.

Exports (Iraq)

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the military exports to Iraq authorised for export since 17 March 1988. [75946]

Nigel Griffiths: I have been asked to reply.

Details of all military exports to Iraq authorised since 2 May 1997 are published in the Government's Annual Reports on Strategic Export Controls. Copies of the 1997, 1998, 1999, 2000 and 2001 Annual Reports are available in the Libraries of the House.

For details of military exports to Iraq authorised between 1 January 2002 and 1 October 2002, I refer my hon. Friend to the reply from my right hon. Friend the Member for Neath (Mr. Hain) to my hon. Friend the Member for Coventry, North-West (Mr. Robinson) on 21 January 2002, *Official Report*, columns 578–579W, and to the replies from my hon. Friend the Member for Rotherham (Mr. MacShane) to my hon. Friends the Member for Birmingham, Perry Barr (Mr. Mahmood) on 18 June 2002, *Official Report*, columns 296–297W, and the Member for Lancaster and Wyre (Mr. Dawson) on 16 October 2002, *Official Report*, column 833W.

Friends of Scotland

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the events supported by UK embassies to promote the Friends of Scotland initiative in the past year. [77207]

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the events held in UK embassies to promote the Friends of Scotland initiative in the past year. [77206]

Mr. Straw: Diplomatic posts have hosted or supported the following events for the Friends of Scotland initiative:

22 January 2002--British Chamber of Commerce lunch in Hong Kong

23 January 2002--A business lunch in Guangzhou, China

25 January 2002--A lunch with the St Andrew's Society of Selangor,

Kuala Lumpur, Malaysia

17 June 2002--A reception in Halifax, Nova Scotia

25 June 2002--A lunch in Amsterdam

14 October 2002 reception in Sydney, Australia

17 October 2002--A reception in Wellington, New Zealand

18 October 2002—A reception in Dunedin, New Zealand

20 October 2002-A- reception in Singapore

The Advocate General for Scotland gave an address at the event on 17 June. My right hon. Friend the Secretary of State for Scotland gave an address at each of the events in January and October.

India

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations his Department has made to the Indian authorities in the last six months concerning the case of Professor Davinder Singh Bhullar. [77949]

Mr. Straw: My Department has made no representations in the last six months concerning Davinder Singh Bhullar, but we are aware of his case. We understand that a final decision on Mr. Bhullar's appeal to the Indian Supreme Court is still awaited. Our High Commission in New Delhi will continue to follow the case along with EU partners.

Mr. Michael Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what representations have been made by Her Majesty's Government encouraging the Indian Government to grant access in the Punjab to the UN Special Rapporteur on Torture; [77950]

(2) what representations his Department has made to the Indian authorities with regard to encouraging the granting of access to the Punjab by international human rights groups. [77951]

Mr. Straw: We have made official level representations to the Government of India for greater general access to India of UN Special Rapporteurs and international human rights NGOs, although not specifically for their access to Punjab.

We continue to encourage the Indian Government to ratify the UN Convention against Torture (CAT). My hon. Friend the Member for North Warwickshire (Mr. Mike O'Brien) most recently discussed this and a number of other human rights issues during his visit to India on 17 October.

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions *(a)* he and *(b)* other Ministers have had with the authorities in India about the use of and removal of land mines in that country. [77952]

Mr. Straw: I refer the right hon. Member to the answer given by my hon. Friend the Member for North Warwickshire (Mr. O'Brien) to my hon. Friend the Member for Ealing, North (Mr. Pound) on 25 June 2002, *Official Report*, column 791W. This remains our position.

I warmly welcome the recent announcements of the Indian and Pakistani Governments to withdraw forces from their international border. I hope that further such de-escalatory measures by India and Pakistan will continue to reduce the regional tensions, and pave the way for a resumption of dialogue over Kashmir.

Iraq

Mr. Wiggin: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Syrian Government on potential British and US military intervention in Iraq; and what the policy of the Government of Syria is on the issue. [77023]

Mr. Mike O'Brien: I met the Syrian Ambassador on 26 September. UK and Syrian officials in both London and Damascus meet regularly to discuss a range of issues, including Iraq. There is also frequent contact between our officials at regular UN meetings in New York on Iraq. The Syrian Government's stated policy is to work for a peaceful resolution of the Iraqi issue. Syria has called both for Iraq to comply with its UN obligations and for the immediate return of UN weapons inspectors to Iraq.

Jordan

Mr. Wiggin: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans there are for the British Government to request the use of Jordanian airspace and territory for the use of their planes and ground forces for military intervention in Iraq. [77022]

Mr. Hoon: I have been asked to reply.

No decision regarding the commitment of United Kingdom armed forces to any potential conflict in Iraq has yet been taken. Military action is neither imminent nor inevitable. It is not helpful to speculate on the sort of assistance we might seek from states in the region in the event that military action became necessary.

Nigeria

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs how many hon. Members have made representations to him on the subject of alleged human rights abuses in Nigeria. [76990]

Mr. MacShane *[holding answer 28 October 2002]:* During the last two months the Foreign and Commonwealth Office has received more than 70 letters from hon. Members on human rights abuses in Nigeria. The majority of the correspondence has been about Amina Lawal, sentenced to death by stoning for adultery.

Pakistan

Diana Organ: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of President Musharraf's ability to curb religious fundamentalism and terrorism in South Asia, with reference to the recent electoral success of religious extremist groups in two provinces of Pakistan. [77021]

Mr. Mike O'Brien: We welcomed President Musharraf's courageous decision to join the international coalition against terrorism. In a speech on 12 January, he condemned all forms of sectarianism and religious hatred. He has also taken steps against militancy in Pakistan and banned five terrorist groups. Pakistan continues to be a staunch ally in the continuing campaign against al-Qaeda. We will continue to encourage Pakistan to sustain these efforts. It is too early to assess the impact the religious parties will have on Pakistan's policies. We have no reason to doubt Pakistan's continuing commitment to act against terrorism wherever it occurs.

Sikh Community

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs when he will meet representatives of the Sikh community following the postponement of meetings on 6 August and 11 September, and for what reason the latter meeting was postponed. [77953]

Mr. Straw: My hon. Friend the Member for North Warwickshire (Mr. O'Brien) had planned to meet a number of Sikh organisations on 11 September and was keen that the meeting should be with as broad a cross-section as possible of representatives of different Sikh groups. Many of our contacts were unable to attend on 11 September, and we therefore decided to postpone the meeting to another date. We hope to arrange a new date for a meeting soon.

South Asia

Stephen Hesford: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the sequence of activities required to decrease tensions in the South Asian region. [77284]

Mr. Mike O'Brien: My right hon. Friend the Foreign Secretary warmly welcomed the announcements by India to withdraw forces from the international border and Pakistan to withdraw forces from the international border and Line of Control. These are positive steps towards the reduction of tensions in the region. We hope that this will be followed by further de- escalatory moves on both sides that will lead to a resumption of dialogue between India and Pakistan. Only peaceful dialogue can lead to a lasting solution of the Kashmir issue.

Sudan

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the level of abductions and slavery in the Sudan. [76987]

Mr. MacShane *[holding answer 28 October 2002]:* There have been no new confirmed cases of abduction during 2002. The majority of abductions in recent years have been associated with the Government train to Bahr al Ghazal. We and our EU partners have made representations to the Government, urging suspension of the train until peace is achieved and an end to encouragement for armed horsemen (murahiliin) militias. The train has not operated this year.

Torture

Mrs. Spelman: To ask the Secretary of State for Foreign and Commonwealth Affairs which countries the Government categorise as using torture. [76919]

Mr. MacShane *[holding answer 28 October 2002]:* Torture is inflicted on men, women and children in almost half the countries of the world. The UK believes that torture has no place in the 21st century and is therefore committed to combating torture everywhere. In October 1998 the UK launched an initiative to tackle torture throughout the world. Phase 3 of this initiative was launched in June this year. Over the four years of the anti-torture initiative the UK has established the reputation of having one of the strongest anti-torture stances in Europe. As part of the initiative the UK has been lobbying countries worldwide to ratify the UN Convention against Torture. Since our campaign was launched, 20 new states have ratified, bringing the total to 130. However, the Convention against Torture still remains the least ratified of all the UN human rights treaties.

Torture Allegations (Bahrain)

Mr. Steen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress with the police investigation into the allegations made against a person whose name has been made known to him concerning alleged involvement in torture while Head of the Bahraini Security and Intelligence Service. [77528]

Mr. Mike O'Brien: This is a matter for the Police.

Travel Warnings

Dr. Julian Lewis: To ask the Secretary of State for Foreign and Commonwealth Affairs what methods of issuing travel warnings to British citizens are regularly employed in addition to notices on the Foreign and Commonwealth Office website; and what change there has been in the use of each other method of issuing travel warnings to British citizens since the advent of the FCO website. [76691]

Mr. Mike O'Brien: Since 1996 the FCO have published travel advice on the FCO website. The advice is accessed regularly by the travel industry and members of the public. Many regular users arrange to receive automatic updates when travel advice changes, by using the "automatic update facility" on the FCO site.

In addition to this service, those seeking travel advice can contact the Travel Advice Unit during working hours by fax or telephone. A further 30 organisations receive daily faxed updates from the Travel Advice Unit. Travel advice, covering countries and areas to which the FCO either advise against all travel or all non-essential travel, are also published on CEEFAX (page 474). Significant changes in travel advice are also announced via press statements. CEEFAX (page 471) gives contact information for the Travel Advice Unit, and the website address, from which comprehensive travel advice may be obtained. Our posts overseas have discretion to issue local advisories, with information and advice of particular interest to the expatriate community. This is disseminated in a variety of ways, depending upon local circumstances. In countries where we have a warden network we ask wardens to pass on significant changes in travel advice.

The FCO has gone to great lengths to improve and to maximise awareness of our travel advice. The Know Before You Go (KBYG) campaign, launched in June 2001, is a market transformation campaign made up of three main strands: the FCO website, strategic partnerships and PR. The key campaign message is simple and applies to everyone: know before you go—get travel insurance and check the FCO travel advice before you go.

HOME DEPARTMENT

Violent Crime

Mr. Rosindell: To ask the Secretary of State for the Home Department what recent assessment he has made of the level of violent crime in the London Borough of Havering. [75107]

Mr. Denham: In 2001–02 there were a total of 3,947 violent offences in Havering.

It should be noted that recorded violent crime is not necessarily an accurate guide to trends in violent crime, as it is subject to changes in reporting and recording. For example, in the British Crime Survey, for England and Wales as a whole, the number of common assaults showed a statistically significant decrease of 24 per cent. between 1999 and interviews during 2001/02, whereas common assaults recorded by the police in England and Wales increased by 15 per cent. over the same period.

Mr. Malins: To ask the Secretary of State for the Home Department what affect the decision in the Ahmadi case has had on his asylum policy; and if he will make a statement. [75414]

Beverley Hughes: The ruling does not impact on our general policy regarding third country transfers under the Dublin Convention. Nor does it affect the operation of Section 11 of the Immigration and Asylum Act 1999. The case impacts on the Secretary of State's power to certify human rights claims as manifestly unfounded where certain types of medical evidence are in issue. We are disappointed that the High Court took the view it did on the particular facts of this case. An appeal against the decision has been lodged with the Court of Appeal. The family's separate appeal to the Independent Appellate Authority has been listed for hearing.

Harry Cohen: To ask the Secretary of State for the Home Department in relation to communications data, how many times *(a)* the Security Services and *(b)* each police force sought access to such data from communications providers such as Internet service providers in the last year; and if he will make a statement. [74482]

Bob Ainsworth: The Metropolitan Police made approximately 155,000 requests for communications date to be passed to them under the Data Protection Act 1998. Figures for each police force are not collected centrally. It is policy not to comment on the operational matters of the Security Service.

Accommodation Centres (Education)

Mr. Willis: To ask the Secretary of State for the Home Department what duties local schools will have to admit children living in accommodation centres. [76584]

Mr. Stephen Twigg: I have been asked to reply.

Clause 35(2) of the Nationality, Immigration and Asylum Bill provides that a child who is a resident of an accommodation centre may not be admitted to a maintained school or a maintained nursery. However, clause 36 enables an LEA to disapply that provision and to arrange for the education of a child residing in an accommodation centre. In such circumstances the LEA may require the admission of a child to a maintained school, after consulting the school's governing body. However, the LEA cannot require the governing body of a school to admit a child if the child's admission will result in special measures to ensure compliance with the Secretary of State's limits on infant class sizes.

Mr. Willis: To ask the Secretary of State for the Home Department what discussions he has had with the teaching unions on his proposals to educate some children seeking asylum in accommodation centres. [76585]

Beverley Hughes: There have been no discussions with the teaching unions on the proposals to educate some children of asylum seekers in accommodation centres. However, officials in the Department for Education and Skills have established an advisory group with representatives from the Local Government Association (LGA) and the local education authorities in the areas where centres are planned.

Mr. Willis: To ask the Secretary of State for the Home Department what plans he has to set out in law the role of the LEA in the delivery of education in accommodation centres. [76586]

Mr. Stephen Twigg: I have been asked to reply.

Clause 35 of the Nationality, Immigration and Asylum Bill specifies which LEA duties are not to apply in respect of children living in accommodation centres. Clause 36(3) empowers the Secretary of State to provide guidance to be followed by LEAs when using their power to arrange for the provision of education in accommodation centres. Such guidance can also offer further information as to the role of LEAs in the delivery of education for children living in the centres.

Asylum Applications

Harry Cohen: To ask the Secretary of State for the Home Department what his policy is on applications for asylum by individuals citing threats from a blood feud as a basis for their application; and if he will make a statement. [77245]

Simon Hughes: Applications for asylum in the United Kingdom are considered individually on their merits in accordance with the UK's obligations under the 1951 UN Convention relating to the Status of Refugees and the 1967 Protocol. Unless the applicant may reasonably be expected to seek asylum in a third country or the Dublin Convention applies, asylum is granted where the applicant fulfils the criteria in the 1951 UN Convention.

Where an application is based on a blood feud, then we will assess whether the circumstances are knowingly tolerated by the authorities in the country concerned, whether they are unwilling or unable to offer effective protection, or whether the applicant could reasonably have been expected to seek the protection of the authorities, or moved to another part of the country where he or she would be safe.

Asylum Seekers

Annabelle Ewing: To ask the Secretary of State for the Home Department when he next plans to meet Scottish Executive ministers to discuss the impact of the Government's asylum policies on Scotland. [76911]

Beverley Hughes *[holding answer 24 October 2002]:* Immigration and asylum are reserved issues. The Under-Secretary of State at the Scotland Office my hon. Friend the Member for Stirling (Mrs. McGuire) and I met the Scottish Minister for Social Justice (Margaret Curran) on 12 September; a further meeting will be arranged shortly. Home Office officials are also in regular contact with their counterparts in the Scottish Executive about the impact of the Government's asylum policies in Scotland.

Martin Linton: To ask the Secretary of State for the Home Department what proportion of those who have sought asylum in the United Kingdom in each month in *(a)* 2001 and *(b)* 2002 have come from Somalia. [77288]

Beverley Hughes: The information requested is given in the table.

Applications received for asylum in the United Kingdom (excluding dependants), total and Somalia, January 2001 and June 2002[1,2]

Month	*Total applications*	*Applications from national of Somalia*	
			Percentage of total
Jan-01	6,850	520	8
Feb-01	5,935	385	7
Mar-01	6,120	480	8
Apr-01	5,050	435	9
May-01	5,315	500	9
Jun-01	5,525	520	9
Jul-01	6,155	725	12
Aug-01	6,590	845	13
Sep-01	6,120	700	11
Oct-01	6,480	550	9
Nov-01	5,770	420	7
Dec-01	5,455	385	7
Jan-02	6,575	470	7
Feb-02	6,415	380	6
Mar-02	6,530	450	7
Apr-02	6,475	455	7
May-02	7,510	550	7
Jun-02	6,415	445	7

[1] Figures (other than percentages) rounded to the nearest five.

[2] Data are provisional.

Note:

Information on asylum applications is published quarterly. The next publication will cover the third quarter (July to September) of 2002 and will be available from 29 November 2002 on the Home Office Research Development and Statistics Directorate website at http://www.homeoffice.gov.uk/rds/immigration1.html.

Asylum Support

Mr. Gerrard: To ask the Secretary of State for the Home Department what statistics are held by *(a)* the National Asylum Support Service and *(b)* the Home Office Immigration and Nationality Directorate relating to the length of time asylum applicants have been in the UK before making an application for support. [76918]

Beverley Hughes *[holding answer 24 October 2002]:* There are no statistics available on the length of time asylum applicants have been in the UK before making an application for support.

There is, however, evidence that a proportion of applications for asylum will have been made by someone who has been in the country for some time. Since a person cannot apply for asylum support until they have applied for asylum, it can be similarly inferred that this will also be the case for support applications

Child Prostitution

Mr. Hancock: To ask the Secretary of State for the Home Department how many children have been trafficked into the UK and forced into prostitution in each of the past five years; from what countries the children came; and if he will make a statement. [76798]

Mr. Hancock: To ask the Secretary of State for the Home Department how many children have been trafficked into the UK in each of the past five years; and if he will make a statement. [76797]

Mr. Bob Ainsworth: There is currently no criminal offence of trafficking. Criminal statistics which might give an indication of how many children have been trafficked into the UK in each of the past five years, and from where they came, are not therefore available. The Nationality and Immigration and Asylum Bill currently before the House will introduce a new offence of trafficking for the purposes of controlling an individual in prostitution.

Forming an accurate estimate of the levels of trafficking in people is problematic given the reluctance of the victims of trafficking to report to the police. There is currently no accurate, reliable data in existence within the UK or the European Union.

A Home Office research study 'Stopping Traffic' (Police Research Series 125, published in 2000) indicated that there was intelligence to suggest that some women and children are trafficked into the UK for the purposes of sexual exploitation. This was estimated at between 140 and 1,400 per year but it was impossible to make a more accurate assessment of numbers. The report concluded that there was no evidence to suggest that this was on a large scale compared with other European countries.

Correspondence

Sir Teddy Taylor: To ask the Secretary of State for the Home Department how many recorded delivery items addressed to Lunar House, 40 Wellesley Road, Croydon, are missing; and when he will reply to a letter from the hon. Member for Rochford and Southend, East relating to Mr. and Mrs. Ajaz Khan dated 1 September reference 18156/2. [76611]

Beverley Hughes: This information is not available. Items of recorded delivery post addressed to Lunar House, but not delivered, are the responsibility of the Royal Mail. All recorded delivery items received in Lunar House are logged into a computer database, together with a record of where in the organisation they have been sent.

I wrote to the hon. Member on 18 October about the case of Mr. and Mrs. Khan.

Mr. Green: To ask the Secretary of State for the Home Department if he will make a statement on the recent performance of the Immigration and Nationality Department Board in answering letters from *(a)* hon. Members and *(b)* the public. [76738]

Beverley Hughes: Information on all correspondence received by the Immigration and Nationality Directorate (IND), is not recorded centrally and could be provided only at disproportionate cost. IND received over 1 million pieces of correspondence during 2001–02, and systems are not yet in place to identify whether responses were given to all categories of correspondence received.

Figures will be available shortly on IND's performance in answering letters from hon. Members from 1 September 2002 and I will write to the hon. Member as soon as these are available.

We are developing measures to record and track all categories of correspondence. The Home Office Customer Communication Foundation Project was suspended last November and has now been replaced by a short term/tactical Correspondence Tracking System (CTS) Project to address the handling of correspondence and the provision of accurate management information. The project is due to begin on 1 November and will be rolled out for operational use over the coming 12 months. IND's ministerial, official and public correspondence are all included in the intended scope of the project. The CTS project is part of a raft of measures to improve IND's customer service delivery which will be developed over the coming year, in which customer communications will feature strongly.

Home Detention Curfews

Mr. Love: To ask the Secretary of State for the Home Department what plans he has to change the home detention curfew period; and if he will make a statement. [78366]

Hilary Benn: On 5 February, *Official Report*, column 866W, the Government announced plans to lengthen the maximum curfew period from 60 to 90 days. Today we are presenting to Parliament an Order to enact that proposal. The Order will come into force on 16 December 2002, subject to the approval of both Houses. Eligible prisoners serving between eight months and under four years who pass a risk assessment will be released on Home Detention Curfew (HDC) to spend the latter part of their sentence at home for a period of up to 90 days depending on sentence length. There will

be no change in the maximum curfew length for prisoners serving between three months and under eight months. They will continue to serve between 15 and up to 60 days on curfew. In all cases offenders not statutory excluded will be subject to a risk assessment and released on HDC only where it is safe to do so.

Under the HDC scheme prisoners serve the remainder of their custody period at home under electronic curfew usually from 7pm and 7am. At any one time we expect this measure will remove up to 600 prisoners from prison accommodation in addition to the 2,400 who are already on the scheme. The impact of these arrangements will be kept under close review.

Illegal Entrants

Mr. Hancock: To ask the Secretary of State for the Home Department how many illegal immigrants who were suspected victims of trafficking have been deported from the UK in each of the past five years; from which countries they came; and if he will make a statement. [76788]

Beverley Hughes: The number of people removed as a result of illegal entry action in each of the past five years is given in the table. I regret that the information requested on those removed who were suspected victims of trafficking and the country from which they came is not available.

	1997	*1998*	*1999*	*2000*	*2001*[p][1]
Illegal entry action[1]	4,540	5,585	5,225	6,115	6,760
Of whom:					
principal asylum applicants[2]	2,605	3,095	2,615	2,820	3,775
Of whom:					
non-asylum cases	1,935	2,485	2,610	3,290	2,985

[1] Figures for 2001 have been estimated.
[2] Persons who had sought asylum at some stage. Figures exclude 200 dependants of asylum seekers removed as a result of enforcement action in the period April to December 2001; data on the dependants of asylum seekers removed have only been collected since April 2001.

National Confiscation Agency

John Barrett: To ask the Secretary of State for the Home Department (1) how much money, attained through the proceeds of corruption in developing countries, has been confiscated by the National Confiscation Agency each year since 1999; [75074]

(2) what efforts are being made to channel money, attained through the proceeds of corruption in developing countries and confiscated through the National Confiscation Agency, back to the country of origin [75073]

Mr. Bob Ainsworth: None. Since 1999, no sums have been realised by any of the criminal justice agencies from confiscation orders relating to corruption in developing countries. The Assets Recovery Agency, the body established under the Proceeds of Crime Act 2002 to investigate and recover unlawfully held assets, will not commence operations until early in the new year.

I should add that the Proceeds of Crime Act 2002 also brings forward the point at which assets may be restrained to the start of a criminal investigation. At present, restraint is only possible when proceedings have or are about to be instituted which may be too late to prevent assets from being dissipated. The international co-operation provisions of Part 11 of the Act will also enable co-operation to be provided without the need to designate overseas authorities for assistance, enabling assistance to be given much more readily when cases arise.

In this context I should also note two new provisions which should assist in combating corruption in developing countries. Section 108 of the Anti-Terrorism, Crime and Security Act 2001 ensures that foreign agents are covered by the law on bribery and corruption. Section 109 extends UK jurisdiction in respect of acts committed abroad by UK nationals and bodies incorporated under UK law which would amount to corruption offences if committed here. These provisions were brought into force on 14 February 2002. The confiscation provisions in the Proceeds of Crime Act will apply to these offences, following conviction of an offender where the offender has benefited from his conduct.

Arrangements exist for the UK to share sums realised on behalf of another jurisdiction following enforcement of an overseas confiscation order. As a general rule the maximum amount which can be shared with a requesting country is 50 per cent. of the sum realised once enforcement costs have been deducted. However, the UK is prepared in principle to return 100 per cent. (following deduction of recovery costs) of any assets that are the proceeds of corruption, and have been the subject of a confiscation order enforced in the UK courts.

In May 2002 a Department for International Development (DFID) conference was held to advise developing countries as to how they could seek assistance from the UK in investigating, freezing and confiscating assets of criminal origin which are believed to be located in the UK.

The UN Corruption Convention, currently under negotiation in Vienna, will also require all UN member states to address the issue of returning the proceeds of corruption to the country of origin. The UK Government is actively proposing, including in EU Common Position, that the UN Corruption Convention should favour the return of assets plundered from state funds by corrupt leaders.

Parent Abuse

Mrs. Spelman: To ask the Secretary of State for the Home Department (1) if he will make a statement on the policy pursued by his Department towards parents abused by their own children; [76889]

(2) what discussions his Department has had with groups representing parents who have been abused by their children. [76888]

Jacqui Smith: I have been asked to reply.

Incidents of abuse are of huge concern to the Government no matter what the source. As a civilised society we must have the determination to confront abuse wherever it occurs.

As part of our integrated approach to combating abuse we launched our guidance "No Secrets" on the protection of vulnerable adults in March 2000. Local authorities and other authorities had to develop their own locally based codes of practice and ensure that they were developed and implemented by 31 October 2001.

The Department has had no discussions with groups representing parents who have been abused by their children.

People Trafficking

Mr. Hancock: To ask the Secretary of State for the Home Department how many suspected victims of trafficking who have been deported have re-entered the UK in each of the last five years; and if he will make a statement. [77335]

Beverley Hughes: I regret that the information requested on those removed as suspected victims of trafficking and the number who have re-entered the country is not available.

Mr. Webb: To ask the Secretary of State for the Home Department in how many cases his Department has granted leave to remain on an exceptional basis to victims of people trafficking in the last five years. [77383]

Beverley Hughes: I regret that the information requested is not available and could be provided only at disproportionate cost by examination of individual case files.

Race Equality (Scotland)

Claire Ward: To ask the Secretary of State for the Home Department when he will bring forward the Commission for Racial Equality's draft statutory code of practice on the duty to promote race equality in Scotland. [78367]

Beverley Hughes: The Commission for Racial Equality's draft statutory Code of Practice on the duty to promote race equality in Scotland has today been laid before Parliament.

The statutory Code of Practice will offer practical guidance to public authorities in Scotland on how to meet their general and specific duties to promote race equality. Once the statutory Code of Practice is brought into effect it will be admissible in evidence in any legal action, and a court or tribunal should take relevant provisions of the Code of Practice into account.

LORD CHANCELLOR'S DEPARTMENT

Child Abduction Unit

Keith Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department, if he will make a statement on the number of people in the Child Abduction Unit. [77370]

Ms Rosie Winterton: The Child Abduction Unit has, since 1992, operated from within the office of the Official Solicitor and Public Trustee. It has two full-time members of staff, a manager with seven years experience of this work and three additional staff to provide cover where necessary. A senior lawyer within the OS/PT office provides legal advice.

Court Service

Mr. Laurence Robertson: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans she has to downgrade Cheltenham County Court; and if she will make a statement. [77045]

Yvette Cooper: The Court Service report, Modernising the Civil and Family Courts, published on 23 May 2002 set out a vision of a new business model for the civil and family courts. The aim is to increase the choices for people who need to use the courts; reduce social exclusion in the system of justice; and improve the use of technology in the courts to enhance service. Under the proposals Cheltenham County Court would become a part-time local hearing venue on the basis that, on average, it currently has hearings on fewer than three days per week.

We will be consulting on our proposals for the court network next year. During this period, the views of all those with an interest in the future status of Cheltenham County will be canvassed. The consultation will include Members of Parliament.

Government Information (Disclosure)

Mr. Allen: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will list the statutory provisions prohibiting the disclosure of Government information which have been introduced since May 1997. [77090]

Yvette Cooper: It has not been possible in the time available to identify all the relevant legislation containing such prohibitions. The Lord Chancellor will report in November on progress of the Government's review of all legislation which prohibits disclosure of information. I will write to the hon. Member with the information he seeks before then and place a copy of my reply in the library of the House.

Halloran v. Delaney

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make statement on the case of Halloran *v.* Delaney and its effect on funding personal injury cases. [76931]

Ms Rosie Winterton: We are considering the implications of this Court of Appeal judgment and how it relates to the House of Lords judgment in Gallery *v.* Gray. As the time limit for seeking leave to appeal to the House of Lords in Halloran *v.* Delaney has not elapsed it would be inappropriate to comment any further.

King Edward VIII

Kevin Brennan: To ask the Parliamentary Secretary, Lord Chancellor's Department when he will announce

the result of his review of the status of papers relating to the abdication of King Edward VIII; and if he will make a statement. [77029]

Ms Rosie Winterton: I refer the hon. Member to the answer I gave him on this subject on 11 June 2002, *Official Report*, column 118W. Any official papers relating to the abdication of King Edward VIII will need to be re-reviewed by Departments. It is hoped that the results of the review will be known and put into effect by the end of the year.

Knutsford Crown Court

Mr. George Osborne: To ask the Parliamentary Secretary, Lord Chancellor's Department when he expects to make a decision on the proposed closure of Knutsford Crown court. [77092]

Yvette Cooper: Following the responses received during public consultation and our own meeting on 23 July, I have asked for careful consideration to be given to all the real concerns raised. I expect to be able to make a decision on the future of the Crown court at Knutsford early in the new year. In the meantime, I can assure the hon. Member that the building will remain as a Crown court centre.

Mr. George Osborne: To ask the Parliamentary Secretary, Lord Chancellor's Department for what reason the decision on the planned closure of Knutsford Crown court has been delayed. [77093]

Yvette Cooper: Following the responses received during public consultation and our own meeting on 23 July, I have asked for careful consideration to be given to all the real concerns raised. Full and proper consideration must be given to all the facts before any decisions are made. The future of the court must be seen in context of the overall number of Crown court sitting days required in Wales and the North West of England.

Magistrates Courts

Mr. Cash: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the name and date of closure of each magistrates' court that has closed since May 1997, by parliamentary constituency. [77278]

Yvette Cooper: Magistrates' courts are the responsibility of locally based Magistrates' Courts Committees (MCCs) and are a locally managed service.

Decisions to close individual courthouses are made by the local MMCs, with procedures for appeal. There have been 96 magistrates' courthouses closed since May 1997 in England and Wales, as set out in the table as follows. These have been listed in MMC area to which they belonged as information about which parliamentary constituency each MCC is a member of could not be obtained within the timescale. MCC area to which they belonged as information about which parliamentary constituency each MCC is a member of could not be obtained within the timescale.

MCC	*Magistrates' Courthouse*	*Closure Date*
Bedfordshire	Apmthill	1 January 2000
Bedfordshire	Biggleswade	1 January 2000
Bedfordshire	Dunstable	1 January 2000
Bedfordshire	Leighton Buzzard	1 January 2000
Cambridgeshire	March	31 December 1998
Cheshire	Warrington Patten Hall	1 April 2001
Cheshire	Macclesfield Park Green	1 April 2001
Cumbria	Keswick	30 April 2000
Cumbria	Appleby	31 May 2000
Cumbria	Windermere	31 May-2000
Cumbria	Wigton	31 May 2000
Derbyshire	Alfreton	1 January 2001
Derbyshire	Ashbourne	1 January 2001
Derbyshire	Bakewell	1 January 2001
Derbyshire	Matlock	1 January 2001
Devon and Cornwall	Bideford	30 April 2001
Devon and Cornwall	Exmouth	30 April 2001
Devon and Cornwall	Kingsbridge	30 April 2001
Devon and Cornwall	South Molton	30 April 2001
Devon and Cornwall	Teignmouth	30 April 2001
Devon and Cornwall	Tavistock	30 April 2001
Devon and Cornwall	Axminster	4 May 2001
Devon and Cornwall	Tiverton	4 May 2001
Devon and Cornwall	Newquay	30 June 2001
Dorset	Christchurch	31 March 1999
Dorset	Gillingham	30 September 2001
Durham	Barnard Castle	31 December 1998
Essex	Braintree	31 December 1997
Essex	Clacton on Sea	31 October 1997
Essex	Saffron Walden	31 December 1998
Gloucestershire	Stow on the Wold	30 June 1999
Greater London	Marlborough Street	31 March 1998
Greater London	Clerkenwell	31 December 1998
Greater Manchester	Ashton under Lyne (Manchester Road)	31 August 1997
Greater Manchester	Duckinsfield	31 August 1997
Greater Manchester	Leigh	31 March 2001
Greater Manchester	Middleton	31 March 2001
Gwent	Bargoed	31 December 1997
Gwent	Monmouth	31 December 1997
Gwent	Pontlottyn	31 December 1997
Gwent	Pontypool	31 December 1997
Hampshire and Isle of Wight	Southampton (Commercial Road)	31 August2001
Hertfordshire	Bishop's Stortford	31 March 1998
Hertfordshire	Hatfield	31 March 1998
Hertfordshire	Hitchin	31 March 1998
Humberside	Bridlington	9 November 2001
Humberside	Brough	9 November 2001
Humberside	Driffield	9 November 2001
Humberside	Hull (Guildhall)	9 November 2001
Humberside	Hull (Lowgate)	9 November 2001
Humberside	Pocklington	9 November 2001
Humberside	Withernsea	9 November 2001
Kent	Sheerness	31 December 1998
Kent	West Mailing	31 December 1998
Kent	Gravesend	9 June 2000
Lancashire	Lytham	31 -December 1998
Leicestershire	Lutterworth	31 July 1998
Lincolnshire	Market Rasen	31 –March 1998
Norfolk	Diss	31 December 1998
Norfolk	Fakenham	1 May 2002
North Wales	Corwen	31 December 1998
North Wales	Abergele	31 December 2000
North Yorkshire	Stokesley	31 December 1997
North Yorkshire	Malton	6 February 1998
North Yorkshire	Ripon	1 August 1998
Northumbria	Hebburn	5 June 1997
Northumbria	South Shields (Kepple Street)	5 June 1997
South Wales	Pontardawe	9 October 1997
South Yorkshire	Thorne	31 August 1997
Staffordshire	Lichfield	31 March 2000
Staffordshire	Leek	31 March 2001
Staffordshire	Womborne	1 September 2001
Suffolk	Felixstowe	31 -December 1998
Suffolk	Haverhill	31 December 1998
Suffolk	Saxmundham	31 December 1998

MCC	Magistrates' Courthouse	Closure Date
Suffolk	Stowmarket	31 December 1998
Suffolk	Newmarket	31 December 1998
Surrey	Chertsey	31 March 1998
Surrey	Farnham	31 March 1998
Surrey	Oxted	31 March 1998
Sussex	Arundel	1 December 2001
Thames Valley	Abingdon	31 March 1999
Thames Valley	Henley on Thames	31 March 1999
Thames Valley	Windsor	31 March 1999
Thames Valley	Beaconsfield	1 July 2002
Thames Valley	Buckingham	1 July 2002
West Mercia	Bromsgrove	31 May 1997
West Mercia	Worcester	31 March 2001
West Mercia	Bridgenorth	31 January 2002
West Mercia	Leominster	31 January 2002
West Mercia	Ledbury	31 May 1997
West Yorkshire	Morley	31 March 1999
West Yorkshire	Pudsey	31 March 1999
West Yorkshire	Keighley	1 April 2000
Wiltshire	Chippenham (Market Place)	30 June 1997
Wiltshire	Wootton Bassett	2 October 2000

Mr. Cash: To ask the Parliamentary Secretary, Lord Chancellor's Department how many magistrates courts in *(a)* England and *(b)* Wales opened in each year since 1997. [77279]

Yvette Cooper: 14 magistrates courthouses have opened in the years 1997–2002 in England and Wales. Chippenham in 1997, Birmingham (youth), Southshields and Ashton under Lyne in 1998, Cannock in 1999, Hinckley in 2000, Southampton, Peterlee, Hull, Beverley, Bridlington, Kidderminster and Hereford in 2001, and Worcester in 2002.

PACT

Keith Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department what proposals he has to assist PACT. [77369]

Ms Rosie Winterton: My Department will consider with PACT (Parents and Abducted Children Together) and other organisations how to improve awareness of the procedures involved in using the Hague Convention provisions.

Upper Age Bars

Mr. MacDougall: To ask the Parliamentary Secretary, Lord Chancellor's Department for what reason people over the age of 70 are barred from *(a)* being magistrates and *(b)* jury service. [76127]

Yvette Cooper *[holding answer 21 October 2002]*:

(a) The upper age for serving as a magistrate was set by Parliament after wide consultation and was generally supported. It enables individual magistrates to continue to make a contribution to the administration of justice for a long time.

(b) The Juries Act 1974 set the upper age limit for jury service at 65. This limit was later increased to 70 by the Criminal Justice Act 1988. The recent review of the Criminal Justice System by Lord Justice Auld, which considered the structure and representation of juries made no recommendation on increasing the upper age limit for jury service.

SCOTLAND

Friends of Scotland

Angus Robertson: To ask the Secretary of State for Scotland (1) if she will list her Department's staff members working *(a)* full-time and *(b)* part-time for the Friends of Scotland Unit, broken down by location of work. [77202]

(2) how many staff have been seconded from the private sector to work for the Friends of Scotland initiative since its inception in 2001; and from which organisations these individuals have been seconded. [77203]

Mrs. Liddell: There are currently two officials working full-time on the Friends of Scotland project. A further five officials give assistance on the project when required. Both full-time officials are based in Glasgow.

Two members of staff have been seconded from the private sector, both from the Bank of Scotland (HBOS plc).

Angus Robertson: To ask the Secretary of State for Scotland (1) if she will list the events run *(a)* in Scotland, *(b)* in London, *(c)* in other locations within the UK and *(d)* outside the UK by Friends of Scotland since its inception in 2001; [77204]

(2) if she will list the events her Department has run jointly with the Scottish Executive to promote Friends of Scotland and the GlobalScot initiatives. [77205]

Mrs. Liddell: The events run by the Scotland Office in furtherance of the Friends of Scotland initiative have been as follows:

	Events
(a) In Scotland	
22 July 2002	A business lunch in Edinburgh
13 August 2002	A reception in Edinburgh for cultural attaches from diplomatic missions in London
(b) In London	
27 November 2001	The Friends of Scotland launch event in the Banqueting House, Whitehall
11 June 2002	A business dinner in Dover House, Whitehall
15 June 2002	A reception in Dover House, Whitehall
23 July 2002	A reception for the launch of the Friends of Scotland website in Dover House, Whitehall
(c) Elsewhere in the UK	None
(d) Outside the UK	
23 January 2002	A business lunch in Guangzhou, China
14 October 2002	A reception in Sydney, Australia

The events run jointly by the Scotland Office and the Scottish Executive for the Friends of Scotland and GlobalScot initiatives were the dinner in London on 11 June and the reception in Sydney on 14 October.

Angus Robertson: To ask the Secretary of State for Scotland (1) on which date the Friends of Scotland website was established; [77208]

(2) if she will list the *(a)* start-up and *(b)* maintenance costs of the Friends of Scotland website; [77229]

(3) what marketing her Department carried out on behalf of Friends of Scotland to promote the launch of the Friends of Scotland website; [77210]

(4) how many visits the Friends of Scotland website has received in each month since it was first established; [77209]

(5) how many *(a)* organisations and *(b)* individuals have registered their interest in Friends of Scotland through the initiative's website since its inception; and if she will list them by country of residence; [77214]

(6) if she will list the reasons given by organisations and individuals for registering their interest in the Friends of Scotland initiative, as submitted to the initiative's website; [77211]

(7) how many *(a)* organisations and *(b)* individuals have registered to receive e-mail updates from the Friends of Scotland website; and if she will list them by country of residence; [77213]

(8) how many e-postcards have been sent from the Friends of Scotland website in each month since it was first published. [77212]

Mrs. Liddell: The current Friends of Scotland website was established on 23 July 2002. The start-up cost was £62,623; the cost of subsequent maintenance and development to date has amounted to £4,711. The launch of the website was announced at a reception held in the Scotland Office on 23 July.

The website has received the following number of visits in each month since it was established:

	Number of visits
July	826
August	2,046
September	3,261
October (up to 24)	3,451

The website has attracted 32 registrations of interest since its inception. Individuals registering their own interest and those registering on behalf of an organisation cannot be differentiated. The breakdown of the total by country of residence is as follows:

	Number
UK	20
Australia	3
New Zealand	2
Canada	1
Japan	1
USA	2
Belgium	1
Germany	1
unknown	1

Those registering their names have cited interests in culture, education and business.

Seventy individuals have registered to receive e-mail updates from the website. A breakdown of this figure by country of residence is not available.

The number of e-postcards sent from the website during the period up to 24 October 2002 was 80. A month by month breakdown of this figure is not available.

Letters have been sent to key influencers around the world inviting them to access the website. Arising from this exercise, 136 recruits have been secured for Friends of Scotland.

Angus Robertson: To ask the Secretary of State for Scotland what expenditure has been budgeted for by her Department to support the Friends of Scotland initiative during the financial year 2002–03. [77218]

Mrs. Liddell: A budget of £260,000 has been allocated for the current financial year. This figure does not include staffing costs.

Angus Robertson: To ask the Secretary of State for Scotland (1) if she will list the dates and locations of meetings of the Advisory Board to Friends of Scotland since its inception in 2001; [77219]

(2) if she will list the costs of meetings of the Advisory Board to Friends of Scotland since its inception in 2001 in terms of *(a)* travel expenses, *(b)* refreshment costs and *(c)* other expenses. [77220]

Mrs. Liddell: The Friends of Scotland Advisory Group's first meeting was on 18 December 2001 in London. Its second meeting was on 1 March 2002 in Glasgow. Its third and most recent meeting was held on 20 May 2002 in Edinburgh.

The costs of the Advisory Group's meetings have been *(a)* £1,440 and *(b)* £278. There have been no other separately identifiable costs *(c)*.

TRADE AND INDUSTRY

BCCI

Keith Vaz: To ask the Secretary of State for Trade and Industry what assistance her Department is giving to the liquidator of BCCI so that the liquidation can be concluded. [75663]

Miss Melanie Johnson: The progress of the liquidation of BCCI is a matter for the liquidators.

Business Start-ups

Mr. Liddell-Grainger: To ask the Secretary of State for Trade and Industry how many companies were set up in Somerset; and how many went into liquidation in *(a)* 1999–2000, *(b)* 2000–01 and *(c)* 2001–02. [73312]

Miss Melanie Johnson: The only official measure of business starts-ups is VAT registration data. These are based on calendar years.

Start-ups: VAT registrations Somerset county

	Number
1999	1,415
2000	1,560
2001	1,390

Source:
Business start-ups and closures 1980–2001

There is no single area that reports company and individual insolvencies for Somerset.

Car Pricing Order

Dr. Cable: To ask the Secretary of State for Trade and Industry what steps have been taken to monitor the implementation and impact of the car pricing order; if a progress report will be published; and if she will make a statement. [75137]

Miss Melanie Johnson: Responsibility for monitoring the car pricing order and investigating allegations of anti-competitive behaviour lies with the Director General of Fair Trading.

His office is keeping the order under review.

The order is one of several factors influencing car prices. These include a renegotiated block exemption from EU competition rules for vehicle supply and servicing introduced on 1 October 2002.

Customs and Excise

Mr. Waterson: To ask the Secretary of State for Trade and Industry what action he proposes to take in the light of the House of Lords decision Customs and Excise *v.* Plantiflor Ltd. [76299]

John Healey: I have been asked to reply.

The judgment of the House of Lords confirms the view of Customs and Excise that Plantiflor should account for VAT on delivery charges as part of the total price of the goods it supplies. On 20 August 2002 Customs and Excise issued business brief (number 23/2002) which gives full background details on the issue and provides guidance on action to be taken by all affected businesses. It is available in the Library of the House and can also be accessed from the Central Office of Information website at: www.nds.coi.gov.uk.

Doorstep Selling

Martin Linton: To ask the Secretary of State for Trade and Industry what assessment she has made of the number of energy companies using doorstep selling to encourage people to switch companies; and what plans she has further to regulate doorstep selling. [77291]

Mr. Wilson: Doorstep sales are used in a number of markets, including gas and electricity supply. Since the introduction of domestic gas and electricity supply competition, such sales have been a useful way of bringing the benefits of competition, particularly access to lower prices, to the attention of customers. Consumers are protected under the Doorstep Selling Regulations, which were enhanced in 1998, and are enforced by local Trading Standards departments. At present, the Government have no plans to introduce further regulation. Gas and electricity consumers are further protected by specific regulations in supply licences, which are the responsibility of the Office of Gas and Electricity Markets (OFGEM). Where appropriate, OFGEM takes investigative and enforcement action against suppliers that breach these conditions.

Energy Market Liberalisation

Mr. Gareth Thomas: To ask the Secretary of State for Trade and Industry what progress she has made on EU-wide discussions on liberalising energy markets; and if she will make a statement. [78214]

Mr. Wilson: We fully support the Commission's proposals for the liberalisation of the EU energy market. Council discussions on the dossier are at an advanced stage and the Danish Presidency hopes to reach political agreement at the November Energy Council. We will be negotiating constructively to ensure a satisfactory outcome.

European Working Time Directive

Mr. Weir: To ask the Secretary of State for Trade and Industry (1) what representations her Department has received on the forum considering the implementation of the European Directive on Working Time in the offshore oil and gas industry; [77336]

(2) what recent discussions she has had with representatives of the offshore oil and gas industry on the implementation of the European Working Time Directive in that industry; [77341]

(3) what recent discussions she has had with representatives of workers employed in the offshore oil and gas industry on the implementation of the European Working Time Directive in that industry. [77337]

Alan Johnson: The Horizontal Amending Directive (HAD) (2000/34/EC) entitles workers in the offshore sector to the full provisions of the Working Time Directive (93/104/EC). The HAD was formally adopted on 1 August 2000 and is required to be implemented by 1 August 2003.

I have met with representatives of the offshore oil and gas industry, on 5 September, and have agreed to meet representatives of the Inter Union Offshore Oil Committee (IUOOC) to listen to their views on the implementation of the HAD to workers offshore.

A forum, comprising representatives from all sides of the sector and facilitated by the Advisory, Conciliation and Arbitration Service (ACAS), was set up to assist employers and worker representatives to reach agreement over the implementation of the HAD in the offshore sector. The forum was unable to reach agreement on many issues and DTI officials continue to hold discussions and correspond with those from both sides of the industry.

Export Licences

Mr. Laurence Robertson: To ask the Secretary of State for Trade and Industry what representations she has had following the recent award of an export licence for F-16s to Israel; and if she will make a statement. [77055]

Nigel Griffiths: The Export Control Organisation has received representations regarding the grant of export licences for parts, sub-systems and components to the USA for incorporation into the F-16 aircraft from a number of different sources, including Members of

Parliament, exporters and the general public. No UK export licences have been issued for the export of F-16 aircraft to Israel.

Gas Storage Facilities

Bob Spink: To ask the Secretary of State for Trade and Industry, pursuant to her answer of 21 October 2002, which local planning authorities have been contacted this year by her Department regarding new gas storage facilities; and what responses have been received. [77299]

Mr. Wilson: The two councils to which the Department has written this year are Cheshire County Council and Wyre Borough Council. I understand that Cheshire County Council refused planning permission for the proposed gas storage facility at Byley, and that the applicant has now taken this to appeal I also understand that a planning application has not yet been submitted in respect of the other project, at Fleetwood in Lancashire.

Iraq (Exports)

Mr. Win Griffiths: To ask the Secretary of State for Trade and Industry what goods on the Military List have recently been approved for export to Iraq. [76678]

Nigel Griffiths: For details of goods on the Military List that have been approved for export to Iraq between 1 January 2002 and 1 October 2002, I refer my hon. Friend to the reply from my right hon. Friend the Member for Neath (Mr. Hain) to my hon. Friend the Member for Coventry, North-West (Mr. Robinson) on 21 January 2002, *Official Report*, columns 578–79W, and to the replies from my hon. Friend the Member for Rotherham (Mr. MacShane) to my hon. Friends the Member for Birmingham, Perry Barr (Mr. Mahmood) on 18 June 2002, *Official Report*, columns 296–97W, and the Member for Lancaster and Wyre (Mr. Dawson) on 16 October 2002, *Official Report*, column 833W.

Limited Companies

Mr. George Osborne: To ask the Secretary of State for Trade and Industry how many limited companies were incorporated between *(a)* 1 April and 30 June and *(b)* in the same quarter in 2001. [76298]

Miss Melanie Johnson: There were 64,838 companies registered from April to June in 2002, and 52,196 for the same period in 2001.

NETA

Lynne Jones: To ask the Secretary of State for Trade and Industry when she will publish a review of the operation of NETA. [76398]

Mr. Wilson: Ofgem have published a review of the first year of NETA's operation. We are currently considering it

Nuclear Power Stations (Radiation Leaks)

Chris Ruane: To ask the Secretary of State for Trade and Industry how many radiation leaks there have been from each UK nuclear power station and nuclear reprocessing plant in each of the last 20 years. [77544]

Mr. Wilson: The Quarterly Statements of Nuclear Incidents at Nuclear Installations include information on radioactive leaks of any significance.

The Statements are compiled by the Nuclear Safety Directorate of the Health and Safety Executive and have been sent to the House of Commons Library since 1977.

Petrol Retail Industry

Dr. Cable: To ask the Secretary of State for Trade and Industry what recent representations she has received from independent petrol retailers to investigate competition in the petrol retail industry; and if she will make a statement. [75136]

Miss Melanie Johnson: My hon. Friend the Minister for Energy and Construction has received representations concerning competition issues in the petrol retailing industry during 2002. The Minister held a Downstream Oil Industry Forum in July to discuss in particular the issue of rural petrol stations. Representatives of all major oil companies and large independent supermarkets attended. A further meeting is planned for November, and it is his intention to maintain a regular dialogue through this forum in order to address issues of concern.

Regulations Summits

Brian Cotter: To ask the Secretary of State for Trade and Industry when the two regulations summits took place between the Small Business Service and business representative organisations; and if she will list the organisations that attended. [76835]

Nigel Griffiths: The summits between the SBS Regulation team and business representatives were held on 1 November 2001 and 27 February 2002.

Invitees for the seminars were: British Chambers of Commerce; Confederation of British Industry; Federation of Small Businesses; Forum of Private Business; Institute of Directors; Institute of Chartered Accountants in England and Wales; and the Small Business Council

A subsequent DTI stakeholder seminar on regulation was held with a similar audience on 16 October 2002.

Small Business Service

Brian Cotter: To ask the Secretary of State for Trade and Industry if she will make a statement on her Department's plans to hold a Small Business Week in 2002. [76824]

Nigel Griffiths: Small businesses contribute 40 per cent. to our GDP and together have an annual turnover of one trillion pounds. They employ 12 million people in the UK, which is around 55 per cent. of the private sector workforce, so we promote SMEs every week of the year.

The Small Business Service is sponsoring The Sunday Times National Small Business Week. This major event will take place at Earls Court Exhibition Centre London on 28–30 April 2003. The organisers describe it as "a true celebration of entrepreneurship", focusing on the

day-to-day issues of running a small business, assisting them to gain more of a competitive edge with the final aim of increasing profitability.

Brian Cotter: To ask the Secretary of State for Trade and Industry if she will make a statement on the outcomes of the regulation summits held between the Small Business Service and key stakeholders, including the list of potential projects which it was agreed would be considered in greater detail. [76833]

Nigel Griffiths: The meetings enabled a useful dialogue with small business representative bodies and provided an opportunity for business representatives to feed their regulatory concerns direct to Ministers.

On 16 October, discussions were held on a number of issues of importance to small firms; in particular on alternatives to regulation, the small firms impact test, the small firms start up resource pack and DTI consultation.

Officials and business representatives agreed to work together on these important issues to deliver benefits to businesses right across the country.

Brian Cotter: To ask the Secretary of State for Trade and Industry what progress is being made by the Small Business Service in identifying a possible system for assisting small firms affected by disaster, as outlined in the Government's response to the Small Business Council's second annual report. [76823]

Nigel Griffiths: The Small Business Service has researched the issues arising out of establishing such a fund and the potential form*(s)* of assistance given to businesses affected by disasters in England. The devolved authorities are responsible for Scotland, Wales and Northern Ireland.

Officials have reviewed the scheme operated by the USA's Small Business Administration, which provides loans to financially viable enterprises in the event of such a disaster and considered the extent to which that model, or other models, would be applicable in England.

Work in this area is being reviewed in light of the announcement on 18 September 2002, by the Commission of the European Communities, of its proposal to establish a European Union Solidarity Fund. This fund is to be focused on giving immediate financial assistance to help the people, regions and countries affected by major natural, technological or environmental disasters.

Small Businesses

Mr. Rosindell: To ask the Secretary of State for Trade and Industry what measures she has taken to support small businesses in Romford. [76394]

Nigel Griffiths: Business Link for London, working with local partners including Havering Council, is the main conduit for the Government's support to Romford's 7,000 small businesses. The Business Link for London has helped over 850 of these in a wide variety of ways.

The BL services for small and medium sized businesses is available by phone,through the web, or through one of our 200 business advisors. These Business advisers work directly with clients to offer pragmatic advice in support of new and existing businesses. They help solve problems, ease the growing pains of success, or help take a business to the next level of its development.

Expert advice and support is provided in IT, Finance, Sales and Marketing, Human Resources, Design, International Trade, e-business. Supply Chain, Innovation,Franchising, Creative Industries, Manufacturing and more recently, Sustainable Business and Social Enterprise.

Within the London Borough of Havering, Romford's small businesses benefit from the Borough-wide distribution by the BLfL of regularly undated information oncurrent issues such as legislation changes, funded schemes and the availability of sector specific support.

ELSBC in conjunction with Havering Council and Natwest Bank has formed an alliance to run a programme of business support within the borough. This support consists of providing business counselling for people considering starting up new businesses in Havering, the provision of a 4-Day business training course and post-start counselling and mentoring. For the business counselling sessions, the counsellor will meet clients at two Havering locations—Romford and Harold Hill—with Harold Hill being subject to additional SRB funding.

Brian Cotter: To ask the Secretary of State for Trade and Industry what action she will take to ensure that small businesses are aware of their employees' rights; and if she will make a statement on recent related research by her Department. [76830]

Nigel Griffiths: In May 2002, the DTI published the report of its recent research into small businesses' awareness of employment rights, "Small Firms' Awareness of Employment Rights" in the Employment Relations Research Series (Report No. 14). This was placed in the Libraries of the House.

The research was conducted by the Small Business Research Centre at Kingston University. Overall this research showed that confidence levels of small employers about their knowledge of individual rights were low even though awareness of those rights was generally high.

The Department is acting to raise levels of awareness among small business. We have set up an Employment Information Advice and Guidance project in partnership with ACAS, and the Small Business Service. Starting with the changes introduced in the Employment Act 2002 the project will improve the ways that the information advice and guidance on employment rights is provided to employers and employees with a particular emphasis on the needs of small businesses. The work of the project benefits from the advice of a user group of representatives of employers and employees including representatives of the Small Business Council, the Federation of Small Business and the private business forum and representatives of the main advisory networks.

Information on these changes and on existing rights is also available on the DTI website www.dti.gov.uk/er. Small firms and other employers can also register with businesslink.org to receive e-mail updates on changes to employment law.

Wind Farms

Llew Smith: To ask the Secretary of State for Trade and Industry, pursuant to the reply, 17 October 2002, *Official Report*, c. 891W, on wind farms, when she expects the UK windspeed database to be available on the departmental website; and whether her Department is collaborating with the ODPM in respect of brownfield site availability. [77384]

Mr. Wilson: The UK windspeed database has now been made available on the DTI website at http://www.dti.gov.uk/renewable/windspeed/online.html

My officials are collaborating with the ODPM on revisions to planning policy guidelines concerning renewable energy projects. The final planning policy statement should be made available in the first half of 2003 and will apply to all areas of England, including brownfield sites.

Information on brownfield site availability in England by region is contained in the ODPM Statistical Release BF-2002 of 12 September 2002, which is on the ODPM and National Land Use Database websites.

Planning Policy Wales (March 2002) encourages brownfield development wherever feasible. The Wales Planning Research Programme 2002–03 proposes further research on brownfield land following the completion of an earlier project, "A Feasibility Study to Establish a System for Monitoring the Supply and re-use of Previously Developed Land".

TRANSPORT

Air Transport (Manchester)

Mr. Keith Bradley: To ask the Secretary of State for Transport what consultation meetings have been held in the Manchester area regarding the future development of air transport in the UK; and which *(a)* organisations, *(b)* hon. Members and *(c)* other people were invited to the meetings. [77081]

Mr. Spellar *[holding answer 28 October 2002]:* A public exhibition on the potential impacts of growth at Manchester airport was held on 14 October in Knutsford. The exhibition was open to anyone who wished to attend and was publicised in the local press and on the local radio stations. In conjunction with this, a number of key people from the areas most likely to be directly impacted by growth at Manchester were invited to a breakfast briefing. The invitees included the relevant MPs from the immediate area, MEPs, Council Leaders, local authority Chief Executives, Chairs of the Planning and Transport Committees and Chamber of Commerce Chief Executives. A further public exhibition will be held on 15 November at The Village, Cheadle.

In addition, officials from this Department and the Government Office for the north-west have met with the Manchester Airport Air Transport Forum and the Manchester Users' Consultative Committee. They are also participating in a number of topic workshops for both the north-west region specifically and the North of England as a whole, to which a wide range of stakeholder groups have been invited. These include representatives from, inter alia, airports, airlines, local authorities, transport providers (such as the Highways Agency, Railtrack etc.) local business fora, regional and national environmental groups.

Birmingham Airport

Mr. John Taylor: To ask the Secretary of State for Transport if he will withdraw the option for a second runway at Birmingham Airport. [77098]

Mr. Jamieson: The Government intend to publish an air transport White Paper next year which will set a policy framework for aviation and airports in the UK over the next 30 years. In support of this White Paper we are consulting on a range of options, including the development of a second runway at Birmingham. We are inviting views on the arguments for and against providing different amounts of new airport capacity at different locations, including several options in the Midlands.

It is our aim to ensure that any development is sustainable and achieves a balance between economic, social and environmental considerations. All responses received will be considered carefully before taking any final decisions on the policies for the White Paper.

Mr. John Taylor: To ask the Secretary of State for Transport what assessment he has made of *(a)* the viability of and *(b)* the need for lengthening the existing runway at Birmingham Airport. [77099]

Mr. Jamieson: Our background studies identified airport capacity constraints in the Midlands before 2030. Therefore, we have considered options for development at Birmingham International Airport, on which we are currently consulting.

Cars (Taxes and Licences)

Tim Loughton: To ask the Secretary of State for Transport, pursuant to the answer of 21 October, Official Report, column 27W, how many local authorities have joined the scheme in using DVLA powers to wheelclamp and impound untaxed vehicles since the pilot in the London Borough of Newham. [78192]

Mr. Jamieson: Following the Secretary of State's announcement on 10 April, Newham, Lewisham, Wandsworth and Croydon have undertaken clamping and impounding unlicensed vehicles using devolved powers as DVLA's partners. Southend on Sea and Hastings have completed all the training and are due to commence operations shortly.

In addition the DVLA is giving free on-line access to the vehicles record to local authorities seeking information on keepers of those who abandon their cars. 200 local authorities have asked for this facility.

The roll-out of this initiative started on 1 October and to date, 19 are confirmed as being on-line. The remainder will be set up as soon as possible.

Departmental Logo

Tim Loughton: To ask the Secretary of State for Transport how much it cost to redesign the Department's logo and subsequent changes to Departmental stationery and documentation following the name change from DETR to Department of Transport; and whether outside bodies were involved in the creative process. [78191]

Mr. Jamieson My Department has spent a nominal sum of less than 25,000, from within existing budgets, to make the required changes to the departmental logo, stationery, signage and web site design. The work was carried out by contractors under our normal framework agreements for design and print of paper and electronic publications.

Detrunking Programme

Miss McIntosh: To ask the Secretary of State for Transport when the detrunking programme will end; and what additional resources will be made available to local highways authorities in *(a)* England and Wales, *(b)* North Yorkshire and *(c)* the City of York to cover their additional responsibilities from that time. [77836]

Mr. Jamieson: It is planned to end the current detrunking programme in 2006 and the timing of the integration of the detrunked roads into the local government finance system is currently under consideration.

Firefighters' Strike

Mr. Laws: To ask the Secretary of State for Transport what consideration has been given by his Department to reducing the national speed limits on roads during the firefighters' strike; and if he will make a statement. [77523]

Mr. Jamieson: There are no plans to reduce the national speed limit.

Health and Safety Commission

Mr. Don Foster: To ask the Secretary of State for Transport what recent assessment has been made by and for his Department of the performance of the Health and Safety Executive including recent performance targets; what reports have been published on its performance; and if he will place copies of such reports not readily available in the Library.[Transferred] [76187]

Mr. Nicholas Brown: I have been asked to reply.

Responsibility for the Health and Safety Commission and Health and Safety Executive transferred to the Department of Work and Pensions (DWP) on 24 July 2002.

The former Department of Transport, Local Government and the Regions (DTLR) Public Service Agreement for 2000 set a number of targets for the Health and Safety Commission and Health and Safety Executive, and these are published in the former DTLR 2002 Annual Report. Progress against these targets is reported in the DTLR Annual Report on page 166.

Further information on progress against performance targets will also be included in the DWP Autumn Performance Report to be published in November.

Road Schemes

Mr. Greg Knight: To ask the Secretary of State for Transport how many schemes are in place on motorways in the UK where use is allowed of the hard shoulder during rush hours; and what plans he has to increase this number. [76522]

Mr. Spellar: There are at present no instances of the hard shoulder being used during rush hours in England. A forthcoming project on the M42 (the Active Traffic Management (ATM) Project) will trial the use of hard shoulder running at peak periods and at other times to help reduce congestion. The trial between Junction 3A (the M40) and Junction 7 (the M6) and will be subject to rigorous safety requirements. For the devolved Administrations, this is a matter for the National Assembly for Wales, the Scottish Executive and the Northern Ireland Assembly.

Road Traffic Accidents

Mr. Drew: To ask the Secretary of State for Transport if he will meet the Red Cross and St John Ambulance Brigade to discuss third party liability insurance for people who stop to help at a road traffic accident. [77989]

Mr. Jamieson: The Red Cross and St John's Ambulance Brigade do very good work. If they have concerns about third party liability insurance they should, in the first instance, set them out in writing to officials at this Department.

South Central Line

Chris Grayling: To ask the Secretary of State for Transport what the latest timetable is for the upgrade to the South Central line. [76469]

Mr. Jamieson: Negotiations between the SRA and Go Via are continuing towards the new franchise, which will deliver new trains, station upgrades and information systems. A separate substantial programme of track and signalling improvements will now be led by the Authority, to ensure effective completion as early as possible.

Tonnage Tax

Mr. Ivan Henderson: To ask the Secretary of State for Transport which UK shipping companies have benefited from the tonnage tax since its introduction. [77928]

Mr Jamieson: This information is commercially confidential and is exempt from disclosure under Section 13 of Part II of the Code of Practice on Access to Government Information.

Tree Removal

Mr. Oaten: To ask the Secretary of State for Transport if he will require Railtrack to consult local authorities on removal of trees from the trackside. [77615]

Mr. Jamieson: *[holding answer 28 October 2002]*: No. This is an operational matter for Network Rail.

Trust Ports

Tim Loughton: To ask the Secretary of State for Transport which trust ports have appointed representatives of local authorities in that capacity to their boards since the publication of the Modernising Trust Ports review. [78170]

Mr. Jamieson: My Department does not hold details of individual appointments made to trust port boards, other than those made by the Secretary of State.

West Coast Main Line

Mr. Evans: To ask the Secretary of State for Transport how much has been given to Virgin Trains as compensation for the late completion of the West Coast main line upgrade. [73812]

Mr. Jamieson: No compensation has been paid by Government to Virgin Trains. Railtrack and Virgin Trains have a contractual relationship covering the upgrade of the West Coast Main Line. Any payments from Railtrack to Virgin Trains under this contract are for delays in the upgrade of the infrastructure and for consequent loss of business.

WORK AND PENSIONS

Child Support Agency

Mr. Wray: To ask the Secretary of State for Work and Pensions what measures are in place to ensure that an absent parent pays child maintenance; and what action is taken if they do not make the necessary payments. [74418]

Malcolm Wicks: The administration of the Child Support agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member.

Letter from Mike Isaac to Mr. James Wray, dated October 2002:

The Secretary of State for Work and Pensions in replying to your recent parliamentary questions about the Child Support Agency promised a substantive reply from the Chief Executive. I am replying on his behalf.

You ask what measures are in place to ensure that an absent parent pays child maintenance; and what action is taken if they do not make the necessary payments.

Where a maintenance application is actioned we will normally try to contact the non resident parent by telephone with a view to both obtaining the information that we need to make a maintenance assessment and reminding the parent of their maintenance responsibilities.

If all necessary information is not provided we will follow up in writing, at interview and then by taking criminal proceedings and / or by establishing an interim maintenance assessment.

If payment is not made and the non-resident parent is in employment we will usually seek to recover maintenance through the employer by a deductions from earnings order. If the non-resident parent is in receipt of certain benefits then we can make a maintenance deduction from there.

If payment is not made and the non-resident parent is self-employed we will seek a liability order through the Magistrates Court to establish the debt. We can then take proceedings which could include applying for a third party debt order, a charging order, bailiff action, removal of a driving license and for committal to prison.

Cold Weather Payments

Caroline Flint: To ask the Secretary of State for Work and Pensions what the outcome was of the annual review of the Cold Weather Payments scheme. [78550]

Malcolm Wicks: Following advice from the Meteorological Office, the annual review of the Cold Weather Payments scheme has now been completed. Amending regulations were laid on 10 October and will come into force on 1 November, in time for the beginning of the winter period.

In addition to the amendments necessary due to Royal Mail postcode changes, 10 postcode to weather station linkages have been changed on the advice of the Meteorological Office following representations made by hon. Members.

Cold Weather Payments are separate from, and in addition to, Winter Fuel Payments which are paid to eligible people from age 60.

I have written to each of the hon. Members affected by the changes.

Disability Living Allowance

Mr. Drew: To ask the Secretary of State for Work and Pensions how many DLA application refusals there were in each of the last 10 years; and how many of those refusals were later successfully appealed against. [77853]

Maria Eagle: The information requested is not available in the format requested. Such information as is available is in the table.

Number of rejected Disability Living Allowance claims for the past 10 financial years

	Number of DLA applicants rejected on first application
1992–93	208,730
1993–94	213,440
1994–95	256,410
1995–96	255,280
1996–97	276,125
1997–98	255,710
1998–99	208,200
1999–2000	190,390
2000–01	206,145
2001–02	192,320

Note:
Initial claim rejected information is available only at national level.

Source:
ASD Information Centre 100 per cent. data taken from 100 per cent. extract of monthly management information system and rounded to the nearest five.

The information requested regarding successful appeal against refusal is not available.

Health and Safety Executive

Mr. Don Foster: To ask the Secretary of State for Work and Pensions how many people are employed by the Health and Safety Executive; what its annual budget was for each year since 1997–98; what its projected budget is for next year; and if he will make a statement on its role and terms of reference. [75614]

Mr. Nicholas Brown: The number of people employed by the Health and Safety Executive and its annual budget for each year since 1997–98 was:

Year	*HSC/E settlement (£)*	*Staff in post*[1]
Cash settlements		
1997–98	180,957,000	3,932
1998–99	182,228,000	3,880
1999–2000	186,855,000	3,937
2000–01	191,409,000	3,894
Resource settlements from 2001–02 onwards		
2001–02	[2] 198,233,000	4,050
2002–03	[3] 202,973,000	4,217

[1] As at end of year (31 March)
[2] Plus AME £12,377,000
[3] Plus AME £14,212,000

Notes:
1. All figures include the Health and Safety Commission (HSC), The Health and Safety Executive (HSE) and the Health and Safety Laboratory (HSL). HSL is an in house agency of HSE.
2. HSC/E settlement figures represent expenditure net of income. Capital budgets are included.
3. From 2001–02 Government Departments moved to a resource based supply as part of the move to full resource accounting and budgeting (RAB). There is however a transitional period for 2001–02 to 2002–03 during which period certain expenditure (e.g. depreciation, notional capital charges) are to be dealt with as Annually Managed Expenditure (AME) and will not appear in the departmental expenditure limit (DEL).
4. The figures above from 1997–98 to 2000–01 are on a cash supply basis; and from 2001–02 on a resource supply basis. Additional budgets for AME budgets are shown separately.

HSE's projected budget (net of income) for 2003–04 is £216,727,000 plus £14,998,000 which would have been recorded against AME in the transitional period (total £231,725,000).

The Health and Safety Executive is empowered to undertake, on behalf of the Health and Safety Commission, any of the functions of the Commission as it is directed. It is also required to give effect to any directions given to it by the Commission. Section 11 of the Health and Safety at Work Act 1974 details the general functions of the Commission, which must be seen in the context of the general purposes outlined in section 1 of the Act. All of these functions may be undertaken by the Executive.

Maternity Benefits

Mr. Drew: To ask the Secretary of State for Work and Pensions what benefits are available to individuals not entitled to maternity benefit because of an insufficient contributory history. [77854]

Maria Eagle: We introduced reforms in 2000 so that entitlement to Maternity Allowance no longer depends on the payment of national insurance contributions. Qualifying conditions for both Statutory Maternity Pay and Maternity Allowance are based instead on a woman's recent employment and earnings history.

Maternity Allowance is now paid to women earning at least £30 a week, but below the lower earnings limit for national insurance contributions (currently £75 a week). As a result, up to 16,000 more low paid women a year can receive improved financial help during their pregnancy.

Sure Start Maternity Grants, worth £500, are also available to help those mothers on low income in greatest need.

Pensioners Resident in Hospitals (Benefits)

Mr. Drew: To ask the Secretary of State for Work and Pensions if he will extend the lengths of time which elapse before benefits are reduced for a pensioner resident in hospital. [77852]

Malcolm Wicks: We have already announced our intentions to extend the length of time certain benefit recipients, including pensioners, may stay in hospital before their benefits are reduced. For these people the period will be extended from six weeks to 13 weeks and we hope to introduce this to coincide with the introduction of the State Pension Credit.

Widowed Spouses Pensions (Remarriage)

Mr. Drew: To ask the Secretary of State for Work and Pensions if he will make a statement on the Government's policy on the loss of widows' and widowers' pension entitlement on remarriage. [77846]

Malcolm Wicks: Bereavement Allowance and Widowed Parents Allowance are available to both men and women of working age who are widowed. The predecessor benefits, Widow's Pension and Widowed Mother's Allowance, were available to women only up to a maximum age of 65. Entitlement to these benefits ends if a widow or widower remarries. This is because they are intended to provide financial support in widowhood and are designed to help the widowed spouse maintain him or herself and any dependant children in the absence of the deceased spouse's income.

If a widow or widower remarries they are treated, for benefit purposes, in the same way as members of any other married couple. Other social security benefits or tax credits may be available to help support the new family depending on their circumstances.

LORD CHANCELLOR'S DEPARTMENT

Strategic Investment Board

Valerie Davey: To ask the Parliamentary Secretary, Lord Chancellor's Department when the Lord Chancellor's Strategic Investment Board's Annual Report for 2001–02 will be published. [78493]

Ms Rosie Winterton: Copies of the Strategic Investment Board's first Annual Report, covering the period from 1 January 2001 to 31 March 2002 have now been published. Copies are now available in the Library of the House and via the Lord Chancellor's Department's website at www.lcd.gov.uk. This provides full details of the Board's achievements for that period and its recommendations for future investment strategies for the Public Guardianship Office.

Written Answers to Questions

Wednesday 30 October 2002

CABINET OFFICE

Employed Staff

David Wright: To ask the Minister for the Cabinet Office how many staff are employed within the Cabinet Office; and how many work within the Civil Contingencies Secretariat. [76821]

Mr. Alexander: On 22 October 2002 there were 2,400 staff employed in the Cabinet Office. 109 of these were working in the Civil Contingencies Secretariat. Of these, 60 were working in the Emergency Planning College at Easingwold, Yorkshire.

Executive Agencies

Tony Wright: To ask the Minister for the Cabinet Office what reports his Department has published on executive agencies' and executive NDPB's performance against targets since the Executive Agencies 1999 Report and the Executive NDPBs 1999 Report. [78128]

Mr. Alexander: No such reports have been published. However, for individual agencies and executive NDPBs, the information is available in published annual reports and, in many cases, on websites.

CULTURE, MEDIA AND SPORT

Football

Nick Harvey: To ask the Secretary of State for Culture, Media and Sport how many football games she has attended since 26 November 2001 in her official capacity; and where those games took place. [76603]

Tessa Jowell *[holding answer 24 October 2002]:* I attended the Norwich City vs. Stockport County game at Carrow Road on 21 April 2002.

Golden Jubilee Medal

Mr. Donaldson: To ask the Secretary of State for Culture, Media and Sport if she will include the Prison Service as one of the organisations to receive the Golden Jubilee Medal from Her Majesty the Queen. [77807]

Tessa Jowell *[holding answer 28 October 2002]:* The medal is being issued to the living holders of the Victoria Cross and the George Cross, to serving members of the armed forces and Royal Fleet Auxiliary, and to the '999' emergency services. The Prison Service is not an emergency service. Accordingly, it is not eligible to receive the medal. There are no plans to re-open the matter.

Job Location

Mr. Greenway: To ask the Secretary of State for Culture, Media and Sport, pursuant to her answer of 19 September 2002, *Official Report*, column 124W, on job location, what the reasons were for the reduction in combined funding for the UK and England World Class Performance from 1999–2000 to 2000–01. [78304]

Mr. Caborn: The data required are not readily available. I will write to the hon. Member with detailed information as soon as possible.

National Lottery

Mr. Paul Marsden: To ask the Secretary of State for Culture, Media and Sport what percentage of Lottery applications were successful in Shrewsbury and Atcham in each year since the Lottery's inception; and if she will make a statement. [77861]

Mr. Caborn: This Department has never held comprehensive information on applications for Lottery grants by constituency, either in terms of the number of applications made or the amount of money requested.

Sport England

Mr. Flook: To ask the Secretary of State for Culture, Media and Sport what discussions she had with Sport England about North Taunton Sports Centre; and if she will make a statement. [77757]

Mr. Caborn: Neither my right hon. Friend the Secretary of State nor I have had any discussions

Mr. Greenway To ask the Secretary of State for Culture, Media and Sport, pursuant to the answer of 26 September 2002, *Official Report*, column 131W, on Sport England, if she will provide a breakdown of projections for Sport England's World Class funding programme for *(a)* performance, *(b)* potential, *(c)* start and *(d)* capital *(i)* 2002–03, (ii) 2003–04, (iii) 2004–05 and (iv) 2005–06. [78266]

Mr. Caborn: The projected funding for Sport England's Performance, Potential, Start and Capital programmes for the financial years 2002 through to 2006 is shown in the table.

£ million

	Performance	*Potential*	*Start*	*Capital*
2002–03	6	17	9	4
2003–04	5	13	8	3
2004–05	5	13	8	3
2005–06	5	13	8	3

Sporting Facilities (London)

Mr. Gareth Thomas: To ask the Secretary of State for Culture, Media and Sport what assessment she has made of the adequacy of sporting facilities in London; and if she will make a statement. [77519]

Mr. Caborn: My Department has announced our intention to establish an England-wide database of sports facilities. Information on sports facilities in England is currently held by a variety of organisations, and a single database will enable more strategic Government investment in those areas and facilities

which are most important. My Department is currently assessing the scope, content and cost of the proposed database and how the project will be taken forward.

Local authorities are key providers of sport and recreation and play a central role in the delivery of sport for local communities. "New Planning Guidance for Sport, Open Space and Recreation", issued by the Office of the Deputy Prime Minister, provides robust guidelines to help local authorities to plan positively for the provision and assessment of open spaces, sports and recreation facilities in their areas.

DEFENCE

Akrotiri SBA

Mr. Dismore: To ask the Secretary of State for Defence what *(a)* representations were received and *(b)* environmental impact assessment was made concerning the decision to instal the antenna in the Akrotiri SBA, Cyprus; and if he will make a statement.[R] [77919]

Mr. Ingram: Representations about the decision to install the antenna have been made by the Government of the Republic of Cyprus, the Akrotiri Co-ordinating Committee, the Green Party of Cyprus, local authorities, non government organisations and major landowners within the proposed site and surrounding area.

An environmental impact assessment (EIA) of the likely environment impact of the project was undertaken in 1997. The EIA was updated in 2001. The EIAs were reviewed by an independent, international panel of experts from the Institute of Environmental Management and Assessment (IEMA), who found that there were significant deficiencies in the original assessment, when judged against today's best practice standards. They recommended that, in the event that a decision was taken to proceed with the project, we should adopt a comprehensive strategy to ensure that adverse impacts are avoided or, where this is not possible, reduced to the absolute minimum. The panel's recommendations were accepted in full and are being implemented.

Mr. Dismore: To ask the Secretary of State for Defence what alternative locations were considered for the new antenna installed on Akrotiri SBA, Cyprus; and if he will make a statement.[R] [77920]

Mr. Ingram: Consideration was given to locating the antenna elsewhere and a number of alternative sites were investigated. The alternative sites were judged unsuitable for technical reasons.

Mr. Dismore: To ask the Secretary of State for Defence what assessment was made of the likely impact on wildlife including migratory birds, of the new antenna at Akrotiri SBA Cyprus.[R] [77921]

Mr. Ingram: A team of experts under the supervision of the Ministry of Defence gathered data on wildlife as recommended by an independent, international panel of experts from the Institute of Environmental Management and Assessment (IEMA). This work was published in a Supplementary Environmental Work Report in June 2002. A copy of the report has been placed in the Library of the House. Proposed mitigation measures have been implemented or are being progressed within a Ramsar Management Plan. Data collection is continuing.

The environmental work on migratory birds has continued beyond the publication of the Supplementary Environmental Work Report. The Ministry of Defence is currently collecting additional data. Survey protocols have been agreed between the MOD, Republic of Cyprus, and the IEMA Panel for day and night time flight line surveys to record the passage of birds through the proposed Pluto site, bird collision monitoring of the existing antenna and monitoring of the migration behaviour of Demoiselle Cranes. MOD and ROC staff have jointly staffed the surveys.

Mr. Dismore: To ask the Secretary of State for Defence what assessment was made of the possible impact on the health of the local Cypriot population of the new antenna installed at Akrotiri SBA, Cyprus; and if he will make a statement.[R] [77922]

Mr. Ingram: The possible impact of the new antenna on the health of the local Cypriot population has been considered carefully. It has been assessed that levels of electromagnetic emissions from the new system will be no greater than those from the system it will replace and will be well within EU safety limits. Following tests carried out last summer by its own experts and by experts from France, the Ministry of Communications and Works of the Republic announced that exposure of the public to electromagnetic radiation from the existing antenna on the Salt Lake is at least seventy six times smaller than the limit recommended by the European Union and that the installation of the new antenna is not expected to result in a significant increase in the level of emissions in the area. This confirms the results of our own assessments.

As a further measure of reassurance the two governments are carrying out a study into the health of the Akrotiri villagers. It is also our intention to set up permanent monitoring equipment in the village to confirm that emissions remain at the very low levels demonstrated in last summer's tests.

Mr. Dismore: To ask the Secretary of State for Defence what consultation was held with the Government of the Republic of Cyprus over the decision to build the new antenna at Akrotiri SBA; and if he will make a statement.[R] [77923]

Mr. Ingram: Extensive consultations have taken place between the Governments of the United Kingdom and the Republic of Cyprus about the decision to build a new antenna at Akrotiri.

These consultations led to a joint statement in August 2001 by the two governments about the steps necessary to address concerns about the possible impact of the antenna on the health of the Akrotiri villagers and on the environment. The British Government has fulfilled the key undertakings set out in the joint statement.

Commissioned Officers

Mr. Hancock: To ask the Secretary of State for Defence how many commissioned officers are serving on *(a)* HMS Invincible and *(b)* HMS Illustrious; and if he will make a statement. [78296]

Mr. Ingram: As at 25 October 2002, there were 40 commissioned officers serving on HMS Invincible and 11 on HMS Illustrious.

Mr. Hancock: To ask the Secretary of State for Defence how many *(a)* commissioned and *(b)* non commissioned officers are serving on ships in refit or not in service, broken down by ship; and if he will make a statement. [78299]

Mr. Ingram: Ships not in service are appropriately manned for their routine care and maintenance. Such tasks include essential daily safety check and preservation checks and low-level maintenance. In addition, during refit, these reduced crews support project managers working on board; to maintain equipment not contracted to be worked on during refit and to prepare ships for their return to fleet.

The numbers of *(a)* commissioned and *(b)* non commissioned officers serving on ships in refit or not in service, broken down by ship as at 29 October are:

Ship	*Officers*	*NCOs*	*Ratings*
Albion[1]	26	74	201
Alderney	5	6	26
Archer	1	2	2
Biter	1	2	2
Blazer	1	2	2
Bridport	3	5	23
Campbeltown[2]	15	47	156
Charger	1	2	2
Dasher	1	2	2
Enterprise	6	13	2
Example	1	2	2
Exploit	1	2	2
Explorer	1	2	2
Express	1	2	2
Fearless[3]	6	22	79
Glasgow[4]	22	56	163
Gloucester	7	22	15
Illustrious	11	53	125
Invincible[5]	39	108	286
Ixworth	0	2	4
Middleton	8	8	28
Monmouth[6]	11	35	56
Montrose	11	22	6
Nottingham[7]	9	38	86
Puncher[8]	1	2	2
Pursuer	1	2	2
Raider	1	2	2
Smiter	1	2	2
Talent[8]	7	41	29
Trenchant[9]	10	50	50
Tracker	1	2	2
Vanguard	7	44	26

[1] Albion is building up crew members to support sea trials.
[2] Completion is undergoing a docking period and retains a full crew.
[3] Fearless. This figure will reduce to nil as at 31 October 2002.
[4] Glasgow is undergoing a short period of maintenance and retains a full crew.
[5] Invincible is building up her crew as she prepares to come out of refit.
[6] Monmouth. To reduce to a total of 44 on 31 October 2002.
[7] Nottingham. To reduce to 64 to support repair.
[8] Talent crew reducing as she goes into refit.
[9] Trenchant is building up crew as she prepares to come out of refit.

Mr. Hancock: To ask the Secretary of State for Defence how many non-commissioned officers are serving on *(a)* HMS Invincible and *(b)* HMS Illustrious; and if he will make a statement. [78298]

Mr. Ingram: As at 25 October 2002, there were 104 non-commissioned officers (Senior Rates) serving on HMS Invincible and 50 on HMS Illustrious.

Defence Fire Service

Mr. Mullin: To ask the Secretary of State for Defence how many members there are of the Defence Fire Service; and what equipment introduced in the last 10 years it has at its disposal. [77501]

Mr. Ingram: The current personnel establishment figure for the Defence Fire Service (DFS) is 1,300 covering all ranks. Precise details of current day-to-day manning levels are not held centrally as personnel below the officer grades are locally recruited.

The DFS, established at military airfields and bases where specific fire protection is required, is equipped with modern fire fighting apparatus and rescue vehicles, a significant proportion of which has been introduced within the last 10 years

Exercise Arrcade Fusion

Mr. Martyn Jones: To ask the Secretary of State for Defence if he will make a statement on the forthcoming ARRC's exercise Arrcade Fusion in Germany. [77868]

Mr. Ingram: HQ Allied Command Europe Rapid Reaction Corps (ARRC) is holding its annual major Command Post Exercise, Arrcade Fusion, from 4 to 14 November 2002 at Javelin Barracks, Elmpt and Sennelager Training Centre. Personnel from 17 NATO Allies will take part. This is the first major exercise that HQ ARRC has conducted since it was endorsed by NATO's Military Committee as the first of the new NATO High Readiness Force (Land) Headquarters.

General Surgeons

Mr. Hancock: To ask the Secretary of State for Defence how many general surgeons are available to the *(a)* RAF, *(b)* Army and *(c)* Royal Navy; and if he will make a statement. [78282]

Dr. Moonie: As at 1 October 2002, there were 11 General Surgeon consultants in the Royal Navy, nine General Surgeon consultants in the Army, and two General Surgeon consultants in the Royal Air Force.

In addition, there were two Specialist Registrars within two years of qualifying as consultants in the Royal Navy and five Specialist Registrars within two years of qualifying as consultants in the Army. These personnel can be deployed, if necessary, as General Surgeons under supervision by a consultant.

Invalided Army Personnel

Mr. Hancock: To ask the Secretary of State for Defence how many army personnel have been invalided out of the Army when deployed in *(a)* Sierra Leone, *(b)* Saif Sareea, *(c)* Afghanistan, *(d)* Kosovo and *(e)* Macedonia as a direct result of their involvement in the deployments; and if he will make a statement. [78286]

BEST COPY AVAILABLE

Dr. Moonie: The number of regular Army personnel medically discharged due to disabilities sustained directly from having served in these theatres of operations, as at 28 October 2002, is shown in the table.

Theatre of operations	*Number discharged*
Sierra Leone	3
Saif Sareea	0
Afghanistan	0
Kosovo	9
Macedonia	0
Total	12

L21 A1 Plastic Baton Round

Mr. McNamara: To ask the Secretary of State for Defence what steps he has taken to respond to the recommendations of the Defence Scientific Advisory council on a review of the L21 A1 plastic baton round; and if he will place a copy of the report in the Library. [77102]

Mr. Ingram: The review of L21A1 baton round performance after one year in service was completed and provided to the Sub-committee (SC) of the Defence Scientific Advisory Council (DSAC) as requested in June of this year.

The SC, DSAC have considered the review and have issued a statement, which is reproduced below. I am also placing a copy of the statement in the Library ofthe House. It concludes that there is no reason to amend the previous SC, DSACstatement that was placed in the Library of the House by my right hon Friend the Secretary of State for Defence on 2 April 2001.

The SC, DSAC statement also notes that some attempts have been made to suggest that the committee consider the L21A1 to be more dangerous than the previous system. The statement refutes these suggestions and states clearly that it is the view of the SC, DSAC that the L21A1/L104 weapon system is safer than its predecessor.

DEFENCE SCIENTIFIC ADVISORY COUNCIL

Statement on the review by MOD of medical issues arising from use of the L21A1 Baton Round from June 2001–April 2002.

1. The statement of the Sub-committee (SC) of the Defence Scientific Advisory Council (DSAC) on the medical implications of the use of the new L21A1 Baton Round was placed in the Library of the House of Commons in April 2001. The statement compared the injury potential of the L21A1 system in public order role with that of the then current Baton Round, the L5A7.

2. The SC, DSAC requested that one year after introduction of the L21A1, the MOD should review perceived or quantitative changes in the frequency and nature of serious injuries from the system. The review was due in June 2002 and the SC DSAC received the report from MOD by the specified date.

3. The SC, DSAC considers that on the data available, there is no reason to amend the DSAC statement that provided the medical advice to Ministers. The SC, DSAC notes that from the available data there is no definitive or even indicative evidence that there is a higher frequency of thoracic impacts from the L21A1; thoracic impacts will occur occasionally in operational use.

4. The SC, DSAC requests that the performance and medical consequences of use of the L21A1 remains under review and that a further review is conducted by 31 July 2003, to consider the period 1 June 2001 to 31 May 2003—the first two years of operational use of the L21A1.

5. The SC, DSAC has noted some claims that its medical statement on the L21A1 has shown the projectile to be more dangerous. These claims appear to have arisen from taking elements of the statement out of context. It remains the view of SC, DSAC that the L21A1/L104 weapon system is a safer system than its predecessors, when operated in accordance with agreed guidelines.

Military Companies

Norman Baker: To ask the Secretary of State for Defence pursuant to his answer of 15 October 2002, *Official Report*, column 540W, on military companies, how many private military companies he estimates provide forces for combat; and how many United Kingdom nationals in total he estimates are so employed. [77804]

Mr. Ingram: As I explained in my answer of 15 October to the hon Member, the FCO Green Paper entitled "Private Military Companies: Options for Regulation" published on 12 February 2002 highlighted the problem of defining a private military company. I noted that in practice, a wide spectrum of people and companies may be involved in the supply of military and security services. The Green Paper also notes that the distinction between combat and non-combat operations is not always clear. Companies may employ only a relatively small core of full-time staff and recruit personnel for individual contracts on a case-by-case basis. United Kingdom nationals could also potentially operate overseas on a freelance basis, but such activity is difficult to monitor. Given these difficulties, it is not possible to provide any meaningful estimates of the number of companies that provide forces for combat or how many United Kingdom nationals are so employed. The absence of any register of companies describing themselves as Private Military Companies further undermines any attempt to produce a meaningful estimate.

Military Medical Records

Mr. Hancock: To ask the Secretary of State for Defence what action has been taken to ensure that vaccinations and preventive medicinal measures are properly reported on service personnel medical records; and if he will make a statement. [78276]

Dr. Moonie: It is Ministry of Defence policy that all treatments and vaccinations given to personnel are to be recorded on their personal medical records. Any treatments or vaccinations administered to personnel whilst they are deployed are recorded on their operational medical record and the information transferred to their personal medical records on return. All three Services have routine administrative

procedures in place to check that the medical records of both Regular and Reserve personnel are both up to date and accurate.

Mr. Hancock: To ask the Secretary of State for Defence whether service personnel military medical records are available to their civilian doctor if requested; and if he will make a statement. [78278]

Dr. Moonie: The Service medical records of ex-Service personnel are available to civilian doctors if the individual serviceman or woman consents to their release.

Mr. Hancock: To ask the Secretary of State for Defence under what circumstances Service personnel military medical records are not made available to their civilian doctor when requested; and if he will make a statement. [78279]

Dr. Moonie: The military medical records of Ex-Service Personnel are not made available to the individual's civilian doctor unless the individual consents to their release.

NATO

Mr. Jenkin To ask the Secretary of State for Defence what role NATO's Deputy Supreme Allied Commander Europe will play in cases where an EU-led crisis operation does not use NATO assets. [77816]

Mr. Hoon: EU-led operations without recourse to NATO assets and capabilities, planning and command requirements would draw on existing national and multinational headquarters available to the EU. The Operation Headquarters would be based on an existing national headquarters, such as the permanent joint headquarters at Northwood, augmented by officers from participating nations. NATO's Deputy Supreme Allied Commander Europe will be kept informed of the general progress of the operation. He would also co-ordinate responses to EU requests to NATO for planning support. These arrangements are subject to finalising agreement on modalities for EU-NATO co-operation.

Operation Fresco

Mr. Gerald Howarth: To ask the Secretary of State for Defence how many military units have had post-operational leave cancelled or postponed in order to provide personnel for Operation Fresco. [77930]

Mr. Ingram: I refer the hon Member to the answer I gave on 24 October 2002, *Official Report*, column 439W, to the hon Member for Mid-Norfolk (Mr Simpson). Elements of the following five units have had post-operational leave postponed: 1 Royal Horse Artillery; the 1st Welsh Guards; 22 Engineer Regiment; 26 Engineer Regiment; and the Household Cavalry Regiment.

Mr. Gerald Howarth: To ask the Secretary of State for Defence what arrangements have been made to maintain ships taken out of service to release personnel for Operation Fresco. [77931]

Mr. Ingram: Maintenance packages are in place on all vessels involved in providing personnel for Operation Fresco. Fleet continues to closely monitor these ships and any additional measures necessary to limit degradation will be taken.

Mr. Gerald Howarth: To ask the Secretary of State for Defence which Royal Navy ships have been taken out of service in order to release personnel for Operation Fresco. [77932]

Mr. Ingram: HMS Exeter, HMS Kent, HMS Lancaster, HMS Manchester, HMS Norfolk, HMS Newcastle and HMS Portland have had their operational programmes changed in support of Operation Fresco.

Royal Engineers

Mr. Gerald Howarth: To ask the Secretary of State for Defence when he expects to make a decision on the PFI contract in respect of the Royal Engineers establishments at Chatham and Minley. [77933]

Mr. Ingram: We currently anticipate that a decision on the selection of Preferred Bidder will be made in January 2003.

Ship Crews

Mr. Hancock: To ask the Secretary of State for Defence how many ships at sea on deployment have the full crew complement; and if he will make a statement. [78297]

Mr. Ingram: In meeting demanding manpower targets, the Admiralty Board has agreed Strategic Manning Priorities. These are reviewed annually.

Under current priorities only submarines are required to reach 100% manning whilst at sea on deployment. Currently, however, there are eight surface vessels and three submarines on deployment outside home waters that have full crew complements.

Mr. Hancock: To ask the Secretary of State for Defence how many ships at sea on deployment have a crew complement of more than five per cent. less than the full crew complement; and if he will make a statement. [78300]

Mr. Ingram: There are 37 surface ships and three submarines currently on deployment outside home waters. Of these vessels, 11 high readiness vessels have a full crew complement, 16 have a complement between 95–100% of their full complement, nine have a complement between 90–95% and two ships have a complement of under 90%. Of these latter two ships one has a total complement of eight and is one crew member short. The second ship, although on deployment doing valuable work, is at a lower state of readiness.

Suicide

Mr. Keith Simpson: To ask the Secretary of State for Defence how many *(a)* soldiers, *(b)* sailors and *(c)* airmen have committed suicide in each year since 1972. [76672]

Mr. Ingram *[holding answer 24 October 2002]:* Centrally held statistics on suicides using consistent definitions are only available from 1984 onwards.

There have been 445 recorded suicides between 1 January 1984 and 31 December 2001 within Regular Armed Forces (including Gurkhas). There figures are based on coroners' (or Procurator Fiscal in Scotland) verdicts of suicide, and exclude self-inflicted deaths with open verdicts, accidental deaths or deaths due to misadventure. Figures from 1995 may change as there are a number of verdicts outstanding, and from 1999 changes to these figures may be significant. A breakdown by Service and by year is as follows:

Number of reported suicides in the Armed Forces by Service over the period 1 January 1984—31 December 2001

	Year of death																
Service	*1984*	*1985*	*1986*	*1987*	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*1994*	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*
Navy	2	3	7	3	6	4	8	6	6	1	6	1	5	3	0	4	4
Army	15	14	16	11	23	22	20	22	19	18	19	16	17	15	9	9	9
RAF	7	4	8	7	7	5	14	8	7	9	5	3	2	4	2	1	5
Total	24	21	31	21	36	31	42	36	32	28	30	20	24	22	11	13	18

Timber

Jane Griffiths: To ask the Secretary of State for Defence what action his Department is taking to ensure that the timber based board products and furniture is from legal and sustainable sources; and if he will make a statement. [78069]

Dr. Moonie: The Ministry of Defence's policy on timber procurement is laid down in JSP 418, the MOD Environmental Manual, a copy of which is in the Library of the House. Paragraph 4023 of JSP 418 states that all timber and timber products should be procured from sustainable sources.

The MOD has introduced a new condition of contract, which places an express contractual obligation on its suppliers to comply with the Government's policy on supply or consumption of timber and products containing wood, and, in addition, to supply data to verify that compliance.

DEPUTY PRIME MINISTER

Bushmeat

Mr. Gummer: To ask the Deputy Prime Minister what assistance has been given to local authorities to educate residents of the dangers of illegally imported bushmeat. [75927]

Mr. Morley: I have been asked to reply.

A campaign to raise public awareness of the dangers posed by illegal meat imports has been co-ordinated centrally by the Department for Environment, Food and Rural Affairs. A variety of methods have been used in the campaign, including posters, leaflets, and radio fillers. Two Government information videos have just been produced. A leaflet on the importance of biosecurity has been issued to farmers. At the level of local authorities, in this financial year, Defra is funding jointly with the Food Standards Agency to provide additional training officers on import rules.

Concessionary Fares

Mr. Pike: To ask the Deputy Prime Minister what local authorities are introducing smart card technology to improve access to and availability of concessionary fare schemes; and if he will make a statement. [77938]

Mr. Jamieson: I have been asked to reply.

My Department is currently reviewing local authorities' plans to implement smart card concessionary travel schemes and has produced an interim list of existing and planned travel schemes.

Active schemes and schemes under implementation (England)[1]

Caradon DC
Carrick DC
Centro (West Midlands PTE)—Coventry only
Cornwall CC
Greater Manchester PTE
Hertfordshire CC
Kerrier DC
Transport for London
North Cornwall DC
Nottinghamshire CC
Penwith DC
Restormel BC

[1] Smart cards in use but not necessarily complete issue/acceptance

Schemes in preparation and under consideration (England)

Allerdale DC
Barrow DC
Blackburn with Darwen Council (Unitary)
Blackpool Borough Council (Unitary)
Burnley DC
Carlisle City Council
Chorley DC
Copeland DC
Cumbria CC
Devon CC
Eden DC
Fylde DC
Herefordshire CC
Hyndburn
Lancashire CC
Lancaster DC
Marseytravel
Nexus (Tyne and Wear PTE)
Pendle DC

Preston DC
Reading City Council
Ribble Valley DC
Rossendale DC
Somerset CC
South Lakes DC
South Ribble DC
South Yorkshire PTE
West Lancashire DC
West Yorkshire PTE
Worcestershire CC
Wyre DC

Smart cards have great potential to help improve people's experience of public transport by facilitating through-ticketing and "seamless" journeys. In some parts of the country projects are already well advanced. We are organising "showcase" demonstration examples to promote their wider take-up, to encourage scheme integration and help put the UK firmly in the lead in this area. My Department is working closely with the Integrated Transport Smart Card Organisation (ITSO) to create common specifications for ticketing systems to ensure smart cards introduced in one area are capable of working with ticket machines in other areas.

Local Authority Services

Mr. Hancock: To ask the Deputy Prime Minister what assessment has been made of the impact of the implementation of the Private Securities Act 2001 on local authorities' ability to control the activities of private clamping and towing companies; and if he will make a statement. [77334]

Mr. Denham: I have been asked to reply.

The Private Security Industry Act 2001 will introduce for the first time effective regulation of the activities of those who clamp vehicles on private land. The Act provides for the compulsory licensing of all individuals involved in such activities. Licensing will be undertaken by the Security Industry Authority, which will work closely with local authorities and the police in ensuring proper compliance with the licensing requirement.

The provisions of the 2001 Act do not extend to the towing away of motor vehicles. We are, however, aware of the growing concern about towing activities and are currently consulting relevant bodies about the scale of the problem and what, if any, measures should be introduced to address it.

Private Security Industry Act

Mr. Hancock: To ask the Deputy Prime Minister what responsibilities under the Private Security Industry Act 2001 he plans to give local authorities; what funding will be given for these extra responsibilities; and if he will make a statement. [77332]

Mr. Denham: I have been asked to reply.

The Private Security Industry Act 2001 places responsibility for licensing individuals in the industry with the Security Industry Authority (SIA). Section 13 of the Act allows the Secretary of State to devolve to local authorities some or all of the SIA's licensing functions in respect of door supervisors. After careful consideration of the issues, including the cost implications and practicality of any such devolution, the Government have decided that all aspects of the licensing of door supervisors should be undertaken centrally by the SIA. I advised the Local Government Association of this decision on 31 August. The SIA will be discussing with local authorities how best to monitor, at local level, compliance with the licensing regime.

Mr. Hancock: To ask the Deputy Prime Minister if he will make a statement on the ability of local authorities to regulate the activities of private clamping and towing companies; and if he will make a statement. [77333]

Mr. Bob Ainsworth: I have been asked to reply.

Local authorities do not have any statutory powers to regulate operators who clamp and remove vehicles from private land, including car parks where the public has access. However, under the Private Security Industry Act 2001, the Security Industry Authority has been given powers to regulate all persons in England and Wales who immobilise vehicles in such places, in part because of concerns about the unscrupulous behaviour of some clamping companies. The authority is expected to begin licensing clamping operators with effect from late 2003.

The provisions of the 2001 Act are limited to the immobilisation of a vehicle by the attachment of an immobilising device, and do not extend to the towing away of motor vehicles. We are, however, aware of the growing concern about towing activities and, in view of this, we are currently consulting relevant bodies (such as the police and the British Parking Association) about the scale of the problem and what, if any, measures should be introduced to address it.

EDUCATION AND SKILLS

Bachelor of Education Courses

Mr. Dawson: To ask the Secretary of State for Education and Skills if he will introduce a system of bursaries for four-year bachelor of education degrees equivalent to those available for students on post-graduate certificates of education. [77892]

Mr. Miliband: My right hon. Friend has no present plans to alter the support arrangements for students on Bachelor of Education courses, which remain the same as those which apply to other undergraduate students.

Education (Immigrant Children)

Ms Buck: To ask the Secretary of State for Education and Skills what his policy is on educating children of immigrants separately for the first months after arrival in order to have their needs assessed. [77801]

Mr. Stephen Twigg: All children, including those from migrant families, are given the same opportunities as other children to access education. The Department has no plans to provide separate education for the vast majority of children of immigrants.

However, a minority of children whose families seek asylum and are destitute may be educated in accommodation centres which will provide a complete package of support for the family. This education will be of the same breadth and quality as that delivered in schools and will be specifically tailored to meet their particular needs, including providing intensive support to help them learn English.

On arrival in the centre, children will receive an initial assessment which will cover such areas as previous educational experience and attainment, knowledge of English and any Special Educational Needs requirements. Teachers will monitor progress during the length of their stay and, on leaving the centre, will undertake a final assessment with information being recorded which will be available to their receiving school.

School Exclusions

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many pupils were excluded from *(a)* primary schools, *(b)* city technology colleges, *(c)* other secondary schools and *(d)* special schools in each year since 1988; how many of these exclusions were taken to appeal; and how many of these exclusions were successfully overturned by an appeals panel. [76777]

Mr. Miliband: The available information is shown in the table. Data on permanent exclusions have only been recorded reliably for the academic year 1995–96 onward.

Number of permanent exclusions by type of school(England

Year[1]	Primary[2]	Maintained Secondary[2]	Special[3]	Total
1995–96	1,608	10,344	524	12,476
1996–97	1,573	10,463	632	12,668
1997–98	1,539	10,187	572	12,298
1998–99	1,366	8,636	436	10,438
1999–2000	1,226	6,713	384	8,323
2000–01[4]	1,436	7,305	394	9,135

[1] Year in which the permanent exclusion fell after appeal procedures had been concluded.
[2] Includes middle schools as deemed.
[3] Includes maintained and non-maintained special schools.
[4] Estimates have been made for 2000–01 because the data are known to be incomplete.Source:Annual Schools Census

School exclusion and reinstatement appeals—Maintained Primary, Secondary and Special schools

	Appeals by parents Number			Appeals by governors Number		
Year[1]	Lodged	Heard	Successful	Lodged	Heard	Successful
1995–96	1,339	1,091	185	141	126	79
1996–97	1,455	1,128	225	87	81	39
1997–98	1,287	1,011	204	122	118	50
1998–99	1,216	964	220	97	93	48
1999–2000	948	863	317	8	6	4
2000–01	1,095	983	314	—[2]	—[2]	—[2]

[1] Year in which the appeal was determined.
[2] Not applicable (from 1 September 1999 the right of the LEA to overrule to governor's decision to uphold a permanent exclusion was abolished).
Source:
School Exclusion Appeals Survey

Standards Fund

Mr. Willis: To ask the Secretary of State for Education and Skills if he will list for each initiative funded through the Standards Fund the *(a)* budget for 2001–02, *(b)* outturn for 2001–02 and *(c)* budget for 2002–03. [76598]

Mr. Miliband: The tables show the grant allocated for each initiative funded through the Standards Fund, and the amounts finally accepted by local education authorities, for 2001–02 and 2002–203. Expenditure figures are not available for 2001–02.

Standards Fund Grants 2001–02

Initiative	Original Grant Allocation £	Final Grant Allocation £
Truancy buster awards	406,000	406,000
School improvement	116,519,051	116,481,951
Social inclusion: pupil support	86,311,859	85,803,112
Social educational needs	38,703,686	38,682,375

Standards Fund Grants 2001–02

Initiative	Original Grant Allocation £	Final Grant Allocation £
Children in public care	3,710,003	3,710,003
Sick children	2,000,000	2,000,000
Teenage pregnancies	5,001,700	5,001,700
Drug, alcohol and tobacco prevention	9,677,087	9,662,712
Youth service	1,059,105	1,053,805
Study support	41,458,609	41,046,276
Adult ethnic minority achievement	753,825	742,107
Child protection co-ordinators	990,000	990,000
National literacy and numeracy strategies	112,763,910	112,761,235
Key Stage 3 strategy	38,336,093	38,212,677
Literacy and numeracy scummer schools	12,078,700	11,499,940
Year 9 booster classes	13,320,000	13,320,000
Ethnic minority achievement	81, 603,966	81,603,966
Traveller children achievement	8,291,488	8,291,488
Family literacy and numeracy	3,677,511	3,640,689
Booster classes	46,000,100	46,000,100
National curriculum: implementation	1,624,495	1,618,508

Standards Fund Grants 2001–02

Initiative	*Original Grant Allocation* £	*Final Grant Allocation* £
National curriculum: personal social and health education/ citizenship	7,829,484	7,829,484
Education health partnerships	5,700,000	5,700,000
Qualifications	1,545,158	1,545,158
LEA music services	50,060,500	50,060,500
Playing for success	2,152,883	2,152,883
Early years training and development	7,154,995	7,154,995
Early excellence centres	9,245,175	9,245,175
Adult: pupil ratios in reception classes	14,853,526	14,421,322
School achievement awards	63,893,453	63,893,453
Maintained nursery school service	8,975,004	8,975,004
Children of asylum seekers	2,377,000	2,377,000
Excellence in cities	149,752,000	149,752,000
Excellence challenges	9,185,600	9,185,000
City learning centres	80,651,002	80,651,002
Small education zones	20,987,342	20,987,342
Gifted and talented children	3,825,000	3,825,000
Specialist schools	86,526,340	86,526,340
Beacon schools	30,685,830	30,685,830
Pupil support allowance	11,671,845	11,671,845
Pupil learning credits	14,499,999	14,499,999
Grammer/non-selective school partnerships	505,616	505,616
Diversity pathfinders	323,500	323,500
Induction of newly qualified teachers	34,223,840	34,223,840
Teacher recruitment measures (golden hellos)	2,565,954	2,565,954
Training schools	4,355,000	4,355,000
Advanced skills teachers	18,487,787	16,510,981
National professional qualification for headship	16,381,368	16,381,368
Leadership programme for serving heads	5,227,653	5,180,402
Performance management	28,000,002	28,000,002
Teaching assistants	104,652,809	104,345,784
Small schools fund	42,332,042	41,487,354
Supported early retirement scheme for heads	5,178,100	4,801,800
Recruitment and retention fund	33,000,000	33,000,000
Teachers sabbaticals	4,884,000	4,884,000
Early professional development	4,651,150	4,651,150
Welcome back bonus	454,033	454,033
National grid for learning	132,265,063	132,121,881
Key Stage 1 class size	177,455,982	177,455,982
Key Stage 2 class size recurrent funding	17,461,558	17,461,558
Devolved formula capital	409,009,065	409,009,065
Seed capital challenge	34,999,998	34,999,998
School laboratories	43,494,238	43,494,238
Learning support units	25,232,370	25,232,370
School security	11,650,857	11,416,297
Fresh start	25,519,748	25,519,748
New models for LEA services	1,266,757	1,266,757
NDS condition funding	239,788,348	239,788,348
Information management strategy	29,999,998	29,999,998
NDS capital projects	39,824,146	39,824,146
Classrooms of the future	5,425,000	5,425,000
Total:	2,704,475,306	2,698,354,746

Standards Fund Grants 2002–03

Initiative	*Original Grant Allocation* £	*Final Grant Allocation* £
School improvement	131,562,975	131,562,975
Social inclusion: pupil support	84,683,332	84,549,663
Special educational needs	42,152,297	42,119,994
Sick children and children in public care	5,200,001	5,193,316
Teenage pregnancy	4,999,999	4,999,999
Drug, alcohol and tobacco prevention	9,600,003	9,583,860
Study support	48,119,999	47,637,893
Child protection co-ordinators	1,378,000	1,325,000
Behaviour and improvement programme	50,003,000	50,003,000
National literacy and numeracy strategies	77,744,611	77,744,611
Key Stage 3 strategy	97,126,316	96,464,450
Ethnic minority achievement	81,064,263	81,057,034
Traveller children achievement	8,155,841	8,135,041
Year 6 booster classes	42,000,000	42,000,000
Educational health partnerships	9,819,993	9,819,993
Qualifications	1,540,756	1,521,724
LEA music services	59,633,546	59,633,546
Playing for success	1,813,365	1,813,365
Early years training and development	7,020,009	7,020,009
Early excellence centres: recurrent	9,047,080	0,040,080
Adult: pupil ratios in reception classes	11,375,139	10,985,930
School achievement awards	58,885,040	58,885,040
Nursery school project	4,906,484	4,906,484
Training for educational visits co-ordinators	2,355,600	3,355,600
Excellence in cities	173,556,890	173,556,890
Gifted and talented summer schools	3,816,000	3,816,000
Specialist schools	108,978,953	108,978,953
Specialist schools (capital)	20,550,000	20,550,000
Beacon schools	40,168,850	40,168,850
Pupil support allowances	8,988,000	8,988,000
Pupil learning credits	19,623,621	19,623,621
Partnerships between grammar and non-selective schools	308,477	308,477
Excellence challenge	17,259,656	17,259,656
Small education action zones	26,768,968	26,768,968
Diversity pathfinders	920,150	920,150
Induction of newly qualified teachers	34,835,998	34,831,177
Teacher recruitment incentives	24,779,496	24,779,496
Training schools	4,203,000	4,203,000
Advanced skills teachers	20,058,558	18,926,163
Performance management and threshold assessment	14,560,001	14,474,890
Teaching assistants	103,098,945	102,757,478
Small schools fund	41,600,000	41,082,080
Teacher recruitment and retention fund	44,001,000	44,001,000
Teacher sabbaticals	9,752,000	9,762,000
Early professional development pilot programme	6,056,182	6,056,182
Welcome back bonuses	205,131	205,131
Transforming school workforce pathfinders	3,370,775	3,370,775
Fast track payments	318,000	318,000
National grid for learning	182,000,006	181,524,946
Key Stage 1 class size	144,834,655	144,834,655
Key Stage 2 class size	25,451,573	25,451,573
NDS devolved formula capital	360,254,267	360,254,267
Seed challenge capital	60,000,000	60,000,000
Staff workspaces	11,999,998	11,999,998
Learning support units	9,987,269	9,987,269
New school security projects	9,999,996	9,999,996
Fresh start and new partnerships	17,451,058	17,451,058

Standards Fund Grants 2002-03

Initiative	*Original Grant Allocation* £	*Final Grant Allocation* £
NDS condition funding	346,500,441	346,500,441
Information management strategy	7,039,908	7,039,908
Capital funding for nursery education in disadvantaged areas	20,077,716	20,077,716
Capital projects	39,216,362	39,216,362
Laptops for teachers	59,846,307	59,846,307
Electronic registration systems in secondary schools	9,656,820	9,656,820
Electronic registration systems in secondary schools	9,656,820	9,656,820
e-Learning credits	29,929,186	29,929,186
Total:	2,912,221,862	2,907,843,046

INTERNATIONAL DEVELOPMENT

UN Convention on Rights of the Child

Andrew George: To ask the Secretary of State for International Development how many meetings officials have attended to discuss progress towards meeting the UN Convention on the Rights of the Child *(a)* with organisations and Government departments within the UK and *(b)* with organisations in other countries. [78008]

Mr. Denham: The Children and Young People's Unit has lead responsibility for monitoring the UK's implementation of the UN Convention on the Rights of the Child. Since March 2001, when the Unit took over responsibility from the Department of Health, officials have held the following formal meetings which include discussion of the UN Convention on the Rights of the Child:

(a) Within the UK

Quarterly meetings with the devolved administrations

Bimonthly meetings of the Children and Young People's Interdepartmental Group

(b) In other countries

Twice yearly meetings of the EU Permanent Intergovernmental Group "l'Europe de l'Enfance"

In addition, the Unit holds ad hoc bilateral meetings both at home and abroad with lead policy makers on Convention issues. For example, there was regular contact across Whitehall in the preparation for the UK's second report to the UN Committee. Information about the precise number of such meetings can only be gathered at disproportionate cost.

Andrew George: To ask the Secretary of State for International Development what recent assessment she has made of the UK's contribution towards achieving the goals of the UN Convention on the Rights of the Child; and what representations she has received about the UK contribution. [78011]

Mr. Denham: The UN Convention on the Rights of the Child (UNCRC) does not require signatories to work towards achieving certain objectives or 'goals', nor does it give enforceable rights to individual children. Rather, it imposes obligations on the State to "respect and ensure the rights set forth in the Convention to each child within their jurisdiction". Each signatory, therefore, is responsible for implementing the UNCRC in their own country.

The UK signed the Convention on 19 April 1990 and ratified it on 16 December 1991. It came into force in the UK on 15 January 1992. To allow monitoring of implementation, the CRC requires State Parties to report to the UN on their progress against the Convention 2 years after ratification, and every 5 years subsequently.

The UK's Second Report under the CRC was submitted by the Department of Health in 1999 and, due to backlogs at the UN, was only considered by the Committee on the Rights of the Child in June this year. A UK delegation comprising senior officials from across Government attended an oral examination in Geneva on 19 September. UK NGOs also submitted a report, and gave oral evidence. The Committee published its concluding observations on 4th October and this document, as well as copies of the UK's Second Report and a summary of the UK NGO reports have been placed in both Libraries.

The Government is under no formal obligation from the UN to respond to the report, but lead Departments across Whitehall, together with the Devolved Administrations, are considering how to take the Committee's comments into account. Although there are areas where we expect to take a different view from the Committee over our obligations under the Convention, we will consider its recommendations in developing our overarching strategy for children and young people, a development which the UN Committee welcomed. We will continue to involve the voluntary sector in this work.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Illegal Meat Imports

Mr. Gummer: To ask the Secretary of State for Environment, Food and Rural Affairs what assistance has been given to local authorities to educate residents on the dangers to livestock from illegally imported meat. [75926]

Mr. Morley: A campaign to raise public awareness of the dangers posed by illegal meat imports has been co-ordinated centrally by the Department for Environment, Food and Rural Affairs. A variety of methods have been used in the campaign, including posters, leaflets, and radio fillers. Two Government information videos have just been produced. A leaflet on the importance of biosecurity has been issued to farmers. At the level of local authorities, in this financial year, Defra is funding jointly with the Food Standards Agency to provide additional training for enforcement officers on import rules.

Mr. Gummer: To ask the Secretary of State for Environment, Food and Rural Affairs what she is doing to encourage trading standards officers to prosecute those who trade in illegally imported bushmeat. [75930]

Mr. Morley: My officials have discussed with local authority officers on a number of occasions the circumstances in which prosecutions are brought

against those importing meat illegally. We have made clear that prosecutions are an important aspect of deterrence which we would like to see used where there is clear evidence of a serious breach of the rules. We are willing to work with local authorities to produce further guidance if this would be helpful. In addition the Department for Environment, Food and Rural Affairs is matching funding with the Food Standards Agency to provide additional training for officers from local authorities, including trading standards officers, on import requirements. One of the key aims of the training will be to raise awareness of the illegal meat trade and give officers advice on which cases should be prosecuted.

Mr. Ruffley: To ask the Secretary of State for Environment, Food and Rural Affairs how many penalties have been imposed on illegal meat importers since May. [76009]

Mr. Morley: According to data held on the Illegal Imports Animal Products Seizures (ILAPS) database, there have been 984 seizures of illegally imported meat from 1 May to 30 September 2002 inclusive. The penalty in 983 of these cases was destruction of the produce, and in the other the produce was re-exported. In addition, one successful prosecution was brought by Crawley Borough Council in July 2002 and six cautions were issued by the London Port Health Authority in October 2002.

Animal Welfare

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement about the animal welfare standards in *(a)* pig and *(b)* poultry farms. [76959]

Mr. Morley: There is comprehensive legislation in place to protect the welfare of all farmed animals. In particular, the Welfare of Farmed Animals (England) Regulations 2000, as amended, include detailed requirements for pigs and laying hens. There are also species-specific welfare codes. Arrangements are in place to implement new EU directives on pig welfare and to update the existing welfare code. New codes for laying hens and meat and breeding chickens were introduced in July.

Mr. Hepburn: To ask the Secretary of State for Environment, Food and Rural Affairs what her policy is on banning the use of animals in circuses; and whether she will include a ban on animals in circuses in the new Animal Welfare Bill. [77492]

Mr. Morley: The proposed new Animal Welfare Bill will be an enabling measure under which the Secretary of State would be able to bring forward detailed proposals to regulate or prohibit certain practices in order to promote the welfare of the animals concerned. It is through this mechanism that any move to restrict or prohibit the use of animals in circuses would be made. This particular issue is complex, with strongly held opinions on all sides. Any decision on the future of animals performing in circuses would only be taken after the most thorough consultation.

Biosecurity

Mrs. Browning: To ask the Secretary of State for Environment, Food and Rural Affairs how many hours have been spent by DEFRA staff at UK air and seaports assessing biosecurity since the 2001 foot and mouth outbreak. [77538]

Mr. Morley *[holding answer 28 October 2002]:* Staff from the State Veterinary Service, and Plant Health and Seeds Inspectorate carry out a wide range of duties at ports and airports. Information on the hours spent assessing biosecurity is not available. Since 2001, SVS staff have increased their surveillance work at ports and airports.

Bovine TB

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what the *(a)* minimum, *(b)* average and *(c)* maximum time taken to remove TB reactor cattle from farms in the last 12 months was. [76509]

Mr. Morley: For the 12 month period 16 October 2001 to 15 October 2002 the data requested are as follows:

TB reactor removal times for Great Britain and England

Area	*(a) Minimum*	*(b) Average*	*(c) Maximum*
Great Britain	0[1]	23.9	385[2]
England only	0[1]	24.7	385[2]

[1] Animal removed and slaughtered on day of TB skin test reading.
[2] Removal affected by FMD movement restrictions

Note:
The data in the table relate to samples from TB reactor cattle which were subject to bacteriological examination. Data for other animals slaughtered for the purposes of TB control are not available.

Further analysis of the data available has shown that 75 per cent. of cases were removed and slaughtered within 36 days of the skin test reading in Great Britain and in England; 90 per cent. within 45 days in Great Britain (47 in England); 95 per cent. in 56 days in Great Britain (57 in England) and 99 per cent. within 78 days (79 in England).

CAP

Mr. Spring: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the Government's policy on the European Commission's proposals in the Common Agricultural Policy's mid-term review to cap subsidies for individual farms. [75251]

Mr. Morley *[holding answer 23 October 2002]:* The Government's policy on the commission's proposal to cap subsidies for individual farms is that it goes against the grain of proposals that are intended to encourage increased efficiency. It would discourage rationalisation and modernisation and discriminate against efficient large-scale producers.

Mr. Ancram: To ask the Secretary of State for Environment, Food and Rural Affairs what the Government's policy is on decoupling of subsidies from production as part of the mid-term review of the common agricultural policy; and if she will make a statement. [75959]

Mr. Morley: We are in favour of decoupling in principle. It helps to reconnect farmers to markets, removes perverse incentives to environmental damage through overproduction and should contribute to a successful conclusion of the WTO development round and discharging our obligation to the poorest countries. However, there are a lot of issues to resolve before we can introduce a workable system.

Mr. Spring: To ask the Secretary of State for Environment, Food and Rural Affairs if the Government aims to achieve real budgetary savings in the CAP as part of the mid-term review of the Common Agricultural Policy. [75246]

Mr. Morley *[holding answer 23 October 2002]:* The Government's view is that the Commission proposals for reform of the Common Agricultural Policy do not go far enough. We believe that agricultural expenditure should be reduced over time and that the mid-term review should provide for real budgetary savings.

Mr. Spring: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the Government's position on the place of modulation in the European Commission's proposals for the mid-term review of the Common Agricultural Policy. [75247]

Mr. Morley *[holding answer 23 October 2002]:* The Government supports a shift from production linked support to agri-environment and rural development measures. However, we do not believe that the Commission's proposals for achieving this through modulation go far or fast enough. In particular, the proposals would not deliver real budgetary savings which are necessary to put the CAP budget on a more sustainable footing. In addition, the Commission's proposal includes a franchise excluding very small farms and ceiling on payments to the largest farms which would be unnecessarily complex to administer, and could introduce distortions in farm

structures.

Mr. Spring: To ask the Secretary of State for Environment, Food and Rural Affairs what the Government's policy is on subsidised agricultural exports from the European Union with regard to mid-term review of the Common Agricultural Policy. [75250]

Mr. Morley *[holding answer 23 October 2002]:* The UK supports the commitment made by World Trade Organisation (WTO) members, including the EU, to "substantial improvements in market access (import tariff reduction); reductions of, with a view to phasing out, all forms of export subsidies; and substantial reductions in trade-distorting domestic support" as part of the current round of WTO negotiations (the Doha Development Agenda).

Mr. Ancram: To ask the Secretary of State for Environment, Food and Rural Affairs if she will estimate the yearly costs of the Common Agricultural Policy to the EU budget over the next four years if there *(a)* is and *(b)* is not decoupling of subsidies from production in the Common Agricultural Policy. [75958]

Mr. Morley: The European Commission have forecasted the annual cost of the Common Agricultural Policy (CAP) to the EU budget until 2006, as set out in the table. These estimates assume the continuation of current policy and exclude expenditure on rural development. Without knowing how a decoupled payment system would work in detail any assessment of its impact of the EU budget would be purely speculative.

EU budget expenditure on CAP

	Euro million[1]
2003	40,420
2004	41,452
2005	41,265
2006	41,770

[1] Forecast
Source: European Commission

Mr. Ancram: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the Government's policy on the Common Agricultural Policy with regard to the mid-term review. [75961]

Mr. Morley: We want to see a radical reform of the CAP, to secure:

(i) a shift in support from production-linked subsidies to environmental and rural development measures;

(ii) a significant increase in the UK's share of pillar 2 funding;

(iii) degressivity of direct payments, on an equitable basis;

(iv) support price cuts, especially for dairy and cereals and the relaxation of associated production controls;

(v) decoupling of direct livestock payments from production.

Correspondence

Mrs. Browning: To ask the Secretary of State for Environment, Food and Rural Affairs, when she will reply to correspondence from the hon. Member for Tiverton and Honiton concerning Mrs. G. Gilbert, reference 163248. [70365]

Mr. Morley *[holding answer 16 July 2002]:* I regret that the Department has not been able to trace the hon. Member's correspondence.

Mr. Swayne: To ask the Secretary of State for Environment, Food and Rural Affairs when she plans to answer the letter of 5 August from Mr Malcolm Bull of Kingston Bungalows, Ringwood. [76740]

Mr. Morley: A response was sent on 24 October.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs when she will respond to the letter from the hon. Member for Leominster, of 9 August, concerning R E Williams and Sons. [78439]

Mr. Morley: I regret that the Department has no record of receiving this correspondence.

Departmental Initiatives

Mr. Andrew Turner: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the schemes and initiatives sponsored by her Department and its agencies which are not the subject of national roll

out, showing *(a)* the authorities or areas covered by the scheme and *(b)* the budget of the scheme in the last year for which information is available. [75670]

Alun Michael: Given the range of responsibilities covered by Defra, such information is not easy to provide in the form requested. The information is being gathered and collated and I will write to the hon. Member as soon as this work has been completed.

Departmental Land (Throckmorton)

Mr. Luff: To ask the Secretary of State for Environment, Food and Rural Affairs what recent discussions she has had and what expressions of interest she has received from parties relating to the purchase of land owned by her Department at Throckmorton; and if she will make a statement. [76262]

Mr. Morley: No discussions have taken place between potential purchasers and Ministers or DEFRA officials about the sale of land owned by the Department at Throckmorton and no formal offers to purchase all or part of the land have been received. However, agents acting for DEFRA have been approached by one party interested in acquiring a piece of the land. That party was advised that DEFRA is not able to consider disposals at this time but if and when the land was declared surplus to Government requirements, it would be sold for the best price achievable. Home Office officials have also indicated that there are matters they may wish to discuss with DEFRA officials.

EC Water Framework Directive

Mrs. Helen Clark: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what she is doing to ensure that river basin management plans under the EC Water Framework Directive will help to deliver the Government's commitments to sites of special scientific interest. [76385]

(2) what assessment she has made of whether sites of special scientific interests are covered by the provisions of the Water Framework Directive established for protected areas. [76386]

Mr. Morley: Sites of special scientific interest (SSSI) are covered by the provisions of the Water Framework Directive to the extent that they are also "protected areas" which have been designated as requiring special protection under specific Community legislation for the conservation of habitats and species directlydepending on water. These areas will include relevant Natura 2000 sites designated under the Birds and Habitats Directives. In addition, the improved management of the water environment to be delivered through the Water Framework Directive is expected to contribute to the water quality needs of SSSIs not designated under specific Community legislation. (76384)

River basin management plans will include maps which identify protected areas. Consideration is being given to include on such maps for information purposes all SSSI's, including SSSIs not designated under Community legislation. These maps would then provide a comprehensive summary of water quality related conservation objectives set at both Community and national level.

The deadline for meeting the water quality objectives established by the Water Framework Directive is December 2015 at the latest. Since the Government has a target to bring 95 per cent. of SSSIs into favourable condition by 2010, implementation of the Directive will not have a direct bearing on elivering the Government's commitment on SSSIs by 2010. However, in the long term, through its emphasis on a holistic, river basin based approach to water management, using water quality criteria based on ecological parameters, implementation of the Directive will benefit SSSIs

Egg Packers

Mr. Edwards: To ask the Secretary of State for Environment, Food and Rural Affairs what representation she has received from egg packers and their trading associations regarding the impact the absence of contracts between egg packers and supermarkets is having on the security of the egg industry for themselves and the producers. [77775]

Mr. Morley: No representation has been received directly from egg packers or their trading associations. However, letters have been received from the British Egg Industry Council and the British Free Range Egg Producers Association which raise this issue. These have been forwarded to the Office of Fair Trading, which has responsibility for the administration of competition law.

Flood and Coastal Defence

Mr. Liddell-Grainger: To ask the Secretary of State for Environment, Food and Rural Affairs what rules govern flood defence committees in the UK. [76122]

Mr. Morley: Under section 105 of the Water Resources Act 1991 the Environment Agency has a general supervisory duty over all flood defence matters. Section 106 of that Act requires the Agency to carry out all of its flood defence functions (except certain financial functions) through Regional Flood Defence Committees.

The current provisions relating to flood defence committees are contained in
sections 14[en rule]19 of, and Schedules 4 and 5 to, the Environment Act 1995. These
provisions include the composition of committees, the creation of local flood
defence committees, boundary matters and proceedings and membership of
committees.

Chris Grayling: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list areas periodically affected by flooding which are not covered by current flood relief schemes or by schemes scheduled for completion by 2006. [76464]

Mr. Morley: At present, there is no list detailing areas not protected by flood relief schemes. Indicative flood plain maps published by the Environment Agency show areas of known risk, including those where the risk is reduced by defences. However the Environment Agency with Defra support are working on a Flood and Coastal Defence Database for England and Wales and a risk assessment that is developing zoned maps of these floodplain areas that will show the residual levels of risk

with the current flood defences. These maps should be available to the public next year. Defra and the agency are also discussing with the Association of British Insurers the provision of such information for planned defences.

Chris Grayling: To ask the Secretary of State for Environment, Food and Rural Affairs how many houses have been affected by flooding in England and Wales in the past five years. [76462]

Mr. Morley: Approximately 15,500 properties are thought to have been affected by flooding from watercourses and the sea in the last five years. This figure will include properties that have been affected on more than one occasion.

Chris Grayling: To ask the Secretary of State for Environment, Food and Rural Affairs how many houses the Environment Agency assesses are at risk of periodic flooding. [76463]

Mr. Morley: There are approximately 1.8 million domestic properties in the indicative flood plain and which must therefore be considered at risk from periodic flooding from watercourses and the sea. However the vast majority of these properties are protected by flood defences.

Figures on internal sewage flooding from Ofwat suggest that 4,076 properties have a 1 in 5 risk and 10,856 properties have a 1 in 10 risk of being flooded by sewage. There are currently no figures available for external sewage flooding which affects gardens, highways or public open spaces, or from other sources such as highway drains and groundwater etc.

Fluoride

Mr. Syms: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what plans she has for the introduction of compulsory labelling of *(a)* food and *(b)* other products containing fluoride; [42974]

(2) for what reason labelling of products containing fluoride is not compulsory in the UK. [42976]

Mr. Morley: None. This is not a matter for this Department.

Foot and Mouth

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list instances where inoculation was authorised during the foot and mouth outbreak in lieu of culling. [77251]

Mr. Morley: There were no instances during the foot and mouth outbreak of 2001 where vaccination was authorised, although practical arrangements were made to implement a vaccination programme.

Hares

Andrew Selous: To ask the Secretary of State for Environment, Food and Rural Affairs who the appropriate enforcing authority for the Hares Preservation Act 1892 is. [77347]

Mr. Morley: Under the Hares Preservation Act 1892 it is a summary offence to sell a hare or leveret between the months of March to July inclusive. The prohibition does not extend to foreign imported hares. The Act does not specify an enforcement authority. The usual procedure would be for an Information to be laid before Magistrates following which a summons would be served on the alleged offender. The police would normally lay an Information, following which the Crown Prosecution Service would take over the conduct of the prosecution from the police. Alternatively a case could be conducted by any other prosecutor such as, for instance, a local authority trading standards officer, or a private individual.

Hire Bulls

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how many hire bulls are licensed in *(a)* England, *(b)* Scotland and *(c)* Wales; and how many hire bulls are in areas that are TB tested every (i) six months, (ii) 12 months, (ii) two years, (iv) three years and (v) four years. [76514]

Mr. Morley: There is no requirement for hire bulls to be licensed in Great Britain and no central records detailing their geographical distribution. Therefore the detailed data required to answer the question is not available.

Horticulture Research International

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the future of Horticulture Research International. [77849]

Mr. Morley *[holding answer 29 October 2002]:* I refer my hon. Friend to the answer given by me on 15 October 2002, *Official Report*, column 584W.

Integrated Coastal Zone Management

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on her policy towards integrated EU coastal zone management, with particular reference to Treaty base; what measures are planned under this heading; and what checks for subsidiarity have been undertaken. [77254]

Mr. Morley: On 30 May 2002, the European Union adopted a Recommendation concerning the implementation of integrated coastal zone management (ICZM) in Europe under Article 175(1) of the Treaty. The Government are committed to implementing this non-binding instrument which asks member states to develop national strategies for delivering ICZM through coordinated action at local and regional levels. There is no suggestion of a legally-binding European framework for ICZM.

Live Animal Exports

Bob Spink: To ask the Secretary of State for Environment, Food and Rural Affairs what estimates she has made of the number of live animals exported from the UK for slaughter which are then returned to the UK for sale. [75474]

Mr. Morley: Statistics on exports of live animals for slaughter are available as are those on imports of various kinds of meat and meat products. Statistics linking imports of meat and meat products to animals which had been exported are not

available. We are not aware of any animals exported from the UK for slaughter which have been returned to the UK for sale.

CITES

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions her Department has had with other governments which are party to the Convention on International Trade in Endangered Species to ensure that the proposal to list mahogany on Appendix II of CITES received the two-thirds majority required for the listing. [77580]

Mr. Morley *[holding answer 28 October 2002]:* Officials from British Embassies and High Commissions have discussed the mahogany listing proposal with the relevant authorities in a total of 96 countries, including those in Central and South America. In addition, officials from my Department have discussed the proposal with officials of the United States of America and Brazilian governments to try to persuade them of the merits of an Appendix II listing. We shall continue lobbying in support of this proposal at the CITES Conference in Santiago next month.

Odour Nuisance

Linda Gilroy: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to give powers to local authorities to deal with odour nuisance from sewers and sewage treatment works. [78602]

Alun Michael: I shall shortly issue a consultation document setting out the available options by which we can achieve practical ways to deal with the problems of odour nuisance from public sewers and sewage treatment works. The possibility of giving appropriate powers to local authorities will be considered as part of the consultation

Pigswill

Mr. George Howarth: To ask the Secretary of State for Environment, Food and Rural Affairs what procedures are in place to monitor imported pigmeat products to ensure *(a)* that they have not been fed on pigswill, and *(b)* in cases where they have, that swill is prepared up to acceptable standards of safety and hygiene. [76304]

Mr. Morley: Imports into the United Kingdom of pig meat and other products are governed by European Community rules. These do not include procedures to determine whether pigmeat products have been fed on swill.

As regards pigmeat and pigmeat products imported from other EU member states, most EU countries have already introduced domestic bans on the feeding of swill. With effect from 1 November 2002 new EU rules on animal by-products will impose an EU-wide ban on the feeding of swill. These provisions are designed to prevent the spread of disease in live animals.

Pigmeat and pigmeat products imported from third countries must come from approved establishments in approved countries and must be accompanied by agreed veterinary certification. The veterinary certification confirms that public and animal health requirements for import have been complied with and ensures that imported meat is derived from animals free from disease, whether or not they have been fed on swill. It must also confirm that the meat is derived from animals which have been subjected to a veterinary inspection during the 24 hours prior to slaughter and showed no signs of disease. The meat is also subjected to post mortem veterinary inspection. Community regulations require that meat and meat products imported from third countries must be produced to standards at least equivalent to those applied to Community production.

Mr. George Howarth: To ask the Secretary of State for Environment, Food and Rural Affairs what proposals she has to compensate pig farmers who have invested in pigswill processing plant, buildings and equipment. [76312]

Mr. Morley: The Government does not intend to compensate pig farmers for changes to the feed material available for their livestock following the introduction of the ban on swill feeding. However the Government is providing free business advice to those affected by the ban.

Mr. George Howarth: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the cost to pig farmers of the ban on pigswill. [76313]

Mr. Morley: A copy of the Regulatory Impact Assessment which accompanied the Animal By Products (Amendment) Order 2002 (S.I. 2001 No. 1704) is available in the library of the House.

Poland

Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the transitional time to be granted to Poland following the country's forthcoming accession to the European Union in order to be integrated fully into the *(a)* Common Fisheries Policy and *(b)* Common Agricultural Policy; and the *(i)* fisheries and (ii) agricultural subject areas covered by that transitional period. [77645]

Mr. Morley: Negotiation of the Fisheries Chapter was provisionally closed with Poland in June 2002. A request from Poland to include sprat of the Baltic region in Annex IV of Regulation (EC) 140/2000 was agreed. Agreement on access to resources and catch quotas for all candidates is scheduled to take place shortly. Discussions on agriculture are still under way with all the acceding states, including Poland. No transitional arrangements have therefore been granted as yet. However, the offer agreed by the European.Council at its meeting in Brussels on 24 and 25 October includes certain transitional measures comprising an enhanced

rural development programme, and a gradual phase-in of direct payments. This offer is expressly stated to be without prejudice to future decisions on CAP reform.

Recycling Targets

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the local authorities she has contacted regarding underperformance on recycling targets, and indicate how these local authorities were identified. [77454]

Mr. Meacher: We set targets in a way which meant all authorities would have to improve their performance over their rate in 1998[en rule]99, no matter what their starting point. For that reason, when tracking local authorities' recycling performance, we consider how much the recycling rate has increased, rather than looking simply at the rate.

I have written to the leaders of the local authorities listed about recycling. In these authorities, preliminary (unaudited) performance data for 2001–02, taken from 2002–03 Best Value Performance Plans, shows that the authority's recycling performance has decreased, stayed the same or only increased by 1 per cent. between 1998–99 and 2001–02. I have invited the relevant leaders to identify work that is already in hand to meet their 2003–04 Statutory Performance Standard for recycling and composting of household waste and to consider the need for further action where this is relevant.

Adur district council
Arun district council
Aylesbury Vale district council
Barrow-in-Furness borough council
Bassetlaw district council
Berwick-upon-Tweed borough council
Bolton metropolitan borough council
Bournemouth borough council
Bradford city council
Breckland district council
Brentwood borough council
Brighton and Hove council
Broadland district council
Broxtowe borough council
Cambridge city council
Cannock Chase district council
Carlisle city council
Charnwood borough council
Christchurch borough council
Copeland borough council
Corby borough council
Cotswold district council
Craven district council
Cumbria county council
Dartford borough council
Derby city council
Doncaster metropolitan borough council
Dorset county council
Dover district council
Easington district council
East Dorset district council
East Northamptonshire district council
East Staffordshire borough council
Eastbourne borough council
Ellesmere Port and Neston borough council
Elmbridge borough council
Exeter city council
Fareham borough council
Forest of Dean district council
Fylde borough council
Gateshead metropolitan borough council
Gloucester city council
Gosport borough council
Gravesham borough council
Hampshire county council
Harrogate borough council
Hertsmere borough council
Horsham district council
Hyndburn borough council
Kettering borough council
Kingston-upon-Hull city council
Lancaster city council
Lincoln city council
Liverpool city council
London Borough of Barking and Dagenham
London borough of Barnet
London borough of Bexley
London borough of Croydon
London borough of Ealing
London borough of Enfield
London borough of Hammersmith and Fulham
London borough of Haringey
London borough of Newham
London borough of Redbridge
London borough of Richmond-upon-Thames
London borough of Southwark
London borough of Tower Hamlets
Macclesfield borough council
Manchester city council
Mansfield district council
Medway council
Mendip district council
Mid Suffolk district council
Mid Sussex district council
Milton Keynes council
Newark and Sherwood district council
Newcastle-upon-Tyne city council
Newcastle-under-Lyme borough council
North Cornwall district council
North Dorset district council
North Kesteven district council
North Norfolk district council
North Shropshire district council
North Tyneside council
North Warwickshire borough council
North West Leicestershire district council
Northampton borough council
Northumberland county council
Nottingham city council
Nuneaton and Bedworth borough council

Oadby and Wigston borough council
Oswestry borough council
Poole borough council
Purbeck district council
Reigate and Banstead borough council
Rochdale metropolitan borough council
Rossendale borough council
Rotherham metropolitan borough council
Royal borough of Kensington and Chelsea
Runnymede borough council
Rushmoor borough council
Rydale district council
Sedgemoor district council
Sefton metropolitan borough council
Sheffield city council
Shepway district council
Shrewsbury and Atcham borough council
Shropshire county council
Solihull metropolitan borough council
South Bedfordshire district council
South Kesteven district council
South Lakeland district council
South Oxfordshire district council
South Somerset district council
South Staffordshire council
St Albans City and district council
Stevenage borough council
Stockport metropolitan borough council
Stockton-on-Tees council
Stoke-on-Trent city council
Sunderland city council
Swindon borough council
Tandridge district council
Taunton Deane borough council
Teesdale district council
Thanet district council
Three Rivers district council
Twekesbury borough council
Tynedale district council
Warwick district council
Warwickshire county council
Watford council
Waveney district council
Waverley borough council
West Berkshire council
West Devon borough council
West Lancashire district council
Western Riverside waste authority
Wirral metropolitan borough council
Worcester city council
Worthing borough council

Sheep Quota Purchase Scheme

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the *(a)* number of applications made, *(b)* the amount spent per application and *(c)* the number of animals removed through the English Sheep Quota Scheme in 2002. [76674]

Mr. Morley *[holding answer 24 October 2002]:* The Sheep Quota Purchase Scheme (SQPS) opened on the 23 August and the tender does not close until 31 October, therefore the information requested is not yet available. To date 62 applications have been received, offering a total of 12,593 quota units.

Sustainability Summit

Llew Smith: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to her answer to the hon. Member for Wolverhampton, South-West (Rob Marris) of 17 October 2002, *Official Report*, columns 898–900W, if she will list the stakeholders whom she met to discuss follow-up action to the Sustainability Summit in Johannesburg; and if she will place in the Library the papers produced for the meeting. [77387]

Mr. Meacher: The Secretary of State and I met the following stakeholders, along with representatives from the Department for Environment, Food and Rural Affairs, the Department for International Development, HM Treasury, the Foreign and Commonwealth Office, the Office of the Deputy Prime Minister, the Cabinet Office, the Scottish Executive and the National Assembly for Wales:

Stakeholder	
Jonathon Porritt	Chairman, Sustainable Development Commission
Maria Adebowale	Director, Capacity. SDC member, and member of UK WSSD delegation
Anna Bradley	National Consumer Council
Chris Fay	Chair, Advisory Committee on Business and Environment
Simon Mills	Corporation of London, Finance Initiative
Ian Russell	Chief Executive, Scottish Power
Neil Kinghan	Local Government Association
Sir Michael Lickiss	Chair, South West Development Agency
Neil Cleeveley	Trade Union SD Advisory Committee
Robert Napier	Chief Executive, WWF
Charles Secrett	Director, Friends of the Earth. SDC member
Derek Osborn	Chair, UNED UK. SDC Member
Andy Atkins	Tearfund. Co-chair, Development and Environment Group, British Overseas NGOs for Development

The purpose of the meeting was to hear the views of leading individuals on future priorities and actions at UK level, in the light of the conclusions of the summit. The meeting focused on three issues that emerged clearly from the summit as priorities for action at national level in the developed world: the role of business in delivering sustainable development; energy and, in particular, renewable energy; and sustainable production and consumption. No paper was produced for this meeting.

TB

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what targets her Department has set for the time it should take to remove from farms, cattle that react positively to the TB skin test. [76508]

Mr. Morley: There is a target of 10 working days for the removal of TB reactor cattle from farms.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what proportion of farmers suffering TB outbreaks in their herds have adequate isolation facilities in which to house infected cattle; and if she will make a statement. [76510]

Mr. Morley: Information on stock isolation facilities is not routinely gathered by Defra. When TB reactors or animals that react inconclusively to the TB test are disclosed, farmers receive verbal guidance on isolating those animals from the rest of the herd while awaiting slaughter or re-test. In addition, Defra has provided farmers with free guidance on reducing the risk of TB in their herds either by means of cattle to cattle spread, or from a wildlife reservoir.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what plans her Department has to provide financial assistance to farmers who need to improve biosecurity through new isolation facilities to cope with possible outbreaks of *(a)* TB and *(b)* other infectious animal diseases. [76511]

Mr. Morley: There are no plans to provide financial assistance to farmers to help them to establish new isolation facilities, either in respect of *(a)* TB or *(b)* other infectious animal diseases.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what plans her Department has to include TB test dates on cattle passports. [76512]

Mr. Morley: As a biosecurity measure Defra has advised farmers purchasing cattle to ascertain when the animals being bought in were last tested for TB. There are no plans to include TB test dates on cattle passports.

Twenty-day Rule

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs how many cases of failure to obey the 20 day rule there have been, resulting in *(a)* fines and *(b)* warnings. [77303]

Mr. Morley *[holding answer 28 October 2002]:* Between 11 February 2002 and 23 October 2002 the Animal Movement Licensing System identified 7,616 apparent infringements of the 20 day standstill, which were subject to investigation by the appropriate local authority. This compares with approximately 650,000 recorded movements over that period. Most of the apparent infringements are likely to have been minor, such as an incorrect address entered into the movement report. Where however, an apparent infringement is found to be a breach of the movement legislation in force, this is dealt with, in most cases, by means short of prosecution. This can include verbal or written warnings or requiring a farmer to obtain an Individual Movement Licence before moving livestock.

The information sought is not available in the form requested. In 2001 44 prosecutions were brought for offences under the Foot and Mouth Disease Order 1983 as amended. Provisional figures for the current year to end September indicate that 23 prosecutions have been taken.

Water Industry

Mr. Jenkins: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what the estimated output is of the smallest non-domestic water supply source which would produce a financially viable return; [76936]

(2) what assessment has been carried out of the smallest non-domestic water supply source which might produce a financially viable return from customers. [76937]

Mr. Morley: The Government published a consultation paper, on July 31; "Extending Opportunities for Competition in the Water Industry in England and Wales". This proposed competition only in the non-household sector, with an eligibility threshold of a minimum of 50 Megalitres (Ml) a year. The consultation period closed on 1 October and we are now considering responses.

In preparing the proposals, assessment was made of the broad cost breakdown between the main elements of the supply chain, the likely scope for making savings on these, and the ranges of charges paid by users. Experience shows that the market will determine financial viability in a competitive environment.

These issues will be taken into consideration as we balance the need to create opportunities for competition whilst continuing to secure the Government's wider objectives for the water industry, which include protecting public health, the environment, social and economic goals, and safeguarding services for household customers.

Wood for Good Campaign

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what the objectives are of the Forestry Commission's support of the Wood for Good campaign. [77579]

Mr. Morley *[holding answer 28 October 2002]:* I refer the hon. Member to my answer of 10 July 2002, *Official Report,* column 953W.

HEALTH

Agency Nurses (Worcestershire)

Dr. Richard Taylor: To ask the Secretary of State for Health if he will estimate the cost to the Worcestershire Acute Hospitals NHS Trust in 2002–03 to date of agency nurses; and what the cost was in *(a)* 2000–01 and *(b)* 2001–02. [77243]

Mr. Lammy: Actual costs to Worcestershire Acute Hospitals NHS Trust of using agency nurses are in the table.

	£ million
2000–01	3.3
2001–02	4.3
2002–03 (to September 2002	4.3

Source: Worcestershire Acute Hospitals NHS Trust

Chronic Fatigue Syndrome/Myalgic Encephalomyelitis

Dr. Cable: To ask the Secretary of State for Health what research is being undertaken relating to the physical causes and treatment of CFS/myalgic encephalomyelitis; and if she will make a statement. [75135]

Mr. Lammy: The Department has two research projects in progress on chronic fatigue syndrome/myalgic encephalomyelitis (CFS/ME). One is "Chronic Fatigue Syndrome/ME: Systematic Review", at the University of York, which started on 5 January 2000 and is on-going. Information from this has informed the Chief Medical Officer's (CMO) task force on CFS/ME on evidence-based guidance.

The other is "Cognitive Behavioural Therapy in Chronic Fatigue", at North Bristol NHS Trust, which began in August 2000 and is due to end in late 2004.

The main Government agency for research into the causes of and treatments for disease is the Medical Research Council (MRC), which receives its funding via the Department of Trade and Industry. Following the publication of the CMO's working group report on CFS/ME, the MRC was asked to develop a broad strategy for advancing biomedical and health services research on CFS/ME. The MRC has appointed an independent scientific advisory group which includes scientists with expertise in such areas as epidemiology, physiology, immunology, infections, clinical trials, paediatric neurology and psychological medicine. The advisory group will draw on the working party report and recent expert views of the field. It will also take into account the concerns of patients and carers and the interests of consumers generally. Details of the advisory group and a note of the first meeting are now available on the MRC website, at www.mrc.ac.uk.

Association of Community Health Councils

Dr. Evan Harris: To ask the Secretary of State for Health when he plans to announce his funding plans for the ACHCEW for the remainder of its term. [77429]

Mr. Lammy: The date of abolition for the Association of Community Health Councils of England and Wales (ACHCEW) is yet to be determined. Officials will be discussing with ACHCEW the best way of funding the remainder of its term once that decision has been made.

Dr. Evan Harris: To ask the Secretary of State for Health what assessment he has made of the impact on the ability of *(a)* community health councils and *(b)* the ACHCEW to retain staff of (i) the absence of a date for abolition, (ii) the decision not to allow community health council staff to transfer to the successor bodies and (iii) the absence of committed funding for the remainder of their term of employment. [77430]

Mr. Lammy: The Department is aware of the concerns of Community Health Councils (CHCs) following the announcement that they are to be abolished. There will be no automatic transfers into the new Commission either for CHC or Association of Community Health Councils of England and Wales (ACHCEW) staff. The Commission is independent and fundamentally different from CHCs. As such it must be free to make its own decisions on staffing. Officials are working with trade unions to agree a human resources framework to support CHC staff in seeking suitable alternative employment. Progress is being reported through newsletters to CHC staff. CHCs will be abolished once the new system is functioning. The date of abolition for CHCs and ACHCEW has yet to be decided but we will make an announcement as soon as a date has been set. In the meantime the 184 CHCs continue to function and will be funded until their abolition.

Dr. Evan Harris: To ask the Secretary of State for Health what timetable has been set for the winding up of *(a)* community health councils and *(b)* the ACHCEW. [77428]

Mr. Lammy: Community health councils (CHCs) will be abolished once the new arrangements for patient and public involvement are functioning. There is no abolition date for CHCs or the Association of Community Health Councils of England and Wales as yet, but we will make an announcement as soon as a date is set.

Ms Drown: To ask the Secretary of State for Health when Community Health Councils will be abolished; and what support is being given to staff of CHCs in the transition to new arrangements. [78148]

Mr. Lammy: Community Health Councils (CHCs) will be abolished once the new arrangements for patient and public involvement are functioning. There is no abolition date for CHCs or Association of Community Health Councils of England and Wales as yet, but we will make an announcement as soon as a date is set. Officials are working with trade unions to agree a human resources framework to support CHC staff in seeking suitable alternative employment.

Dental Care

Mr. Laurence Robertson: To ask the Secretary of State for Health what plans he has to reduce the complexity of the forms issued by the Health Benefits Division to be completed by students when reclaiming the cost of dental care; and if he will make a statement. [76955]

Mr. Lammy: The HC1 claim form has been carefully designed to collect all the information necessary from all groups, including students, to carry out a calculation of their entitlement to help with health costs, based on income support arrangements. People only need to complete the sections of the form which apply to them.

Dental Treatment

Dr. Richard Taylor: To ask the Secretary of State for Health what assessment he has made of *(a)* the average cost of dental treatment by an NHS dentist and *(b)* the average cost of treatment at the new NHS drop-in centres being developed. [76245]

Mr. Lammy: The average gross cost for a course of dental treatment including patient charges in the general dental service (GDS) in England was £36.33 for adults in 2001–02. The average cost for a course of treatment for charge exempt adult patients was £53.61.

Comparable information for dental access centres (DACs) is not available and the pattern of treatment provided in DACs is not directly comparable to the

GDS. Total revenue available for DACs in 2002–03 is £35 million. It is anticipated that around 300,000 patients will be treated in these centres during the course of this financial year. Final allocations will be adjusted to take account of the overall performance of each centre.

Linda Gilroy: To ask the Secretary of State for Health what plans he has to raise the retirement age for general dental surgery principals; and what his policy is on retention of seniority payments for such principals. [76247]

Mr. Lammy: At present general dental services (GDS) principals are removed from dental lists on 1 April following their 65th birthday, but can continue to work as assistants, or privately. We plan to amend the GDS regulations to increase this age limit to 70 years at the next available opportunity, which is likely to be in the spring of 2003. Principals who continue to work beyond the age of 65 will retain entitlement to claim seniority payments in accordance with the conditions set out in Determination III of the Statement of Dental Remuneration.

Donor Cards

Mr. Jim Cunningham: To ask the Secretary of State for Health how many people he estimates hold donor cards; and what measures have been taken since 1997 to raise awareness and encourage people to get donor cards. [77157]

Mr. Lammy *[holding answer 29 October 2002]:* The latest Gallup Survey commissioned by the National Kidney Patients Association in 2000 indicates that 28 per cent. of the population carry a donor card. This equates to about 16.5 million people in the United Kingdom.

Since 1997 we have launched a number of publicity campaigns and initiatives encouraging people to join the national health service organ donation register (ODR), to carry a donor card, and to discuss their wishes with their relatives. Advertising on television, radio and press at time of launch was supported by public information leaflets which contain donor cards and forms to join the ODR.

The organ donation literature line, 0845 60 60 400, and the campaign website (www.nhs.uk/organdonor) complements and supports this activity as do very successful partnerships with the voluntary sector, the general practitioner surgery network, Boots, Goldfish and other banks, the Driver and Vehicle Licensing Authority, the Passport Agency and GlaxoSmithKline.

In addition, United Kingdom Transplant's 2002 initiative with local authorities, encouraged people to join the ODR when they enrol on the electoral register.

The Department also runs two separate campaigns specifically targeting Asians and African Caribbeans as people from these communities are more likely to suffer from conditions that lead to kidney failure, resulting in a need for a transplant.

Duhenne Muscular Dystrophy

Kevin Brennan: To ask the Secretary of State for Health pursuant to the statement by the hon. Member for Tottenham (Mr. Lammy) of 22 October 2002, *Official Report*, column 61WH, on Duchenne Muscular Dystrophy, how the £2 million on research into Duchenne Muscular Dystrophy in 2001–02 has been spent; and if he will make a statement. [77679]

Mr. Lammy *[holding answer 28 October 2002]:* There are five research projects into Duchenne Muscular Dystrophy (DMD) funded by the Medical Research Council (MRC), which receives its grant in aid from the Department of Trade and Industry via the Office of Science and Technology.

Four are led by Professor T. Partridge at the MRC Clinical Sciences Centre's Muscle Cell Biology Group. These are:

"Study of factors influencing repair and regeneration of skeletal muscle", which is investigating ways of enhancing the mechanisms that promote the normal regeneration of muscle and of counteracting the factors that inhibit the process in genetic disorders such as DMD;

"Investigation of fibrogenic mechanisms in dystrophic muscle", which is investigating fibrosis, a feature of chronic muscle trauma, which is implicated in the clinical decline of DMD;

"Identification of muscle specific promoter/enhancer regions of collagen 1 gene", which is looking for genes encoding collagen 1, because the accumulation of excess collagenous connective tissue is thought to play a part in the pathogenesis of DMD, and once the gene has been found, it is hoped that production can be reduced; and

"Investigation of the mechanisms that generate revertant muscle fibres", which aims to discover why people with DMD have an unusual production of dystrophin despite the presence of mutations that ought to prevent its production.

One is led by Professor K. Davies at the MRC functional genetics unit. This is "Molecular analysis of neuromuscular and neurological disease", which involves the molecular analysis of DMD.

Elective Surgery Abroad

Dr. Murrison: To ask the Secretary of State for Health pursuant to his answer of 15 October 2002, *Official Report*, column 813W, on elective surgery abroad, if he will define reasonable access in paragraph three of his answer. [76622]

Mr. Hutton: "Reasonable access" means that the national health service should require through contracts an overseas provider to facilitate visits by recognised NHS bodies such as Commission for Health Improvement, whenever requested to do so.

Foundation Trusts

Mr. Dobson: To ask the Secretary of State for Health how many of his departmental officials are involved in work on foundation status for NHS trusts. [74555]

Mr. Hutton *[holding answer 24 October]:* Departmental officials currently working on policy development for National Health Service foundation trusts are required to co-ordinate and produce detailed proposals for a new form of NHS organisation in order to meet Government objectives to devolve operational control of the most successful NHS trusts whilst enhancing accountability to local stakeholders. At this stage their usual work primarily includes researching and drafting papers for Ministers on specific policy issues; preparing for the necessary legislation; consulting with key stakeholders; and, handling parliamentary business and ministerial correspondence.

Mr. Dobson: To ask the Secretary of State for Health pursuant to his answer of 17 October 2002, *Official Report*, column 922W, what the usual work is of each of the nine staff of his Department working full-time on foundation trusts. [76848]

Mr. Hutton *[holding answer 24 October 2002]:* Departmental officials currently working on policy development for national health service foundation trusts are required to co-ordinate and produce detailed proposals for a new form of NHS organisation in order to meet Government objectives to devolve operational control of the most successful NHS trusts while enhancing accountability to local stakeholders. At this stage their usual work primarily includes researching and drafting papers for Ministers on specific policy issues; preparing for the necessary legislation; consulting with key stakeholders; and, handling parliamentary business and ministerial correspondence.

GP Walk-in Centres

Tim Loughton: To ask the Secretary of State for Health what plans he has to increase the number of GP walk in centres. [75565]

Mr. Hutton *[holding answer 21 October 2002]:* National health service walk-in centres are a programme to pilot delivery of a new type of accessible and nurse led primary care service.

There are now 42 such centres and the independent national evaluation concluded that they were making a valuable contribution to improving primary care access. Walk-in centres and services therefore have an important and continuing role in securing local delivery of NHS Plan targets for access and emergency care. We are currently considering how best to ensure that primary care trust exploits this potential.

Mid-Essex Hospital Trust

Mr. Burns: To ask the Secretary of State for Health how many people were waiting for in-patient treatment in the Mid-Essex Hospital Trust on 31 March 1997; and how many months between 31 March 1997 and the latest available date the number has been below that level. [77137]

Mr. Lammy: The information requested is shown in the table. The in-patient waiting list for the trust was 8,391 at the end of March 1997 and has not been below that level since then.

Patients waiting for elective admission, Mid-Essex Hospital Services NHS Trust, June 1995 to August 2002, ordinary and day case admissions combined, all specialities

Quarter/month	*Total waiting*
June 1995	6,568
September 1995	6,440
December 1995	6,350
March 1996	5,835
June 1996	6,463
September 1996	5,909
December 1996	7,258
March 1997	8,391
June 1997	8,690
September 1997	8,967
December 1997	10,542
March 1998	11,360
April 1998	11,422
May 1998	11,517
June 1998	11,834
July 1998	11,804
August 1998	11,791
September 1998	11,615
October 1998	11,382
November 1998	11,347
December 1998	11,359
January 1999	11,172
February 1999	10,475
March 1999	9,967
April 1999	9,961
May 1999	9,980
June 1999	9,824
July 1999	9,488
August 1999	9,465
September 1999	9,395
October 1999	9,372
November 1999	9,483
December 1999	9,851
January 2000	10,233
February 2000	10,416
March 2000	9,865
April 2000	9,953
May 2000	9,823
June 2000	10,154
July 2000	9,703
August 2000	9,405
September 2000	9,486
October 2000	9,375
November 2000	9,050
December 2000	9,466
January 2001	9,282
February 2001	9,288
March 2001	8,894
April 2001	8,853
May 2001	8,868
June 2001	8,850
July 2001	8,898
August 2001	8,917
September 2001	8,968
October 2001	8,657
November 2001	8,787
December 2001	9,228
January 2002	9,198
February 2002	9,646
March 2002	9,732
April 2002	9,874
May 2002	9,986
June 2002	9,838
July 2002	9,928
August 2002	9,804

Source: Department of Health form KHO7 and Monthly Monitoring

National Health Care (Essex)

Bob Spink: To ask the Secretary of State for Health if he will list the National Health Service Trusts management structures and patient organisations in Essex with specific reference to *(a)* mental health, *(b)* dental care, *(c)* hospital trusts, *(d)* chiropody, *(e)* ambulance services, and *(f)* strategic management; how many *(i)* managers and (ii) administrative staff are in each category; and if he will make a statement on the reporting structure for national health care in Essex. [75885]

Mr. Lammy: The information requested has been placed in the Library. It is not possible to separately identify those medical and dental staff who are managers. Essex Strategic Health Authority is the headquarters for national health service services in the Essex area. The health authority is accountable to the Department and is responsible for supporting local NHS organisations in delivering the NHS Plan, building capacity and supporting performance improvement across all local health agencies.

National Institute for Clinical Excellence

Gregory Barker: To ask the Secretary of State for Health (1) what procedures are in place to monitor the number of patients and the related cost associated with NICE approved treatments that enable comparisons with the pre-approval phase of the treatment and ensure that NICE guidance is being acted on; [75803]

(2) what procedures are in place to monitor uptake of treatment following its approval by NICE. [75802]

Mr. Lammy: The National Institute for Clinical Excellence (NICE) has commissioned a research project through the national health service research and development methodology programme to evaluate the impact of its guidance on clinical and managerial practice. Preliminary results are expected in December 2002.

The Commission for Healthcare Audit and Inspection will be the principal external inspector of the implementation of NICE guidance, and details of this inspection are currently being agreed between the Commission and the Department.

Gregory Barker: To ask the Secretary of State for Health what steps his Department is taking to ensure that all patients have access to testing to ascertain whether they would benefit from a NICE-approved treatment. [75795]

Mr. Lammy: None. The responsibility for arranging tests and deciding what treatment is best for the patient rests with the clinicians concerned. This is done in consultation with the patient, fully taking into account National Institute of Clinical Excellence guidance and informed by the patient's clinical history.

NHS Treatment

Mr. David Laws: To ask the Secretary of State for Health what his estimate is of the number of people who die prematurely in the UK each year *(a)* while waiting for NHS treatment and *(b)* as a consequence of negligent treatment within the NHS; and if he will make a statement. [76292]

Mr. Hutton: The Department does not collect statistics on the number of people who have died while on the waiting list for treatment. Data are collected on how many patients are removed from the waiting list without being treated but these are not broken down into specific categories.

Data on the number of patients who die prematurely as a result of negligent treatment in the National Health Service are not collected.

Non-specialist Surgeons and Physicians

Gregory Barker: To ask the Secretary of State for Health (1) what representations his Department has received concerning *(a)* the harmful effect on patients of being treated by surgeons and physicians who are not specialists in their field and *(b)* the chances of such patients making a full recovery; [75773]

(2) what representations his Department has received concerning the number of patients undergoing treatment by surgeons and physicians who are not specialist in their field. [75779]

Mr. Hutton: None. All doctors must work within the limits of their professional competence, as required by General Medical Council (GMC) guidance, Good Medical Practice. Doctors should not, therefore, be given or take on responsibility for patients if they are not competent to do so. This is to ensure that patients receive the highest quality of care and have the best chances of making a full recovery.

Nevertheless all National Health Service patients in hospital are likely to have some contact with a doctor who is not a fully trained specialist. The NHS in England employs about 31,700 doctors, not yet qualified to work independently, in training grades and about 11,800 staff grade doctors, some of whom are trained specialists. 24,400 NHS consultants supervise the work of all of these doctors and are responsible for the care patients receive. Consultants are all trained specialists included on the specialist register held by the GMC.

Ophthalmology Surgery (Worcestershire)

Dr. Richard Taylor: To ask the Secretary of State for Health what the saving would be to the county health services in Worcestershire of moving elective ophthalmological day care surgery to the Diagnostic and Treatment Centre at Kidderminster from *(a)* Worcestershire Royal Infirmary and *(b)* Alexandra hospital, Redditch. [77244]

Mr. Lammy: The Worcestershire Acute Hospitals National Health Service Trust is currently carrying out a countywide review of ophthalmology services. No decisions have been made on changes to ophthalmology services in Worcestershire, and no detailed cost analysis has been undertaken on the relocation of ophthalmology services to Kidderminster from other acute hospitals. All factors, including any financial implications, will be evaluated fully in determining the nature of future developments.

Organ Donors

Mr. Jim Cunningham: To ask the Secretary of State for Health if he will make a statement on donor shortage; and what he proposes to do to increase the number of donors available. [77158]

Mr. Lammy *[holding answer 29 October 2002]:* There is a world-wide shortage of organs for transplantation. There are a number of reasons for this not least that there is a welcome reduction in the numbers of people dying in circumstances in which organ donation would have been possible, for example, the decreasing number of fatal road accidents and improvements in neurological surgery.

We are taking specific action to increase the number of donors available by investing in initiatives to raise public awareness and the benefits of organ transplantation, particularly in the ethnic minority populations where there may be a greater need for transplantation, implementing measures to help ensure that potential donors are identified and that we increase the use of both living and non-heartbeating donation. Nearly £4 million is being invested in the national health service through United Kingdom transplant to boost the number of life-saving organ transplants. This is funding 35 donor liaison schemes to improve procedures for identifying possible organ donors and the steps to take so that relatives are approached and given the opportunity to decide about donation. It is also supporting 25 living donation programmes, 10 additional transplant co-ordinators and six non-heartbeating donor programmes.

Mr. Jim Cunningham: To ask the Secretary of State for Health how many organ transplants have been made in each year since 1997; how many people have died waiting for organ transplants in that time; and for what organs they were waiting. [77159]

Mr. Lammy *[holding answer 29 October 2002]:* The number of organ transplants in each year since 1997, the number of people dying waiting for a transplant and the organ they were waiting for is shown in the table.

	1997	*1998*	*1999*	*2000*	*2001*
Dying on waiting list					
Kidney	284	304	290	286	249
Cardiothoracic organ	175	161	163	122	100
Liver	73	86	75	66	65
Total dying on waiting list	532	551	528	474	414
Transplants					
All organs	2,779	2,674	2,695	2,709	2,717

PALS Services

Dr. Evan Harris: To ask the Secretary of State for Health how many NHS trusts have so far established PALS services; what estimate he has made of the extent to which PALS services are functioning; and which trusts do not yet have a PALS service: [77424]

Mr. Lammy: This information is not collected centrally. It is the responsibility of strategic health authorities to monitor Patient Action and Liaison Services (PALS) development. £10 million was made available to health authorities for PALS in 2002–03 and this will be recurring in the primary care trust baselines.

Pharmacy Dispensing Contracts

Mr. Andrew Robathan: To ask the Secretary of State for Health how many pharmacy dispensing contracts were issued in each of the last five years. [77246]

Mr. Lammy: Information on the number of decisions on applications, or of decisions on applications on appeal, relating to the provision of National Health Service pharmaceutical services for the years 1996–97 to 2000–01 is contained in tables 10 and 11 respectively of the Department's statistical bulletin "General Pharmaceutical Services in England and Wales 1991–92 to 2000- 01". Information on the number of community pharmacies providing NHS dispensing services which opened in the same period is available in table 4 of the same bulletin. A copy has been placed in the Library.

Prescription Charges

Dr. Cable: To ask the Secretary of State for Health pursuant to his answer of 15 October 2002, *Official Report*, column 798W, on prescription charges, if he will list the average prescription charge per prescription item dispensed for each year listed; and if he will make a statement. [77031]

Mr. Lammy: The charge per prescription item was set out in the table included with my answer of 15 October 2002, *Official Report*, column 798W.

Private Treatment

Dr. Evan Harris: To ask the Secretary of State for Health how many private patients received treatment in *(a)* England and *(b)* each NHS region in each of the last six years as *(i)* in-patients and (ii) day cases, in NHS pay beds. [76607]

Mr. Hutton: The table gives information on private patients admitted to national health service hospitals in England in each of the last six years for which information is available. A breakdown by NHS region will be placed in the Library.

Finished consultant episodes (FCEs) for private patients treated in NHS hospitals in England

Year	*Ordinary admissions*	*Day case*
1995–96	66,928	40,254
1996–97	63,308	41,063
1997–98	70,503	49,458
1998–99	77,937	64,568
1999–2000	80,815	63,809
2000–01	72,708	53,516

Source: Hospital Episode Statistics (HES), Department of Health

Public Service Agreements

Mr. Burstow: To ask the Secretary of State for Health what baseline his Department will use to demonstrate that organisations have secured a 1 per cent. increase in cost efficiency and 1 per cent. increase in quality

equivalent of its budget, as set out in paragraph 8.4 of "Improvement, Expansion and Reform: The Next Three Years". [75714]

Mr. Lammy [holding answer 22 October 2002]: This requirement relates to the value for money public service agreement (PSA) target:

> Value for money in the NHS and personal social services will improve by at least 2 per cent., per annum, with annual improvements of 1 per cent., in both cost efficiency and service effectiveness.

The PSA covers the three years from 2003–04, so the baseline for the target is the cost and quality of services in 2002–03.

Radiographers

Gregory Barker: To ask the Secretary of State for Health (1) how many radiographers are employed by each NHS health authority; and what the comparative figures were for each year since 1997; [75789]

(2) how many radiographers were employed within the NHS for each year since 1997; [75787]

(3) how many radiographers have left the service of the NHS for each year since 1997, broken down by each NHS health authority. [75788]

Mr. Hutton: Information about the number of radiographers working in the national health service since 1997 by health authority area has been placed in the Library.

Information about the number of radiographers leaving the NHS each year is not collected centrally. The non medical work force census records the number of staff working in the NHS each year as at 30 September. It shows the net change in the last year taking account of leavers, retirements, returners and new staff joining the work force.

The number of radiographers employed in the NHS has increased by 940 between September 1997 and September 2001.

Radiotherapy Waiting Times

Gregory Barker: To ask the Secretary of State for Health what representations his Department has received concerning the introduction of a national standard method for calculating radiotherapy waiting times to enable waiting times to be directly compared between radiotherapy centres; and what plans he has to introduce such a national standard. [75749]

Mr. Hutton: The Department has received informal representations from the Royal College of Radiologists and others about the introduction of radiotherapy waiting times monitoring. The NHS Cancer Plan set out maximum waiting time targets for first cancer treatment, which will come into effect over the next few years. Arrangements to monitor these targets are currently being put in place and will cover radiotherapy where this is the first treatment.

Individual radiotherapy services are expected to audit their waiting times for radiotherapy as part of the national standards for cancer. This is monitored locally through the peer review appraisal process. We do not collect data centrally on these waits. Radiotherapy waiting times data will be available when clinical audit datasets are implemented.

Residential Care

Mr. Burstow: To ask the Secretary of State for Health what assessment he has undertaken of the implications of the Competition Commission Tribunal Appeal Judgement Bettercare Group Ltd *v.* The Director General of Fair Trading on resources allocated by government to the purchase of residential care by statutory social services providers from the private sector. [76215]

Jacqui Smith: The competition commission appeal tribunal's (CCAT) judgment in the Bettercare case stated that the Competition Act 1998 applied in the particular circumstances that were presented. One implication of this is that potentially local councils' commissioning of care services could be subject to the Competition Act, but each case would need to be considered in the context of its facts. The judgment did not comment on whether the particular health and social care board involved in the case or other councils are presently contravening the Act. The Office of Fair Trading (OFT) will now reconsider the issue of the alleged anti-competitive conduct of the board involved in the case. Beyond this, no general assessment of the implications of this ruling can be made. I understand that in deciding not to appeal the judgment the OFT had in mind that the European Court is currently considering a similar case (case T-319/99 FENIN *v.* European Commission). The outcome of this case is expected before the spring of 2003. This may assist in clarifying further whether the Act applies to the commissioning functions of public bodies.

Smallpox Vaccine

Mr. Bellingham: To ask the Secretary of State for Health if he will make a statement about the procedure for letting the contract for supply of smallpox vaccine; and if he will list the companies which he invited to put in tenders. [76273]

Mr. Hutton: After 11 September 2001, the Government decided to augment its existing stocks of smallpox vaccine. For reasons of national security, confidential discussions were held with five companies with known production capabilities in the United Kingdom and Europe and proven track records in the delivery of high quality vaccines. This confidential process was needed to secure stocks quickly in the light of a renewed assessment of risk.

The companies, whose agreement to being identified has been obtained, were Acambis, Aventis Pasteur MSD, GlaxoSmithKline, Powderject and RIVM. Our requirements for the vaccine strain, timing, and delivery were made clear to each of the companies, who were then given time to submit their written responses.

Transplant Surgeons

Dr. Evan Harris: To ask the Secretary of State for Health what assessment he has made of the adequacy of

the supply of transplantation surgeons in the United Kingdom *(a)* at present and *(b)* if targets for increased transplant activities are met. [74238]

Mr. Hutton: Consultants in transplant surgery are not separately identified but are drawn from a range of surgical specialties including cardiac and general surgery (including hepato-biliary) and urology. Postgraduate deans funded 11 new transplant training fellowships from April 2001.

These are aimed at providing additional training in organ transplantation to surgeons nearing the completion of their training. Following the publication of "A Health Service of All the Talents: Developing the NHS Workforce", workforce has been recognised as key to the successful delivery of the NHS Plan. New national workforce planning and development structures have therefore been set up to take up the challenge of delivering a multidisciplinary and integrated health and social care workforce to support service improvement. The supply of transplant surgeons necessary for the delivery of increased transplant activity will be kept under careful review.

Worcestershire Health Authority

Dr. Richard Taylor: To ask the Secretary of State for Health if he will make a statement on the financial deficit for the Worcestershire health authority at its dissolution on 1 April, and how this was divided between the primary care trusts that took over its commissioning role. [76243]

Mr. Lammy: Worcestershire health authority had a financial deficit of £2,200,000 at its dissolution on 31 March 2002.

The three primary care trusts (PCTs) in Worcestershire, Redditch and Bromsgrove PCT, South Worcestershire PCT and Wyre Forest PCT, have agreed to divide the £2,200,000 as follows:

	£000
Redditch and Bromsgrove PCT	711
South Worcestershire PCT	1,286
Wyre Forest PCT	203
	2,200

HOME DEPARTMENT

Antisocial Behaviour Orders

Ian Lucas: To ask the Secretary of State for the Home Department (1) what the average penalty imposed following conviction for breach of an antisocial behaviour order has been in cases where the offender was fined; [76684]

(2) how many prosecutions have been brought for breach of an antisocial behaviour order; and how many have resulted in a conviction; [76682]

(3) what the average prison sentence imposed following conviction for breach of an antisocial behaviour order has been, where the offender was sentenced to immediate imprisonment. [76683]

Mr. Denham: The available information, relating to breaches of anti-social behaviour orders in England and Wales, covers the period 1 June 2000 to 31 December 2001 and is shown in the table. The analysis covers only those breaches by persons issued with Anti-Social Behaviour Orders (ASBOs) during this period and notified to the Home Office.

Persons proceeded against for breach of anti-social behaviour orders by outcome England and Wales—1 June 2000 to 31 December 2001

	Number
Persons proceed against	139
Persons found guilty	125
Persons fined	
Number	18
Average fine amount (£)	116
Persons sentenced to immediate custody	
Number	56
Average sentence length (months)	5.5

Asylum Seekers

Diana Organ: To ask the Secretary of State for the Home Department (1) what relevant statistical evidence of *(a)* crime rates, *(b)* illegal working and *(c)* health service demands was used to inform the decision to withdraw asylum seekers' right to work; [77115]

(2) how he plans to monitor the effects of the change to asylum seekers' rights to work; and if he will undertake to review the situation should there be evidence that there is a detrimental effect on asylum seekers in terms of health, crime and illegal working. [77114]

Beverley Hughes: I made it clear when I announced the abolition of the employment concession earlier this year that this reflected the increasing timeliness of the asylum decision-making process.

The concession was established when widespread delays occurred in the asylum system, and we have always made clear that we would review its operation in light of our ongoing reforms to the asylum system. By the time I announced its abolition in July, it had become largely irrelevant and applicable to only a minority of applicants.

The vast majority (around 80 per cent. of asylum seekers) currently receive an initial decision within six months and we are committed, with our programme of increased resources and ongoing legislative reforms, to further improving the speed of the system for new applicants.

We also believe that while we continued to operate the concession, an incorrect perception existed that all asylum seekers had permission to work while their cases were considered. This was not the case, and this decision underlines our determination to maintain a robust asylum process which helps those fleeing persecution and not those seeking work in the UK. Those who seek to enter the UK for the purpose of work have a range of

schemes open to them, and we continue to open up more routes to allow people to come here and work on a legal basis in ways which boost our economy.

Those asylum seekers who had already obtained permission to work prior to 23 July 2002 will retain that right until such time as a final decision is made on their claim, while those who had sought permission to work but have not had a response prior to July 23 will have had their requests considered in line with the concession. We have also retained a discretion to grant permission to work in exceptional cases.

Correspondence

Mr. Salmond: To ask the Secretary of State for the Home Department, when he intends to reply to the letter dated 9 July from the hon. Member for Banff and Buchan regarding his constituent Mr. A. Innes of Banff. [77309]

Beverley Hughes *[holding answer 28 October 2002]*: Due to an administrative error, the hon. Member's letter was not forwarded by the Immigration and Nationality Directorate to the appropriate area to provide a reply. It has now been passed to UK Visas for their response. I am very sorry for the delay.

Mr. Andrew Turner: To ask the Secretary of State for the Home Department when he will respond to the letters of the hon. Member for the Isle of Wight dated 24 May and 24 July under his reference V1008944/2. [78074]

Beverley Hughes: The Immigration and Nationality Directorate (IND) wrote to the hon. Member on 23 October. I am sorry for the delay in responding.

Cowboy Builders (West Sussex)

Tim Loughton: To ask the Secretary of State for the Home Department if he will make funding available from the distraction burglary budget or other crime prevention resources to help expand the first check point scheme based in Lancing, West Sussex, dealing with cowboy builders. [78167]

Mr. Denham *[holding answer 29 October 2002]*: We have made substantial funding available to local crime and disorder reduction partnerships (CDRPs), under the safer communities initiative, the communities against drugs programme and the partnership development fund, to enable them to tackle their crime problems. The Worthing and Adur CDRPs have been allocated £155,072 and £104,154 respectively for 2002–03 under these initiatives. No further central funding has been set aside for distraction burglary projects in 2002–03.

It is for CDRPs to decide on the priorities and plans for their area and to direct their funding accordingly. In the case of Worthing and Adur, their plans have already been made and approved. If First Check Point wishes to inquire about the possibility of obtaining funding from this source, it will need to contact those local authorities.

It would be open to anyone seeking to set up a similar local scheme elsewhere to approach their CDRP in the same way.

Criminal Justice

Mr. Allen: To ask the Secretary of State for the Home Department if he will ensure that the parts of the Criminal Justice Bill for which he is responsible are subject to pre-legislative scrutiny on-line. [75306]

Hilary Benn *[holding answer 24 October 2002]*: The Criminal Justice Bill will be subject to pre-legislative scrutiny by the Home Affairs Committee prior to the second reading of the Bill. The Home Affairs Committee is expected to publish a short report which will be available on-line. On-line consultation will not be possible, given the short time-scales between the Queen's Speech and introduction.

Drug-related Crime

Mr. Michael Jabez Foster: To ask the Secretary of State for the Home Department what plans he has to target support in the fight against drugs on specific communities. [76675]

Mr. Bob Ainsworth: The fight against drugs involves co-ordinated action to deal with the supply of drugs and drug-related crime, as well as strengthening communities to resist drugs, and providing treatment, harm minimisation and education services. Resources for all these services are targeted according to local needs, so they can target the drugs which do the most harm, problematic users and the most vulnerable sections of society. We will continue to review the way that the available money is allocated to ensure that it is easily accessible and reaches the areas where it can be most effective.

Drug Trafficking

Mr. Laws: To ask the Secretary of State for the Home Department what action he is planning to strengthen the capability of the Customs and Immigration Services to deal with trafficking in illegal drugs; and if he will make a statement. [77498]

Mr. Bob Ainsworth *[holding answer 28 October 2002]*: The Concerted Inter-agency Drug Action group comprises representatives of the National Crime Squad, the National Criminal Intelligence Service, the Association of Chief Police Officers, the security and intelligence agencies and a number of other relevant Departments and agencies (but not the Immigration Service), and is chaired by Her Majesty's Customs and Excise. It has developed a strategy for tackling supply of heroin and cocaine from source to street as part of the overall drug strategy, an update of which we intend to publish later this year.

Gloucestershire Constabulary

Mr. Laurence Robertson: To ask the Secretary of State for the Home Department (1) what assessment he has made of the ability of Gloucestershire Constabulary to provide acceptable levels of policing during the forthcoming financial year; and if he will make a statement; [77036]

(2) what recent representations he has received on the grant settlement for Gloucestershire Constabulary; and if he will make a statement; [77034]

(3) if he will review the grant settlement awarded to Gloucestershire Constabulary; and if he will make a statement. [77035]

Mr. Denham: Spending Review 2002 has made additional resources available for policing. By 2005–06 spending on the police will amount to around £1.5 billion more than in 2002–03. The final grant position for individual police authorities for the next financial year will take account of the allocation of resources for 2003/04 and the outcome of the recent review of the police funding formula.

We will take decisions on both the Spending Review and the make-up of the police funding formula shortly. During the recent consultation period on the options for changing the funding formula responses have been received from Gloucestershire police authority and an hon. Friend. All responses are being taken into account, and we are considering very carefully the implications for police authorities of implementing each of the options for change.

I intend to provide sufficient resources to support Gloucestershire, along with all other police authorities, in maintaining stable levels of service and continuity in local policing.

Mr. Laurence Robertson: To ask the Secretary of State for the Home Department how many police officers have been employed by Gloucestershire Constabulary in each of the last 10 years for which figures are available. [77037]

Mr. Denham: The information requested is set out in the table.

Gloucestershire Constabulary is currently at record levels of officers.

Year as at 31 March	*Police Strength*	*Civilian Support Staff*
1992	1,174	367
1993	1,149	375
1994	1,159	381
1995	1,163	381
1996	1,133	415
1997	1,133	435
1998	1,104	423
1999	1,104	504
2000	1,114	484
2001	1,173	506
2002	1,183	545

Source:
Home Office Statistical Bulletins—Police Service Strength 1997—2002. Home Office historical data 1992—1996

Homicide (Minors)

Tim Loughton: To ask the Secretary of State for the Home Department how many people have *(a)* had cases initiated against them and *(b)* been prosecuted for cases which involve the death of minors in each of the last five years. [75554]

Hilary Benn: A suspect in a homicide case is defined as *(i)* a person who has been arrested in respect of an offence initially classified as homicide and has been charged with homicide, or (ii) a person who is suspected by the police of having committed the offence, but is known to have died or committed suicide prior to the arrest.

Data on homicides, held centrally, can identify the number of suspects involved and those indicted. The figures for homicide victims under 16 years are given in the table:

	Total number of suspects	*Total number of suspects indicted for homicide*
1996–97	95	75
1997–98	83	64
1998–99	97	73
1999–2000	75	45
2000–01	88	19

Data as at 3 October 2001; figures are subject to revision as cases are dealt with by the police and by the courts, or as further information becomes available.

In order to avoid duplication of suspects, only the suspects in relation to the first victim have been counted. If there are cases where the first victim is over 16 years and there are other victims under 16, the associated suspects will not have been included.

The number of suspects indicted in the last couple of years has not necessarily fallen These figures will change with time. In the published homicide statistics, data are shown according to the year in which the police initially recorded the offence as homicide. This is not necessarily the year in which the incident which led to the death took place, nor the year in which any court decision was made. The statistics all refer to the position as at 3 October 2001. Subsequent court hearings or other information received will change the figures given, so too much importance should not be placed on the 2000–01 figures.

Homicide statistics are published annually in chapter 4 of "Criminal Statistics England and Wales". The latest statistics relating to 2000–01 were published in December 2001 in "Criminal Statistics England and Wales 2000".

Immigration and Nationality Directorate

Keith Vaz: To ask the Secretary of State for the Home Department how many persons have complained to the Parliamentary Ombudsman about delays in the immigration and nationality directorate. [75660]

Beverley Hughes: Information on complaints against Departments investigated during 2001–02 is set out in the Parliamentary Ombudsman's Annual report for 2001–02, copies of which are available in the Library, or on the Parliamentary Ombudsman's website at:

A total of 35 complaints were made to the parliamentary ombudsman about delays in the immigration and nationality directorate between 1 April 2002 and 30 September 2002.

Mr. Damian Green: To ask the Secretary of State for the Home Department if he will instruct the Immigration and Nationality Department Board to

answer the letters of the hon. Member for Ashford of 11 June 30 July and 11 September on the subject of the Mutabarruku family. [76739]

Beverley Hughes: The Immigration and Nationality Directorate (IND) wrote to the hon. Member on 25 October. I apologise for the delay in doing so.

National Firearms Certificate Holders Register

Mr. Hancock: To ask the Secretary of State for the Home Department what the cost of delays in the national firearms certificate holders register database has been; and if he will make a statement. [76791]

Mr. Bob Ainsworth: The national firearms certificate holders register is being developed on the police national computer (PNC) by the police information technology organisation (PITO) using its own internal resources. An integral part of the project is to provide a link between the local systems used by forces and the national database on the PNC. The procurement exercise to engage contract support to develop and implement the necessary interfaces failed to provide a satisfactory solution. PITO estimate that the manpower costs associated with this part of the project totalled some £21,000. I understand that PITO have recently issued a non-binding expression of interest for a re-tender to provide a single firearms licensing management system and to build the interface to the PNC. It is unlikely that the register will now be operational before summer 2004 and work is already being developed to achieve that aim.

Notifiable Offences

Mr. Laws: To ask the Secretary of State for the Home Department how many *(a)* notifiable offences and *(b)* convictions per notifiable offence there were for each of the last five years in *(i)* South Somerset and (ii) West Somerset; and what the average figures were in districts within the same departmental family of comparable policing areas. [77017]

Mr. Denham: Information referring to number of *(a)* notifiable offences *(b)* the number of convictions for notifiable offences and *(c)* the proportion of convictions per notifiable offence for the Avon and Somerset police force area is given in the following table. Data giving the proportion of convictions per notifiable offence for selected other police force areas are also given.

Data relating to the areas specified in the question are not centrally available for three of the last five years.

Notifiable offences, convictions for notifiable offences and convictions per notifiable offence in the Avon and Somerset police force area, and convictions per notifiable offence in selected police force areas[1] 1997–98 to 2001–02

Avon and Somerset[4]	*1997–98[2]*	*1998–99[3]*	*1999–2000*	*2000–01*	*2001–02*
Notifiable offences	144,556	150,089	147,104	149,254	178,991
Convictions for notifiable offences	n/a	16,766	18,743	17,186	n/a
Convictions per notifiable offence		0.11	0.13	0.12	n/a
Convictions per notifiable offence in selected police force areas					
Bedfordshire	n/a	0.13	0.12	0.12	n/a
Cleveland	n/a	0.16	0.18	0.17	n/a
Derbyshire	n/a	0.14	0.15	0.15	n/a
Dorset	n/a	0.15	0.15	0.14	n/a
Gloucestershire	n/a	0.13	0.14	0.14	n/a
Hertfordshire[3]	n/a	0.17	0.17	0.13	n/a
Humberside	n/a	0.12	0.13	0.12	n/a
Northamptonshire	n/a	0.14	0.14	0.12	n/a
North Yorkshire	n/a	0.19	0.21	0.18	n/a
Nottinghamshire	n/a	0.13	0.14	0.13	n/a
Thames Valley	n/a	0.11	0.10	0.11	n/a
Warwickshire	n/a	0.14	0.12	0.12	n/a

n/a = Not available

[1] The other police force areas included on this table are those which have similar levels and patterns of recorded crime to Avon and Somerset.

[2] The number of crimes recorded in that financial year using the coverage and rules in use until 31 March 1998.

[3] There was an increase in notifiable offences during 2000/2001 due to boundary changes on 1 April 2000.

[4] Some police forces adopted the principles of the National Crime Recording Standard (NCRS) in advance of the national implementation in April 2002 Changes in crime statistics in these forces will be strongly influenced by the changes in recording practices. Numbers of recorded crimes will be affected by changes in reporting and recording.

[5] The number of crimes recorded in that financial year using the expanded offence coverage and revised counting rules which came into effect on 1 April 1998

Sources:
Criminal Statistics, England and Wales
Crime in England and Wales, 2001–02
Home Office Court Proceedings Database

Mr. Laws: To ask the Secretary of State for the Home Department what his estimate is of the ratio of police officers to notifiable offences for each of the Police Authorities in England for the latest year for which statistics are available; and if he will make a statement. [77496]

Mr. Denham *[holding answer 28 October 2002]:* The requested details given in the table are based on information available in the Home Office Statistical Bulletins "Crime in England and Wales 2001–02", published in July, and "Police Service Strength—England and Wales, 31 March 2002", published in September. The ratios may have been affected in comparison to the previous year as a result of some police forces implementing the principles of the National Crime Recording Standard in advance of its national implementation on 1 April 2002.

Number of crimes recorded by the police per police officer

Police force area	*Crimes per officer[1]*
Avon and Somerset	58
Bedfordshire	49
Cambridgeshire	51
Cheshire	34
Cleveland	49
Cumbria	34
Derbyshire	49
Devon and Cornwall	33
Dorset	40
Durham	31
Essex	38
Gloucestershire	43
Greater Manchester	53
Hampshire	39
Hertfordshire	37

Number of crimes recorded by the police per police officer

Police force area	*Crimes per officer*[1]
Humberside	57
Kent	36
Lancashire	42
Leicestershire	42
Lincolnshire	42
London, City of	13
Merseyside	37
Metropolitan Police	40
Norfolk	40
North Yorkshire	42
Northamptonshire	50
Northumbria	35
Nottinghamshire	68
South Yorkshire	42
Staffordshire	55
Suffolk	42
Surrey	31
Sussex	47
Thames Valley	52
Warwickshire	44
West Mercia	51
West Midlands	48
West Yorkshire	61
Wiltshire	34

[1] Based on number of recorded crimes in the year ending March 2002 and the number of full-time equivalent police officers in post on 31 March 2002.

People Trafficking

Mr. Webb: To ask the Secretary of State for the Home Department what assessment he has made of the number of victims of people trafficking who have been removed from this country and then been subsequently trafficked back to the UK or to other EU destinations in the last five years. [77382]

Beverley Hughes: As people trafficking is not yet a criminal offence, there are no figures currently collected on the number of cases of trafficking. The Nationality, Immigration and Asylum Bill currently before Parliament creates a new offence of trafficking for the purpose of prostitution, which carries a maximum sentence of 14 years. This will enable us to tackle the worst forms of exploitation pending the introduction of more comprehensive legislation when parliamentary time permits.

The only available estimates of the levels of trafficking are based on a Home Office research study "Stopping Traffic" (Police Research Series 125, published in 2000), which indicated that there was intelligence to suggest that some women and children are trafficked into the UK for the purposes of sexual exploitation. This was estimated at between 140 and 1,400 per year, but it was impossible to make a more accurate assessment of numbers. The report concluded that there was no evidence to suggest that this was on a large scale compared with other European countries. The report did not attempt to estimate the number of people who were trafficked a second time, having previously been removed.

Mr. Prisk: To ask the Secretary of State for the Home Department what estimate his Department has made of the number of women illegally trafficked to Britain against their will for use in vice rings in the last 12 months. [77554]

Mr. Bob Ainsworth: As people trafficking is not yet a criminal offence, there are no figures currently collected on the number of cases of trafficking. The only available estimates of the levels of trafficking are based on a Home Office research study "Stopping Traffic" (Police Research Series 125, published in 2000), which indicated that there was intelligence to suggest that some women and children are trafficked into the UK for the purposes of sexual exploitation. This was estimated at between 140 and 1,400 per year but it was impossible to make a more accurate assessment of numbers.

Police Funding (Avon and Somerset)

Mr. Liddell-Grainger: To ask the Secretary of State for the Home Department what changes are planned in Government funding for Avon and Somerset police between 2002–03 and 2003–04. [76944]

Mr. Denham: Spending Review 2002 has made additional resources available for policing. By 2005–06, spending on the police will amount to around £1.5 billion more than in 2002–03. The final grant position for individual police authorities will take account of the allocation of resources for 2003–04 and the outcome of the recent consultation process on Local Government Finance Formula Grant Distribution.

We will take decisions on both the Spending Review and the police funding formula shortly.

Police National Computer

Mr. Paice: To ask the Secretary of State for the Home Department (1) what proportion of convictions were entered on the Police National Computer within three days of the conviction in the last six months; [77119]

(2) what the average time taken to input conviction data on the Police National Computer, broken down by force, was in the last six months; [77122]

(3) what proportion of police forces met the target of three days between conviction and entry of that conviction on the Police National Computer over the last six months. [77121]

Mr. Denham *[holding answer 28 October 2002]:* Information is not collected in the form requested. Courts are required to notify court results (in conviction and other cases) to police forces within three working days of completion of the case. Under performance standards set by the Association of Chief Police Officers, police forces are required to input court results (in conviction and other cases) onto the Police National Computer within 72 hours of the receipt of information from the court about the case disposal. We are determined that such key information should be recorded on the Police National Computer in a timely fashion- We therefore commissioned Her Majesty's Inspectorate of Constabulary to manage and monitor a 12-month programme of work for every force to improve the timeliness of the inputting of key data. As regards court results, the primary purpose was to clear backlog of outstanding cases. The Inspectorate's first report showed considerable progress. Its second report, on the programme overall, which indicates substantial further progress, is under consideration.

Retail Crime

Mr. Hoban: To ask the Secretary of State for the Home Department what measures the Government have introduced since 1997 to enable retailers to ban customers from their premises. [78176]

Mr. Denham: *[holding answer 29 October 2002]:* Antisocial behaviour orders (ASBOs), which have been available since April 1999, can be used to exclude people from specific areas such as retail premises or shopping centres. ASBOs are currently granted by magistrates on application from the police or local authority.

The Government have also provided support to the British Retail Consortium to assist them in setting up retail crime partnerships. Members of these partnerships use exclusion notices to prevent people from entering their premises.

Rural policing funds

Mr Ian Liddell-Grainger: To ask the Secretary of State for the Home Department what plans the Government has to absorb rural policing funds into the main formula by increasing the sparsity factor. [76947]

Mr. Denham: The option to incorporate the £30 million rural policing fund into the main formula and to increase the sparsity component to one per cent. was one of a number of options for change that were included in the local government finance formula grant distribution paper in July.

We are taking into account all responses received during the consultation period and are considering carefully the impact of implementing each of the changes. We shall announce our conclusions shortly.

Speeding Offences

Mr. Drew: To ask the Secretary of State for the Home Department if he will make a statement on the powers of a police authority to apply money raised from speeding fines for anti-speeding strategies. [77838]

Mr. Bob Ainsworth: *[holding answer 29 October 2002]*: All revenue from speeding offences is normally paid to Her Majesty's Treasury. Under a scheme currently being rolled out nationally, however, fixed penalty fine revenue from enforcement by the use of speed and red-light traffic cameras can be re-invested to meet the costs of such enforcement. Deployment of cameras so funded is subject to strict conditions, including that sites must have a history of speed related casualties and that the cameras must be clearly visible and conspicuous, in order to deter speeding. Money left over goes, as before, to Her Majesty's Treasury.

UN Commission on Narcotic Drugs

Mr.Mullin: To ask the Secretary of State for the Home Department whom he plans to send to represent the Government at the 46th session of the United Nations Commission on Narcotic Drugs to be held in April 2003; and what issues the Government expect to raise at the session. [77355]

Mr. Bob Ainsworth *[holding answer 28 October 2002]:* The Government are normally represented by a Home Office official at commission sessions. The 46th session will include a ministerial segment, but the Government will not make a decision about representation at this level until the new year, when the agenda for it will be finalised.

Youth Inclusion Programmes

Mr. Russell Brown: To ask the Secretary of State for the Home Department what proposals he has to fund Youth Inclusion programmes beyond their initial three-year period. [76977]

Mr. Denham *[holding answer 28 October 2002:* We announced on 21 October that the existing Youth Inclusion programme will receive funding for a further three years from April 2003. These schemes, which operate in the most deprived neighbourhoods in England and Wales, have been successful in engaging those young people most at risk of crime, leading to reductions in arrests and rates of crime in the local areas. The Youth Inclusion programme is one of a range of measures that we have introduced to address youth crime. The programmes include work with families, schools and in neighbourhoods, and our programme to reduce street crime.

LORD CHANCELLOR'S DEPARTMENT

Damages (Minors)

Ian Lucas: To ask the Parliamentary Secretary, Lord Chancellor's Department, if he will require that, when an award of damages to a minor is invested, the principal sum is guaranteed in the event of a fall in the value of the investment. [77649]

Yvette Cooper: The Court Funds Office (CFO) is the Office of the Accountant General of the Supreme Court. One of the functions of the CFO is to administer funds paid into court on behalf of children when an award of damages is made by the court. The CFO will hold money until the child's 18th birthday unless a Court Order instructs otherwise.

Money is invested in one of two ways:

- the CFO seeks the advice of its investment service based at the Office of the Official Solicitor and Public Trustee (OSPT), on the investment of money in stocks and certain unit and investment trusts; or
- the money is placed to the CFO special account that pays a competitive gross rate (before tax) of interest with instant access.

The investment approach to be applied depends upon the investment policy set by the court, the requirements of the fund, the age of the child and the amount of money held. Smaller sums held for shorter periods are placed on deposit and the principal sum will be secure. Larger sums held for longer periods are invested for the long-term usually, with equity exposure. In these cases, no absolute guarantee of capital value can be given.

Judicial Appointments Annual Report

Dr. Desmond Turner: To ask the Parliamentary Secretary, Lord Chancellor's Department, when the fourth Judicial Appointments Annual Report is to be published and what information this edition will contain. [78777]

Ms Rosie Winterton: The Judicial Appointments Annual Report, covering the period 1 April 2001 to 31 March 2002, is published today. The report includes comprehensive narrative descriptions and statistics on appointments to the judiciary, Queen's Counsel, lay magistrates and general commissioners of income tax. It describes the continuing development of the Lord Chancellor's appointments policies, procedures and initiatives, including the establishment of the Commission for Judicial Appointments, and progress in implementing other recommendations from Sir Leonard Peach's 1999 scrutiny.

Copies of the report have been placed in both Libraries. The report is also available on the internet.

Magistrates Courts (Greater Manchester)

Andrew Bennett: To ask the Parliamentary Secretary, Lord Chancellor's Department how much was awarded in fines in each of the last 12 months and what percentage of such fines have been *(a)* collected and *(b)* written off by each magistrates court in Greater Manchester; and what assessment the Lord Chancellor has made of the impact of court enforcement officers in fine enforcements. [77809]

Yvette Cooper: Magistrates courts committees (MCCs) have a responsibility for the collection of a range of debts imposed by the magistrates courts and the Crown court. Debt collected includes not only fines but also fees, compensation, confiscation orders, legal aid contributions and some maintenance orders. It is not possible to separate out only fines from the total.

Greater Manchester magistrates courts committee was unable to provide a monthly breakdown of figures. Data are collected from each of the 11 court houses in their estate on a quarterly basis. The figures for the last four quarters are set out in the following table. The percentages in the debt paid and debt written off columns include amounts that have been imposed in previous quarters. It is not possible therefore to isolate the amounts imposed that have been paid and written off in any particular quarter.

The Government remain committed to improving the enforcement of financial penalties and addressing variations in performance. Current variations in performance across the country are far too wide. Work is under way with the MCCs to look at the reasons behind the wide variations to improve their performance.

	Imposed (£)	*Percentage debt paid*[1]	*Percentage debt written off*[2]
BOLTON			
October to December 2001	378,009	93	23
January to March 2002	332,802	114	21
April to June 2002	397,130	94	27
July to September 2002	381,990	95	28
Bury; Rochdale, Middleton and Haywood; Wigan; Leigh			
October to December 2001	1,478,681	62	8
January to March 2002	1,545,300	63	25
April to June 2002	1,504,221	57	6
July to September 2002	1,827,840	47	11
MANCHESTER			
October to December 2001	1,405,793	55	52
January to March 2002	1,602,245	64	52
April to June 2002	1,593,020	62	42
July to September 2002	1,550,876	69	55
OLDHAM			
October to December 2001	293,132	89	37
January to March 2002	248,668	96	40
April to June 2002	232,114	120	53
July to September 2002	212,528	122	25
SALFORD			
October to December 2001	254,800	161	72
January to March 2002	197,860	136	75
April to June 2002	266,617	117	41
July to September 2002	235,158	107	44
STOCKPORT			
October to December 2001	380,056	84	36
January to March 2002	333,999	95	42
April to June 2002	342,505	113	21
July to September 2002	402,187	82	33
TAMESIDE			
October to December 2001	334,432	73	27
January to March 2002	277,520	78	29
April to June 2002	342,115	64	24
July to September 2002	322,791	69	40
TRAFFORD			
October to December 2001	895,558	38	8
January to March 2002	1,072,288	26	7
April to June 2002	1,106,034	30	18
July to September 2002	1,038,753	32	88

[1] Includes civil debt and debt imposed in previous quarters and paid in the present quarter.

[2] Percentage debt that was imposed in previous quarters but has been deemed uncollectable in the present quarter.

PRIME MINISTER

Departmental Websites

Dr. Cable: To ask the Prime Minister if he will list the website links associated with his Department, including sites now dormant or closed, and indicating whether they are live, dormant or closed; what the start up costs were for each site listed; what the operating costs were in each year since start up for each site; which company hosted each site; what assessment takes place for each site; which company does the assessment; if he will place the assessment reports in the Library; and if he will make a statement. [75585]

The Prime Minister: The current 10 Downing Street website "pm.gov.uk" was launched in February 2000 at an initial cost of £75,000, hosted in-house. The running costs in each subsequent financial year are as follows: £185,000 (2000–01), £187,000 (2001–02).

The number of page impressions and visitor sessions that the site received is monitored weekly in-house and usage statistics are published on the site (www.pm.gov.uk). The 10 Downing Street website received 3,268,240 visitor sessions and 46,379,169 page impressions last year.

Two other sites—"annualreport.gov.uk" and "inyourarea.gov.uk"—were launched in July 2000 at an initial cost of £55,000, hosted by Peasy Ltd. The running costs in each subsequent financial year were as follows:

£11,750 (2000–01) and £28,500 (2001–02). Both sites are currently being incorporated into the main Downing Street website.

Special Envoys

Norman Baker: To ask the Prime Minister if he will list those persons who, since 1 May 1997, have acted as a non-official special envoy on his behalf in countries outside the UK. [77684]

The Prime Minister: As has been the practice for previous Administrations, if it is helpful to the UK Government individuals may be asked to carry messages or undertake particular tasks on behalf of the Prime Minister or the Foreign Secretary. We do not maintain a record of such occasions.

Norman Baker: To ask the Prime Minister if he will list the visits undertaken since 11 March by Lord Levy in his capacity as special envoy, giving in each case the dates of the visit, the persons met, and the purpose of the visit. [77800]

The Prime Minister: In his capacity as the Prime Minister's envoy, Lord Levy has travelled overseas to exchange views on the Middle East peace process with a range of contacts since 11 March.

Lord Levy visited Israel between 22 and 24 March and 15 and 17 July. He met Israeli contacts including Prime Minister Ariel Sharon, Defence Minister Benjamin Ben-Eliezer, Foreign Minister Shimon Peres, President Moshe Katsav, Chairman of the Knesset Foreign Affairs and Defence Committee Haim Ramon, and Knesset Speaker Avraham Burg. Lord Levy also met US Envoy General Anthony Zinni and US State Department Senior Advisor for Israeli-Arab Negotiations Aaron Miller while he was in Israel in March.

Meetings also took place on both of these visits with Palestinian Authority leadership including President Yasser Arafat, Sa'eb Erekat, Mohammed Rashid, Mohammed Dahlan and Jibril Rajoub.

Between 7 and 9 July Lord Levy visited Morocco and met King Mohammed VI. He also met King Mohammed's advisor Andre Azoulay, Foreign Minister Mohammed Benaissa, and Deputy Foreign Minister Taib Fassi-Fehri.

On 17 and 18 July Lord Levy visited Egypt. He met President Mubarek, Arab League Secretary General Amre Moussa and Presidential Advisor Dr. Osama al-Baz.

SOLICITOR-GENERAL

Antisocial Behaviour Orders

Ian Lucas: To ask the Solicitor General on how many occasions the CPS has *(a)* prosecuted and *(b)* declined to prosecute an offender for breach of an antisocial behaviour order in 2002. [76681]

The Solicitor-General *[holding answer 28 October 2002]:* A breach of an antisocial behaviour order is a criminal offence. The CPS is responsible for the review and conduct of such cases. In considering the decision to prosecute, Crown Prosecutors apply the evidential and public interest tests as set out in the Code for Crown Prosecutors.

The CPS holds no central records in respect of particular offences. The information is held on individual case files, and could only be obtained by examining each relevant file in every CPS office: the costs of this exercise would be prohibitive.

TRADE AND INDUSTRY

Air Industry Levy

Dr. Cable: To ask the Secretary of State for Trade and Industry how much levy was received by the Government in financial years *(a)* 1998–99; *(b)* 1999–00 and *(c)* 2000–01 in respect of *(i)* the Airbus A320 Launch Aid, (ii) the Airbus A330/340 Launch Aid, (iii) RB211–535 aeroengine, (iv) V2500 aeroengine, *(v)* EH101 helicopter and (vi) Lear 45 executive jet; and if she will make a statement. [77901]

Alan Johnson: Unfortunately the Government cannot disclose the levies received by programme as the information is commercially confidential and market sensitive under Exemption 13 of the Code of Practice on Access to Public Information. However, I can provide the total levies received for those programmes for the financial years requested. These are as follows:

Financial Year	*Total levies received for A320, A330, RB211–535, V2500, EH101*
1998–99	£152.4 million
1999–00	£187.2 million
2000–01	£130.9 million

Airbus 340

Dr. Cable: To ask the Secretary of State for Trade and Industry how much the Government has invested, broken down by financial year, in British Aerospace plc for development of the new airbus A340–500/600 wing; and if she will make a statement. [77904]

Alan Johnson: The Government did not invest in the Airbus A340–500/600 wing programme.

Chronic Bronchitis and Emphysema

Paul Farrelly: To ask the Secretary of State for Trade and Industry when she expects solicitors dealing with mining and compensation claims to have received the chronic bronchitis and emphysema pensions model on computer disc. [77974]

Mr. Wilson: The Department issued a spreadsheet based pensions calculator to claimants' representatives on computer disc in June 2002, as an interim measure to assist solicitors. The spreadsheet is also available on the website.

An enhanced pensions model is being developed and is currently undergoing comprehensive testing. Such testing is necessary to ensure that the model is calculating damages correctly before it is issued to claimants' representatives.

The Department is liaising with the Coordinating Solicitors Group on both the testing and the plans for issuing it once testing is complete. It is currently planned to release the model in stages-and we expect that the first phase will be released by the end of the year, subject to resolution of certain outstanding issues.

The pensions model is a complex piece of software and a number of parties are involved in the test and issue process. It is not possible to exactly predict when the complete model will be available, as further problems may be identified during the remaining period of testing that could require fixing before final release.

Cleaner Vehicles Task Force

Dr. Cable: To ask the Secretary of State for Trade and Industry how much financial assistance has been given to the Cleaner Vehicles Task Force in each of the last five years; what future support is planned in the next two years; when the Task Force is next due to report; what assessment has taken place of the effectiveness of the Task Force; and if she will make a statement. [78265]

Mr. Jamieson: I have been asked to reply.

My Department and the Department of Trade and Industry provided secretariat support to the Cleaner Vehicles Task Force (CVTF) and we jointly funded the publication of the Task Force's various reports. The final report of the CVTF "The Way Forward", was published in June 2000 containing a range of recommendations for Government, industry and others on encouraging the production and introduction of cleaner vehicles and fuels. The Government published a formal response to these recommendations in December 2000 (Cm4932) as well as providing a further update on progress in March 2002. Copies of these documents are available in the Libraries of the House.

Hydrogen Technologies

Llew Smith: To ask the Secretary of State for Trade and Industry whether her Department has sponsored research into the possible contribution of nuclear energy to the creation of hydrogen to power fuel cells. [77235]

Mr. Wilson: The Department is not currently sponsoring specific research into the possible contribution of nuclear energy to the creation of hydrogen to power fuel cells. We are, however, actively investing in sustainable hydrogen technologies through industrial research and development on fuel cells via the DTI Advanced Fuel Cells Programme. This is worth approximately £2 million per year. The Engineering and Physical Sciences Research Council (EPSRC) is investing in fundamental research into sustainable hydrogen technologies at approximately £3 million over four years (through the SUPERGEN initiative) and also in fuel cell technology through generic mechanisms (approximately £500,000 per year).

Llew Smith: To ask the Secretary of State for Trade and Industry what evaluation she has made of options available to introduce hydrogen-based fuel for transport. [77236]

Mr. Wilson: Hydrogen can be generated via a number of routes and may be used in modified internal combustion engines or fuel cells to power vehicles. The forthcoming Energy White Paper will discuss the prospective use of hydrogen and fuel cell technology in transport, industrial and other stationary applications.

Security Operation (Barrow)

Norman Baker: To ask the Secretary of State for Trade and Industry how many personnel, at what cost, and how many Royal Navy vessels were involved in the security operation at Barrow-in-Furness for the docking of the Pacific Pintail and Pacific Teal vessels in September. [77769]

Mr. Wilson *[holding answer 28 October 2002]:* Security for the transportation of nuclear material is regulated by the Office for Civil Nuclear Security (OCNS), the security regulator. It is not Government policy to disclose details of security measures taken in connection with nuclear material. The costs of compliance with regulatory nuclear security requirements are borne by the company. Details of those costs are a matter for BNFL.

No Royal Navy vessels were involved with the security operation at Barrow-in-Furness.

Trent Aero Engines

Dr. Cable: To ask the Secretary of State for Trade and Industry how much the Government has invested broken down by financial year, in Rolls-Royce plc for development of the next generation Trent aero engines; and if she will make a statement. [77905]

Alan Johnson: The Government will invest £250 million between the years 2000–2003, for the development of the Rolls-Royce Trent 600/900 aeroengines. Launch Investment has helped to maintain the UK's competence in aerospace research and development by supporting Rolls-Royce as a manufacturing centre of excellence in the UK. Rolls-Royce currently employs within the UK 26,500 employees in the civil aerospace sector.

Wind Turbines

Mr. Gareth Thomas: To ask the Secretary of State for Trade and Industry what plans she has to introduce legislation to allow the development of offshore wind farms outside the 12-mile territorial limit; and if she will make a statement. [78142]

Mr. Wilson: It is important that a legislative framework is in place so that developers are able to build wind farms beyond the 12-mile territorial sea limit. The Government intends to legislate as soon as a place for a Bill is available in the legislative programme.

TRANSPORT

Air Transport (Consultation Document)

Mr. Randall: To ask the Secretary of State for Transport how many copies of the Department's consultation paper on Future Development of Air Transport in the UK: South East have been issued with the figure of £15,000 instead of £1,500 in paragraph

19.19; and what measures have been taken to inform those in possession of the erroneous publication of this mistake. [76810]

Mr. Jamieson: In paragraph 19.9 of "The Future Development of Air Transport in the United Kingdom (South East)" main, and the second paragraph of section 12.2 of the "South East summary consultation" document the correct wording should be ". . .subject to a maximum payment of £15,000."

The error has been corrected in reprints of both documents and an erratum has been posted for the web version. Letters correcting the error are being sent to all residents who received a summary document in the initial mailing. The hon. Member will also want to be aware that as part of the compulsory purchase policy review, my right hon Friend the Deputy Prime Minister is currently consulting on options that might lead to the revision of the existing Home-loss payments provisions.

A27

Norman Baker: To ask the Secretary of State for Transport if he will make a statement on his plans in respect of the Beddingham level crossing on the A27; and whether his plans will include options for consultation with the public. [77689]

Mr. Jamieson: I have asked the Chief Executive of the Highways Agency, Tim Matthews, to write to the hon. Member.

Letter from Tim Matthews to Norman Baker, dated 30 October 2002:

"I have been asked by David Jamieson to reply to your recent Parliamentary Question in respect of the Beddingham Level Crossing on the A27 and plans for public consultation.

Because of the urgent need to improve safety for both road and rail users at the level crossing, the Highways Agency is consulting on proposals to provide a bridge over the crossing. This was announced in the recent Press Notice (HA483/02) giving details of the Government's rolling programme for dealing with congestion and safety at junctions on the trunk road. The proposals being developed take into account the recommendations from the South Coast Multi Modal Study (SOCOMMS).

The safety issues with the level crossing are long standing and are likely to increase in future due to possible increases in train services along the south coast line. Traffic management measures have been installed with some beneficial effect but the Agency, Railtrack and the Health and Safety Executive (HOUSE) do not see these as the solution. The HSE (Railway Inspectorate) consider that whilst the number of incidents has reduced the crossing is a high risk site and the highest in the south east. Without grade separation soon the Executive will instruct Railtrack to install full barriers at the crossing instead of the existing half barriers. Should this happen the lost time to road traffic will rise to approximately 20–24 minutes in any hour. This would have a dramatic effect on road capacity and result in a significant increase in the delays that already occur and the amount of queuing currently experienced during peak periods along the A27 in both directions. This in turn would lead to greater pressure on parallel routes as traffic sought to avoid the delays.

We are arranging a public exhibition for the first week in December, with a Preview exhibition for Councillors, and other elected representatives on the 5th December. A newsletter will be issued to local residents shortly, explaining our proposals and inviting them to an exhibition. We will write to you again nearer December with a formal invitation to the Preview and exhibition.

If you would like any further details Phil Barnett (Project Manager on 01306–878481) or Paul Arnold (Team Leader on 01306 878475) in our Dorking office would be pleased to help you."

A59 (Lancashire)

Mr. Evans: To ask the Secretary of State for Transport if he will examine the safety of the junction of the A59 in Lancashire at the Clitheroe and Sabden turnoffs and fund changes to it. [77654]

Mr. Jamieson: I have asked the Chief Executive of the Highways Agency, Mr Tim Matthews, to write to the hon. Member.

Letter from Tim Matthews to Mr Nigel Evans, dated 30 October 2002:

"I have been asked by David Jamieson to reply to your recent parliamentary question about safety on the A59 trunk road at the Pendle Road/Sabden Road staggered junction in Lancashire.

The Highways Agency has been monitoring accidents at the junction following the improvements that were undertaken in 1999. The analysis of this accident data indicates a common factor in all of the accidents, namely, collisions between vehicles emerging from the side roads and traffic travelling through the junction on the A59. A number of options have been identified to address this type of accident, and a detailed traffic count and analysis of turning movements is currently under way.

We are in discussion with the Lancashire Police and plan to meet with them again early next month to agree a strategy for implementing any changes. Our provisional view is that the most appropriate solution would be to make modifications to the existing junction. Our preferred options involve introducing right turn bans, to limit the risk of conflicts occurring, and measures to narrow the A59 carriageway through the junction to restrict opportunities for overtaking and to reduce speed.

As you may be aware, the A59 is one of a number of routes identified for transfer to local highway authorities in the 1998 White Paper, "A New Deal for Trunk Roads". Under this process, known as detrunking, we are working to a programme for transferring responsibility for the A59 to Lancashire County Council in the spring of next year. This process allows for a fair and equitable transfer of funds to local highway authorities that the Agency would have spent on these roads, including finance for possible schemes such as this.

Depending on the extent of the changes that are adopted to this junction, it may be possible for the Agency to undertake the work within funding allocated for this financial year. Should this not be the case, then it will be for Lancashire County Council as the new highway authority to decide on the improvements they wish to take forward from the funds that they are allocated.

I hope this is helpful. If you would like any further information about this matter, please contact the Agency's Route Manager for the A59, Trevor Hunt, Sunley Tower, Piccadilly Plaza, Manchester M1 4BE (Tel 0161 930 5691)."

Airport Security

Paul Goggins: To ask the Secretary of State for Transport, what plans his Department has to review airport security measures. [78601]

Mr. Darling: Aviation security measures remain at an enhanced level following the attacks on 11 September last year. The Government keep these measures under constant review, and from time to time additional protective steps will be taken as the situation demands.

In May this year, as part of the process of continuing review, my right hon. Friend the Home Secretary and I appointed Sir John Wheeler to conduct an independent examination of airport security. The terms of reference

for this work, set out in full in the report Sir John submitted to us on 13 September, included a focus on the threat from serious and organised crime at UK airports and the role of the Police Service.

The Government are grateful to Sir John for the care with which he analysed the issues, and we have considered carefully his findings and recommendations. These, together with his introduction to the report, are today being placed in the Libraries of both Houses. The main body of the document contains information about operational security matters, and for that reason it would not be appropriate to publish the report in its entirety.

The Report endorses the National Aviation Security Programme and the commitment of those working to deliver its objectives. It also makes some valuable recommendations around the need to strengthen strategic direction, to undertake a detailed multi-agency assessment of the potential threats from serious and organised crime, and to overhaul the arrangements by which airports may be 'designated' for policing by uniformed officers. The Government are happy to accept in principle all of Sir John's recommendations. My Department and the Home Office are working closely together on implementation, which will bring in the police and other control agencies and the airport industry.

Cliffe Airport

Bob Spink: To ask the Secretary of State for Transport, pursuant to his answer of 23 October (ref 74930), what provisional estimates his officials have made of the proportion of take-offs from the possible Cliffe Airport that would take-off towards the east, with reference to wind direction patterns. [77831]

Mr. Jamieson: For appraisal purposes, The South East and East of England Regional Air Services study (SERAS) assumed, for all options, that around 30% of departures would be to the east.

Double Decker Buses

Miss McIntosh: To ask the Secretary of State for Transport what progress has been made on the EU Bus Directive; and if he will make a statement on the future use of double decker buses in the UK.[Transferred] [77880]

Mr. Jamieson: The Directive was adopted on 20th November 2001. Officials at my Department are in the process of completing an initial consultation requesting views on the proposed method of implementing it into UK legislation. We are proposing to integrate the requirements of the directive into a consolidation of existing bus and coach regulations to make them simpler and easier to understand. It is hoped to implement this consolidation in the latter half of 2003.

The Directive will have no effect on the use of existing double-decker buses operating in the UK. Our regulations will permit the current design of low floor, accessible double deck buses to continue to be produced.

Manchester Metrolink

Chris Grayling: To ask the Secretary of State for Transport what extra funding his Department will commit to phase 3 of the Manchester Metrolink extensions following the recent tenders. [78417]

Mr. Jamieson: This matter is still under consideration.

Overseas Drivers

Bob Russell: To ask the Secretary of State for Transport what procedures exist to check the driving documents of overseas drivers entering the UK to see if they are involved in outstanding road traffic offences from previous visits; and if he will make a statement. [78525]

Mr. Jamieson: Enforcement of road traffic law is an operational matter for the police. I understand from the Association of Chief Police Officers that the police do not make any specific provision for checking the driving documents of overseas drivers entering the UK. Police require drivers to produce their driving documents routinely after most police stops and following road accidents and traffic offences. The nationality of a driver does not make any difference to this process: all drivers are subject to the provisions of the Road Traffic Acts.

Details of endorsable road traffic offences committed in Great Britain by all drivers are maintained by the Driver and Vehicle Licensing Agency, and may be accessed by the police (via the Police National Computer) in cases where such drivers are stopped at the roadside.

Additionally, my officials are currently pursuing the ratification of the European Union Driving Disqualification Convention which was adopted and signed under the United Kingdom presidency by all member states. This convention will ensure that a driving disqualification imposed on a European Union citizen in any member state is recognised across all other member states.

Pensioner Bus Passes

Mr. Drew: To ask the Secretary of State for Transport what plans he has to extend the concessionary fare arrangements to offer free bus passes to all pensioners. [77844]

Mr. Jamieson *[holding answer 29 October 2002]:* The Transport Act 2000 guaranteed that from 1 June 2001 all pensioners have been entitled to a free bus pass allowing half-fare travel on local buses, as a minimum. From 1 April 2003 the concession will also be extended to men aged between 60 and 65. We have no plans to extend these provisions, but the legislation does not prevent local authorities from providing concessionary fare schemes which are more extensive than the statutory minimum.

Railways

Norman Baker: To ask the Secretary of State for Transport, pursuant to his Answer of 15 October,

Official Report, column 711W, on railways, how many miles of new rail track, excluding repairs to existing track, have been constructed since May 1997. [77786]

Mr. Jamieson: None.

Railways (Bonds Financing)

Mr. Don Foster: To ask the Secretary of State for Transport (1) what recent discussions have taken place between his Department, the Strategic Rail Authority and the Treasury into the role of bonds as a financing mechanism within the railways; and if he will place copies of related correspondence in the Library; [76474]

(2) what research has been conducted by and for *(a)* his Department and *(b)* the Strategic Rail Authority into the role of bonds as a financing mechanism within the railways; and if he will place copies in the Library. [76195]

(3) what representations have been received by *(a)* his Department and *(b)* the Strategic Rail Authority on the role of bonds as a financing mechanism within the railways; and if he will place copies in the Library. [76206]

Mr. Jamieson: The Department has not commissioned any research on the issue of bond financing of railways. It has received a number of representations on rail finances, some of which touch on matters relating to bond financing. The Department would generally expect to seek advice as necessary on such issues from the Strategic Rail Authority (SRA).

The SRA is itself now considering a number of options for the future financing of the rail industry. However, no firm proposals involving such options have been put to the Department or the Treasury.

For completeness, as my right hon. Friend the Secretary of State made clear to the House on 27 June 2002, *Official Report*, column 976, Network Rail plans to replace its short term bridge finance through longer-term loans securitised against its future income.

Rural Bus Challenge

Mr. Breed: To ask the Secretary of State for Transport what plans he has for money allocated to but not spent through the Rural Bus Challenge in 2001–02. [77954]

Mr. Jamieson: All the £20.5 million awarded to projects successful in the Rural Bus Challenge competition held in 2001–02 remains allocated to those projects. Challenge projects are typically designed to last for 2 or 3 years and expenditure is spread over the relevant financial years.

Seat Belts (Buses)

Miss McIntosh: To ask the Secretary of State for Transport which is the competent authority to determine the requirements for *(a)* the fitting of and *(b)* the use of seat belts in buses and coaches in the UK. [77879]

Mr. Jamieson: Regulations on the fitting and use of seat belts in coaches and buses are prepared by the Department for Transport and approved by Parliament in accordance with Directives agreed within the European Union.

Severn Tunnel

Mr. Simon Thomas: To ask the Secretary of State for Transport whether the Severn Tunnel will remain open in the event of a fire brigade strike. [77792]

Mr. Jamieson: During any industrial action by the Fire Brigade Unions, it is expected that passenger and freight services will operate nearly normally through the Severn Tunnel. The exception will be the transport of some hazardous materials which will be re-routed around the Tunnel.

West Coast Main Line

Mr. Gordon Marsden: To ask the Secretary of State for Transport what assessment his Department has made of the *(a)* condition of and *(b)* need for infrastructure schemes on the West Coast Main Line north of Preston. [77609]

Mr. Jamieson: The SRA's West Coast Strategy document describes, principally in Appendix A, the main infrastructure measures which are expected to be involved, both for the route as a whole and for specific sections.

Mr. Gordon Marsden: To ask the Secretary of State for Transport (1) what assessment his Department has made of the feasibility of asking train and freight operating companies to purchase cheaper rolling stock than that envisaged in the Strategic Rail Authority's consultation document West Coast Strategy; [77612]

(2) what estimate his Department has made of the additional costs that train and freight operating companies will need to bear to meet rolling stock requirements envisaged in the Strategic Rail Authority's consultation document on the West Coast Strategy; and from what sources these costs would be met; [77608]

(3) what estimate his Department has made of the likely final level of compensation that will be paid to *(a)* each passenger train operating company, *(b)* each freight train operating company and *(c)* the Royal Mail as a result of *(i)* the proposed decision to establish a fast line speed maximum of 125 miles per hour rather than 140 miles per hour and (ii) the proposed rolling stock requirements outlined in the Strategic Rail Authority's consultation document West Coast Strategy; and from what sources such compensation would be paid. [77611]

Mr. Jamieson: The SRA's West Coast Strategy sets out a package of proposed measures, including infrastructure works and rolling stock changes, which together would deliver the benefits from the upgrade and provide good value for money. The detailed specifications for replacement rolling stock have yet to be fully worked up. The SRA are continuing to discuss these issues with the passenger and freight operating companies and with Network Rail. The cost implications will depend on the final service specification which is agreed, and the terms of the new or revised access agreements which will need to be

entered into between the SRA and the train operators. These agreements will also be subject to the Rail Regulator's approval.

Mr. Gordon Marsden: To ask the Secretary of State for Transport what assessment his Department has made of the cost of concentrating possessions in periods close to public holidays outlined in the Strategic Rail Authority's consultation document on the West Coast Strategy to the tourist industry in *(a)* the North West and *(b)* Blackpool. [77613]

Mr. Jamieson: The proposed engineering programme set out in the SRA's West Coast Strategy has been designed to minimise the impact on all passengers and in particular to reduce the need for weekend and Bank Holiday possessions. For much of the time that works are taking place, trains will continue to operate between London and the north west without interruption. The alternative to total closure of certain sections of the route for limited periods would be considerably more weekend possessions, with an adverse effect on the leisure and tourist industry. However, if the industry has specific concerns about these proposals they should respond accordingly to the SRA's consultation.

Mr. Gordon Marsden: To ask the Secretary of State for Transport when the signalling arrangements envisaged in the Strategic Rail Authority's Consultation document West Coast Strategy will have to be replaced with ERTMS technology to meet EU requirements. [77614]

Mr. Jamieson: The requirements set by the EU for the implementation of ERTMS do not include a specific deadline.

TREASURY

Census 2001

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer what assessment he has made of the accuracy of the 2001 census; and if he will make a statement. [77401]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Gordon Prentice, dated 30 October 2002:

As National Statistician and Registrar General for England and Wales I have been asked to reply to your recent question to the Chancellor of the Exchequer asking what assessment has been made of the accuracy of the 2001 Census. (77401)

Census 2001 results are the first to represent the entire population. This was achieved through a new strategy known as the 'One Number Census'. One of the key elements was an independent follow-up survey. The Census Coverage Survey (CCS), as it is known, involved an intensive face-to-face survey of a sample of over 16,000 postcodes containing 320,000 households covering every local authority in England and Wales. By combining the results of the Census and the CCS, it was possible in 2001 to estimate the total resident population-the 'one number'- to a high level of precision, plus or minus 0.2 per cent., and to provide information on the characteristics of those persons missed by the Census.

Thus in 2001, the Census results represent 100 per cent. of the population. Census response, that is the proportion of people returning a form in England and Wales, was 94 per cent. The 6% of people estimated to have been missed by the Census have been added to the counts using a statistical process that was subject to extensive consultation, and based on the results of the CCS.

I am confident that the approach we have taken to the 2001 Census provides the most accurate estimates of the population both nationally and for each of the 376 local authorities in England and Wales. No census ever gets responses from 100 per cent. of the population. The 2001 Census was designed from the outset to take full account of this to provide what users of statistics really want—figures representing everyone.

In addition, the 2001 Census has undergone rigorous testing and quality checking throughout both the fieldwork and processing. Census tests were carried out in 1997 and 1999 and a survey designed to measure the accuracy of response to each question has been completed. Furthermore, a comprehensive set of verification and validation checks were built in to the processing of the data, and data quality played a key role in all aspects of processing the forms. All information on accuracy will be contained in a Census Quality report to be published in 2003.

Information published so far about the accuracy of the Census is available on the National Statistics website at www.statistics.gov.uk.

Church Restoration and Repairs

Miss McIntosh: To ask the Chancellor of the Exchequer what recent discussions he has had with his EU counterparts regarding *(a)* fiscal and *(b)* other support for church restoration and repairs. [77833]

Huw Irranca-Davies: To ask the Chancellor of the Exchequer (1) what representations are being made by the UK Government to the European Parliament on the issue of VAT on church repairs; [78317]

(2) what representations he has received in connection with the possible extension of the listed places of worship grant scheme beyond March 2003. [78316]

John Healey: The Government's long-term objective is to secure a reduced rate of VAT for the repair and maintenance of listed buildings which are used as places of worship. At present the formal European agreements in place on VAT prevent us from doing so. As the Chancellor said in Budget 2001, the European Commission has indicated that it will review its reduced rates for VAT in 2003. The Government have introduced a grant scheme to run in the interim period, until the review has been completed.

Firefighters' Strike

Mr. Evans: To ask the Chancellor of the Exchequer what preparations he has made to ensure the safety and continuity of service to the public in the event of a firefighters' strike. [77669]

Ruth Kelly: I refer the hon. Gentleman to the answer given by the Minister for Local Government and the Regions on 28 October 2002, *Official Report*, column 527W.

Money Laundering

Harry Cohen: To ask the Chancellor of the Exchequer (1) what the Government's policy is on action relating to countries named on the OECD's latest money laundering blacklist; and if he will make a statement; [78455]

(2) what action he has recently taken to encourage *(a)* Grenada, *(b)* Nauru, *(c)* St.Vincent and the Grenadines and *(d)* the Cook Islands to comply with the OECD anti-money-laundering system; and if he will make a statement. [78454]

Ruth Kelly: The Government are working actively with other members of the Financial Action Task Force to help jurisdictions on the FATF list of non-cooperative countries and territories to strengthen their anti-money laundering systems. An FATF delegation will visit Grenada in December to review progress, and an IMF mission in 2003 will provide technical assistance to the Cook Islands.

Most countries are taking measures to improve their systems, and the Government welcome the decision of the FATF last month to remove Russia, Dominica, Niue and the Marshall Islands from the NCCT list in view of the progress they had made. However, in December 2001, the FATF decided to implement counter-measures against Nauru in view of its lack of progress. These counter-measures involve enhanced surveillance and reporting of financial transactions with Nauru.

Taxation

Dr. Cable: To ask the Chancellor of the Exchequer (1) what estimate he has made of the taxation and national insurance to be raised as a result of the measures covered by IR35 in *(a)* 2002–03 and *(b)* 2003–04; and when that estimate was made; [78106]

(2) what taxation and national insurance revenues have been raised as a result of the measures covered by IR35 in *(a)* 2000–01 and *(b)* 2001–02; [78105]

(3) how many individuals pay tax and national insurance following PAYE/NIC rules as a result of the measures covered by IR35 [78107]

Dawn Primarolo: Estimates of the yield from the introduction of service company legislation to counter avoidance in the provision of personal services were published in Appendix A2 of the March 2000 Financial Statement and Budget Report.It was estimated that 90,000 companies were potentially affected at the time of the introduction of the new rules to tackle avoidance, and that around half would continue to operate subject to additional income tax and National Insurance contributions on deemed payments when required. The Inland Revenue continues to monitor the situation and to ensure that everyone pays the right tax and NICs.

WALES

Manufacturing

7. **Gregory Barker:** To ask the Secretary of State for Wales what recent discussions he has had with the First Secretary of the National Assembly for Wales regarding manufacturing in Wales. [760

Peter Hain: Working with the First Minister, the Government are developing policies for a strong manufacturing sector in Wales, despite the slowdown in the world economy and the weakness of the euro.

Barnett Formula

10. **David Taylor:** To ask the Secretary of State for Wales when he last discussed the impact of the Barnett formula with the Chancellor of the Exchequer. [76067]

Peter Hain: I have not yet had a chance to discuss the impact of the Barnett formula with the Chancellor of the Exchequer, but it has served Wales well.

Illegal Drugs

11. **Ian Lucas:** To ask the Secretary of State for Wales what steps he will take to help combat misuse of illegal drugs in Wrexham. [76068]

Mr. Touhig: I am concerned by the use of illegal drugs throughout Wales and have regular meetings with the police, National Assembly for Wales and the Home Office to discuss the situation and solutions to this blight on our communities.

Economic Development

12. **Mr. Caton:** To ask the Secretary of State for Wales what discussions he has held with Ministers in the National Assembly for Wales about economic development issues in south-west Wales. [76069]

Peter Hain: My predecessor had regular discussions with Assembly Ministers about economic development across the whole of Wales, and I intend to continue with these meetings.

Cockle Beds

13. **Mr. Ben Chapman:** To ask the Secretary of State for Wales what discussions he has had with the First Secretary on cockling on the Dee. [76070]

Mr. Touhig: My right hon. Friend, the former Secretary of State for Wales, raised this issue with the First Minister last year. He also visited the hon. Member's constituency to discuss this and other issues.

I have also raised this issue with the Assembly Rural Development Minister and Transport, Planning and Environment Minister.

Hospital Building

14. **Mr. Jon Owen Jones:** To ask the Secretary of State for Wales if he will meet the Health Minister in Wales to discuss her hospital building programme. [76071]

Mr. Touhig: My right Hon. Friend the Secretary of State will continue to meet regularly with the National Assembly of Wales Health and Social Services Minister to discuss a range of issues, including the NHS in Wales.

Gravel Extraction

15. **Mr. Edwards:** To ask the Secretary of State for Wales what discussions he has had with the First Secretary to discuss alternatives to sand and gravel extraction from the Bristol channel. [76072]

Peter Hain: Like my predecessor, I intend to have regular discussions with the First Minister about issues affecting Wales.

I understand that it is primarily sand, which is extracted from the Bristol channel. This is currently the primary source of fine aggregates for the south-east Wales market.

I know that the Assembly is looking at a range of options for satisfying this demand. Their objective is to find a long-term solution which is economically viable, as well as being environmentally acceptable.

SMEs

16. **Dr. Francis:** To ask the Secretary of State for Wales what discussions he has had with the First Secretary about prospects for small and medium-sized enterprises in Wales. [76073]

Peter Hain: My predecessor met regularly with Cabinet colleagues, including the Chancellor of the Exchequer, to discuss a wide range of issues, including small businesses and I will of course continue to do so.

Small and medium-sized enterprises account for over 99 per cent. of all businesses in Wales and are therefore crucial to the economic success of Wales. A number of measures in the Chancellor's budget will make a significant contribution to supporting small businesses in Wales. 6,000 Welsh SMEs will benefit from the corporation tax starting rate cut from 10 per cent. to zero and a further 13,000 will be helped by the 1 per cent. reduction in the small companies' rate. In addition, thousands of Welsh SMEs will benefit from measures to simplify their VAT.

Employment

17. **Kevin Brennan:** To ask the Secretary of State for Wales, what recent discussions he has had with the First Minister of the National Assembly concerning unemployment in Wales. [76075]

Peter Hain: I fully intend to continue to hold regular discussions with the First Minister on a range of issues including unemployment in Wales.

The Government recognise that certain sectors, particularly manufacturing, have experienced tough times, due largely to the world economic slowdown.

However, based on the non census adjusted figures for both Wales and the UK, there is evidence that we are closing the traditional gap between Welsh unemployment and UK unemployment. Welsh unemployment, at 5.3 per cent., is now barely higher than the comparable UK rate of 5.2 per cent.

22. **Huw Irranca-Davies:** To ask the Secretary of State what recent discussions he has had with the First Secretary of the Welsh Assembly on reducing long-term unemployment in Wales. [76079]

Peter Hain: The Government's long-term ambition is that by the end of the decade there will be a higher proportion of people in work than ever before.

Based on non-census adjusted figures for both Wales and the UK, there is evidence that we are closing the traditional gap between Welsh unemployment and UK unemployment. Welsh unemployment, at 5.3 per cent., is now barely higher than the comparable UK rate of 5.2 per cent.

Employment measures such as the New Deal have been a huge success in Wales and are having an impact on long-term unemployment. In total, some 6,300 long-term unemployed people in Wales have secured sustained jobs through New Deal between the start of the New Deal 25+ programme in July 1998 and June 2002, when the most recent figures were published.

Flooding

18. **Matthew Green:** To ask the Secretary of State for Wales what actions have been taken to reduce flooding of the rivers Teme and Severn in areas which cross the Welsh-English border. [76074]

Peter Hain: Flood prevention measures to protect land and property in Wales are a matter for the National Assembly.

Cardiff Art Gallery

19. **Llew Smith:** To ask the Secretary of State for Wales what discussions he has had with the First Secretary of the National Assembly for Wales regarding the creation in Cardiff of a gallery for contemporary Welsh artists. [76076]

Peter Hain: Like my predecessor, I plan to have regular discussions with the First Minister about a range of matters affecting Wales.

On 19 June, the National Museums and Galleries of Wales published a consultation paper, 'Views of the Future', setting out options for displaying the nation's art collection, including the work of contemporary Welsh artists.

In due course, the museum will report on the outcome of this consultation to the Assembly's Culture Minister.

Dairy Farming

20. **Miss McIntosh:** To ask the Secretary of State for Wales if he will make a statement on dairy farming in Wales. [76077]

Peter Hain: This is a matter for the National Assembly for Wales.

Waiting Lists

21. **Mr. Peter Duncan:** To ask the Secretary of State for Wales what recent discussions he has had with the National Assembly for Wales regarding the length of waiting lists in Wales. [76078]

Mr. Touhig: My right hon. Friend the Secretary of State and I will continue to meet the National Assembly First Minister and Health Minister regularly to discuss a range of issues including the length of waiting lists.

I know that the Assembly and Welsh Trusts are working on a range of initiatives to tackle waiting lists, including recruitment and retention plans and the appointment of out-patient managers to manage booking arrangements for patients attending clinics.

Drugs and Crime

23. **Mr. Win Griffiths:** To ask the Secretary of State for Wales if he will make a statement on the co-ordination

taking place between his Department, other Whitehall departments and the Wales Assembly to combat drug abuse and drug-related crime. [76080]

Mr. Touhig: The UK Government, both the Wales Office and other Whitehall Departments, are committed to working with the National Assembly for Wales to tackle drug abuse and drug-related crime in Wales; I have regular meetings with my Ministerial colleagues, both in Whitehall and in the Assembly, to discuss these issues.

The National Assembly has developed its own strategy for tackling substance misuse: "Tackling Substance Misuse: A Partnership Approach". This strategy focuses on the problems in Wales and has Welsh solutions. This is one of the strengths of devolution: it enables the unique situations in Wales to be addressed by solutions that are tailor made for our communities.

In addition, the UK Government, working in conjunction with the National Assembly, is working to tackle the underlying causes of social deprivation. People in more affluent areas have better opportunities and life choices than people in deprived areas, who may turn to drugs as a means of escaping from their lifestyles.

Ministerial Meetings

24. **Mr. Llwyd:** To ask the Secretary of State for Wales how often has *(a)* he and *(b)* his Under-Secretary attended meetings of the *(i)* Agriculture, (ii) Justice and Home Affairs, (iii) Environment and (iv) Transport Councils of Ministers in *(a)* 2000 and *(b)* 2001; and if he will make a statement. [76081]

Peter Hain: Neither my predecessor nor the Parliamentary Under-Secretary of State has attended any meetings of the Council of Ministers.

Clearly there is a limit to the number of people who can participate in any one delegation. Where council meetings cover issues of particular interest to the devolved administrations, the priority must be to accommodate Ministers from the devolved Administrations wherever possible.

Assembly Ministers have attended numerous council meetings as part of the UK delegation, including seven meetings of the Agriculture Council and one Environment Council.

The Government are committed to involving the devolved Administrations in formulating the UK's policy position in Europe, wherever appropriate.

Steelworkers' Pensions

25. **Adam Price:** To ask the Secretary of State for Wales what discussions he has had with the National Assembly Government First Secretary and other Government colleagues concerning the pension situation of Welsh steel workers. [76082]

Peter Hain: My predecessor had regular meetings with Cabinet colleagues and the First Minister of the National Assembly for Wales and discussed a range of issues including steelworkers pensions. I will of course continue to take a close interest and this will include discussions with stakeholders.

The issue of ASW workers' pensions was also raised at Welsh Affairs Committee on 15 October 2002, at which my predecessor participated. The Government is trying to address the issue of security for pension scheme members and will consider this in the forthcoming Green Paper.

Welsh Language Broadcasting

26. **Michael Fabricant:** To ask the Secretary of State for Wales what discussions he has had with ministerial colleagues on the promotion of digital broadcasting in the Welsh language throughout Wales. [76083]

Peter Hain: Like my predecessor I plan to have regular discussions with ministerial colleagues and Assembly Ministers about a wide range of matters affecting Wales.

The Government recognises the key role which S4C plays in nurturing and developing the Welsh language throughout Wales, and the importance of their moving forward with the development of their digital service.

Education

27. **Mr. Andrew Turner:** To ask the Secretary of State for Wales what discussions he has had with the Welsh Assembly about cross-border needs for further education provision. [76084]

Mr. Touhig: I regularly meet Welsh Assembly colleagues to discuss a range of issues, including further education provision.

Community Safety

28. **Simon Hughes:** To ask the Secretary of State for Wales what discussions he has had with the First Secretary on community safety, and if he will make a statement. [76085]

Mr. Touhig: My right hon. Friend and I have regular discussions with Assembly Ministers about matters affecting Wales.

The Assembly and the Crime Reduction Unit for Wales have key roles in promoting community safety.

We have seen a period of intense activity which has resulted in the local partnership approach making a real impact, backed by funding of £22 million from the Government and the National Assembly.

Proportional Representation

29. **Dr. Julian Lewis:** To ask the Secretary of State for Wales what assessment he has made of the consequences of the use of proportional representation in Assembly elections. [76086]

Peter Hain: The electoral system is a matter reserved to Parliament under the devolution settlement and the Government have no plans to bring forward legislation to change it.

Redundant Steelworkers

Julie Morgan: To ask the Secretary of State for Wales what plans he has to work with the National Assembly to help the steelmakers made redundant at Allied Steel and Wire in Cardiff. [76066]

Peter Hain: My predecessor the right hon. Member for Torfaen maintained regular contact with the National Assembly for Wales and the First Minister on the plight of Allied Steel and Wire and of its workers.

He recently met South Wales representatives of the National Association of British Steel Pensioners together with my right hon. Friend, the member for Aberavon, to listen to their concerns about law reform.

WORK AND PENSIONS

Benefit Fraud

Mr. Webb: To ask the Secretary of State for Work and Pensions how many referrals for suspected benefit fraud were generated by his most recent television advertising campaign; and what proportion of these resulted in *(a)* a full investigation and *(b)* successful prosecution or other penalty. [74848]

Malcolm Wicks: Referrals come to the Department from many sources and it is not possible to identify separately those generated by the television advertising campaign. The primary objectives of the Targeting Fraud campaign are to positively reinforce honest behaviour, to create a climate of intolerance to benefit fraud and to undermine its social acceptability, rather than specifically to invite fraud referrals. Evaluation shows that public attitudes are moving in a positive direction as a result of the campaign.

Mr. Webb: To ask the Secretary of State for Work and Pensions how much is paid to a postmaster who reports a case of suspected benefit fraud; and what plans he has to increase this amount. [74845]

Malcolm Wicks: The amount of the award which may currently be paid to a postmaster who reports a case of suspected instrument of payment fraud is £10.00. In cases where Post Office staff show exceptional diligence, a reward of £25.00 may be considered. There are no current plans to increase these amounts.

Child Benefit Claims

Brian White: To ask the Secretary of State for Work and Pensions what plans he has for allowing claims to child benefit to be made electronically. [78859]

Malcolm Wicks: The draft Order to enable claims for child benefit to be made was approved by both Houses inJuly. From October 28 2002 our customers are able to make a claim or report a change of circumstances electronically via the internet.

DEPUTY PRIME MINISTER

Starter Homes Initiative

Mr. Don Foster: To ask the Deputy Prime Minister if he will list the successful bidders for the second round of the Starter Home Initiative and indicate how much each one will receive. [75967]

Mr. McNulty: The list of successful bidders for Starter Home Initiative Round 2 funding and the allocations made to each one are set out in the table below. Some of the bidders are assisting key workers across a number of local authority areas.

Bidder	*Funding allocation £s*
Boleyn and Forest Housing Society	1,705,650
Bedfordshire Pilgrims Housing Association	1,291,500
Metropolitan Home Ownership	735,000
Moat Home Ownership	3,486,000
Aldwyck Housing Association	840,000
Swaythling Housing Society	2,142,000
Apex Housing Group	188,100
Midsummer Housing Association	103,000
Northcote Housing Association	1,055,750
Oakfern Housing	105,000
Sovereign Housing	493,500
Southern Housing Home Ownership	1,921,500
Airways Home Ownership	882,000
Soha Housing	287,000
Thames Valley Housing Association	1,218,000
Signpost Housing Association	945,000
Western Challenge Housing Association	420,000
Sarsen Housing Association	472,500
Knightstone Housing Society	220,500
Devon and Cornwall Housing Association	105,000
Touchstone Housing Association	262,500
Angevin Specialist Homes	100,000

Mr. Willis: To ask the Secretary of State for Education and Skills what definition of key workers her department is using in the Starter Homes Initiative. [76589]

Mr. McNulty: I have been asked to reply.

The Starter Home Initiative is assisting primarily teachers in schools, police, nurses and other health workers to buy their first home. Bids for Starter Home Initiative funding were also invited to assist other key workers, and as a result some social workers, care workers, occupational therapists, fire fighters and transport workers are also being assisted.

Rural Planning

Mr. Drew: To ask the Deputy Prime Minister what discussions he has had with rural organisations on the subject of developing the capacity of parish and town councils to handle more of the planning process. [76992]

Mr. McNulty: The Deputy Prime Minister has had a number of discussions with rural organisations, including the Countryside Agency, where he has discussed the role of parish councils in the planning process.

The Office of the Deputy Prime Minister's officials have also had discussions with the Countryside Agency and the National Association of Local Councils on the role of parish and town councils more generally.

Affordable Housing, Salisbury

Mr. Key: To ask the Deputy Prime Minister how many units of affordable housing have been built in Salisbury constituency in each year since 1997. [77231]

Mr. McNulty: Figures for the actual provision of affordable housing in Salisbury constituency including all new affordable housing as at 1st April for each year for the period 1997–2002, are as follows:

1997—86 units

1998—105 units

1999—116 units
2000—85 units
2001—138 units
2002—121 units

A total of 651 affordable housing units were provided over the period 1997–2002 at an average of 108 per year.

Domestic Hedges

Laurence Robertson: To ask the Deputy Prime Minister what plans he has to introduce legislation to limit the height of domestic hedges; and if he will make a statement. [77048]

Mr. McNulty: I refer the hon Member to the answer given to the hon Member for Ceredigion (Mr. Simon Thomas) on 22 October 2002, *Official Report*, column 290W.

Urban Summit

Llew Smith: To ask the Deputy Prime Minister if he will make a statement on (a) events organised for, (b) planned release of documents at and (c) number of registrants for the Urban Simmit in Birmingham at the end of October. [77234]

Mr. McNulty: The Urban Summit will be held on 31 October and 1 November at the International Convention Centre in Birmingham. The Summit will include plenary sessions with keynote speakers and panel sessions, as well as 28 Themed Sessions, nine site visits and over 20 fringe events. All announcements regarding documents to be published at the Summit will take place shortly. The Urban Summit is for 1500 delegates and all places have been allocated.

Home Demolition

David Wright: To ask the Deputy Prime Minister how many public and private sector homes were demolished in England in 2001–02 in each local authority area. [77300]

Mr. McNulty: Private sector dwelling demolitions funded by local authorities and local authority dwelling demolitions totalled 15.2 thousand in 2000–01, the latest year for which a breakdown by local authority area is available. Demolitions of local authority dwellings amounted to 13.9 thousand, and the numbers in each local authority area are available in the Libraries of the House.

Mobile Phone Masts

Mr. Oaten: To ask the Deputy Prime Minister (1) pursuant to the answer to the honourable Member for Tunbridge Wells of 24 June, *Official Report*, column 672W, on mobile phone masts, what assessment his Department and the Working Group have made of the proposed Deloitte & Touche review of the 10 Commitments voluntary code of practice adopted by the five mobile telephone operators; [77004]

(2) if he will take steps to ensure that the review of the code of practice adopted by the five mobile telephone operators includes the extent to which (a) members of the public, (b) school governors, (c) councillors and (d) other interested parties were consulted on siting and erection of mobile phone masts as per Commitment 1 of that code. [77003]

Mr. McNulty: The review by Deloitte & Touche, commissioned by the Federation of Electronics Industry (FEI), is a thorough assessment of the operators' ten commitments. The review has not yet been completed, but we expect to see the results by the end of 2002.

Commitment 1 by the mobile phone operators is to develop, with other stakeholders clear standards and procedures to deliver significantly improved consultation with local communities. The operators' performance against this will be assessed as part of the review and Deloitte and Touche will be talking to local community groups and local authorities.

Mr. Oaten: To ask the Deputy Prime Minister if he will place in the Library copies of the site share statistics for mobile telecommunications masts. [77616]

Mr. McNulty: The site share statistics for mobile telecommunications masts are gathered on behalf of the telecommunications industry by the Federation of Electronics Industry (FEI).

They are collated quarterly and show: the numbers of mast that are sharable; the numbers that are shared; and the percentage of shared masts to shareable masts. We will place the latest version of the statistics in the Library at the earliest opportunity.

Firemen's Strike

Mr. Burns: To ask the Deputy Prime Minister (1) in the eventuality of a firemen's strike how many (a) green goddesses and (b) armed forces personnel will be stationed in (i) Essex and (ii) Mid Essex to provide fire cover and other services and where they will be stationed; [77138]

(2) in the eventuality of a firemen's strike in Essex what specialist training will armed forces personnel receive to deal with fires and other emergencies; what duties will armed forces personnel be allowed to carry out; what duties that firemen currently carry out will not be performed by armed services personnel; and how many retained firemen are expected to carry on working and provide cover for fire fighting and other emergencies; [77139]

(3) if he will make a statement on the contingency plans to provide cover for accidents and fires in Essex if there is a firemen's strike [77140]

Mr. Raynsford: Emergency cover in Essex, as with the rest of the country, will consist of a number of elements including Green Goddess crews, breathing apparatus teams, rescue teams equipped with specialist equipment and the police. The provision of MOD emergency fire cover has been planned in consultation with the Chief Fire Officer to maximise call-out response times and the availability of a range of firefighting capabilities.

Personnel have been trained and equipped to provide basic emergency fire and rescue cover. The level of training is dependent on the skills already held by personnel and the role that they would perform in the event of a strike. Drivers and basic crew only require a short training package because of the simple nature of

the equipment and because of the basic level of cover given. Fire Rescue Teams fulfil a more difficult role, which utilises technical equipment in dangerous situation. Some Fire Rescue Teams are already trained and experienced in the use of breathing apparatus and other specialist equipment but additional personnel have also been trained in these techniques. Other support training as well as driver training includes first aid training and specialist equipment maintenance training. Basic training lasts up to five weeks, depending on skill levels and role, plus any other necessary follow on training.

The command and operational structure for emergency fire cover has been designed to enable maximum flexibility and use of available resources, whether from within a county or from assets deployed nearby in neighbouring counties. The fire crews will use a number of temporary stations across the country but the deployment of fire fighters will be based on the assessment of how best to respond to an emergency in the quickest time possible.

Retained Firefighters provide a very valuable service to their communities. We anticipate that in the event of industrial action, many retained firefighters will continue to protect the communities in which they live and work.

The MOD's emergency cover will not replicate the fire fighting capabilities of the Fire Service, but will minimise, as far as possible, the danger to human life. Service personnel will provide basic fire and rescue cover.

Sustainable Development

Malcolm Bruce: To ask the Deputy Prime Minister (1) what assessment his Department has made of the role of a legally binding framework relating to the delivery and auditing of sustainable development by local authorities; [77584]

(2) what steps are being taken by his Department to allow local authorities to *(a)* increase self-determination and control and *(b)* increase local accountability of the delivery of sustainable development objectives; [77583]

Christopher Leslie: The Local Government Act 2000 placed a duty on local authorities to prepare community strategies for promoting the economic, social and environmental well being of their communities and contributing to sustainable development in the UK. Our guidance does not stipulate a timetable for the preparation of community strategies but we have introduced a statutory Best Value Performance Indicator to report on the progress of each authority.

The Local Government White Paper *Strong Local Leadership—Quality Public Services* introduced a national framework for assessing the performance of authorities which shifts the focus to the delivery of outcomes. The cornerstone of this framework is the Comprehensive Performance Assessment (CPA) which will provide local people with clear and concise information about their council's performance. The Government is also committed to giving local authorities greater freedom to deliver by removing unnecessary bureaucracy. In addition to the action taken for all authorities, CPA will be used as the basis for offering extra freedoms to the best performers. We expect that such authorities will use these freedoms to deliver sustainable improvements to the quality of life of their communities. We intend to announce the details shortly.

National Assembly for Wales

Ian Lucas: To ask the Deputy Prime Minister what representations he has received from the National Assembly for Wales concerning the Richard Commission on the Assembly's powers and electoral arrangements. [77648]

Mr. McNulty: The Welsh Assembly Government intends the Commission to operate independently. How it conducts its work is a matter for the right hon. Lord Richard QC and his colleagues.

Rent Charges

Mr. Drew: To ask the Deputy Prime Minister if he will make a statement on the Government's policy on the ability of local authorities to waive amounts owed by a pensioner who has stayed in hospital beyond the current maximum time limit before benefit claw-back becomes liable. [77843]

Mr. Raynsford: The setting and collection of rents, including decisions on whether or not to waive rent charges for local authority tenants in particular circumstances is a matter for local discretion.

Any such decision may be influenced by the application and interpretation of Housing Benefit rules which are the reponsibility of my right hon. Friend, the Member for Oxford East.

Bed-and-Breakfast Accommodation

Mr. Loughton: To ask the Deputy Prime Minister, pursuant to the answer of 15th October, col 296W, how many of the 128 households in West Sussex in bed and breakfast accommodation have been housed in this way for longer than *(a)* one month, *(b)* six months, *(c)* one year and *(d)* two years. [78193]

Mrs. Roche: Available information as reported by local authorities in West Sussex is presented in the table below.

Average length of stay in bed and breakfast for homeless households in any form of temporary accommodation, as at 31 March 2002

	less than 1 week	*1 week to less than 1 month*	*1 month to less than 3 months*	*3 months to less than 6 months*	*6 months less than 1 year*	*1 year or more*	**Total**
Adur	0	6	8	2	1	0	**17**
Arun	0	18	14	6	1	0	**39**
Chichester	0	0	0	0	0	0	**0**

Average length of stay in bed and breakfast for homeless households in any form of temporary accommodation, as at 31 March 2002

	less than 1 week	*1 week to less than 1 month*	*1 month to less than 3 months*	*3 months to less than 6 months*	*6 months less than 1 year*	*1 year or more*	**Total**
Crawley	6	14	17	9	0	0	**46**
Horsham	n/r	n/r	n/r	n/r	n/r	n/r	**n/r**
Mid Sussex	2	6	11	14	0	0	**33**
Worthing	3	5	4	6	0	0	**18**
West Sussex reported totals	**11**	**49**	**54**	**37**	**2**	**0**	**153**

Note:
Includes any households which, although not in B&B on 31 March, had been accommodated in B&B at some time since their application to the local authority. n/r denotes information not reported. B&B includes annexe-style units where some or all facilities are shared with another household.
Source:
DTLR/ODPM P1(E) housing activity returns (quarterly)

Planning Appeals

Mr. Drew: To ask the Deputy Prime Minister if he will make an assessment of the frequency with which Government planning inspectors disallow section 106 agreements following the successful allowance of an appeal; and if he will make a statement. [77986]

Mr. NcNulty: Since 1999, The Planning Inspectorate has decided 17 appeals under Section 106B of the Town and Country Planning Act 1990. Ten have been allowed.

Coalfield Regeneration Trust

Mr. David: To ask the Deputy Prime Minister what the allocations of the monies from the Coalfield Regeneration Trust were for *(a)* England, *(b)* Wales and *(c)* Scotland in (i) 2000–01 and (ii) 2001–02.[77976]

Mr. McNulty: Funding for the Coalfields Regeneration Trust for 2000–01 and 2001–02 was provided as follows:

	2000–01	*2001–02*
England	£15.650m	£24.397m
Scotland	£2.434m	£1.847m
Wales	£1.776m	£1.455m

Community Regeneration Trust

Mr. David: To ask the Deputy Prime Minister if he will make a statement on the basis on which monies under the Community Regeneration Trust are allocated to England, Wales and Scotland. [77975]

Mr. McNulty: Funding for the Coalfields Regeneration Trust is a devolved issue. My office provides core funding for the Trust's activities in England, the Welsh Assembly provides core funding for the Trust's activities in Wales and the Scottish Executive provides core funding for the Trust's activities in Scotland.

Foreign and Commonwealth Office

Sudan

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations his Department has made to the Government of Sudan regarding the transparency of Sudan's oil revenues. [74888]

Mr. Macshane: We have not made representations recently because this issue is being handled at the peace talks at Machakos.

Mr. Chapman: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his Department's involvement in the peace process in Sudan. [76606]

Mr. Macshane: The UK government is actively engaged in the peace process in Sudan. The UK Special Representative for Sudan, Alan Goulty, is leading the UK observer delegation at the peace talks. He and his team work closely with the mediators. We also carry out intensive consultations with the Government of Sudan and the Sudan People's Liberation Movement/Army in Khartoum and elsewhere. We co-ordinate our efforts with international partners.

Mr. Ian Stillman

Mr. Caton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the situation of Mr. Ian Stillman, who is in an Indian prison. [75964]

Mike O'Brien: Mr. Stillman is a long term resident of India who is physically handicapped. He was arrested and convicted on narcotics charges and has been in prison in Himachal Pradesh since 28 August 2000. We are very concerned about his welfare and are in close touch with him and his family. We have raised his case with the Government of India on many occasions. Most recently my right hon. Friend the Prime Minister spoke with the Prime Minister of India, Mr. Vajpayee, on 12 October and I spoke with the Indian Foreign Secretary on 16 October.

Our High Commission in New Delhi will be following up these conversations with the Government of India to clarify the next steps in Mr. Stillman's case, as well as pursuing with the Himachal Pradesh authorities practical questions relating to Mr. Stillman's welfare. I very much hope that he will be released from prison soon.

Angola

John Barrett: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made with the clearance of landmines in Angola. [76743]

Mr. Macshane: A total of eight demining NGOs, including two British (HALO Trust and Mines Advisory Group (MAG)) are active in Angola. The cessation of military hostilities earlier this year has allowed them access to areas previously inaccessible because of insecurity.

According to data available from the Angolan Government, NGOs, and UNICEF/UNDP sources, humanitarian demining agencies in Angola have in 2002 collectively worked on a total of 35 minefields, of which 29 have been completely cleared. This work has involved clearing a total of 1.5 million square metres of mined/suspect land and more than 500 km of road. A further 3.5 million square metres have been surveyed during the same period in the provinces of Cunene, Benguela, Bié, Huambo, Kuanza Norte, Luanda, Malanje and Moxico. Throughout the course of the year demining NGOs have uncovered and destroyed over 2,000 anti-personnel landmines, 176 anti-tank mines and 28,000 items of unexploded ordnance (UXO).

Zimbabwe

Mrs. Spelman: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions his Department has had with (*a*) the MDC and (*b*) the UN over investigations by the UN Commission on Human Rights of human rights abuses in Zimbabwe. [76905]

Mr. Macshane: FCO Ministers and officials have regular discussions with the Movement for Democratic Change (MDC) and other opposition and civil society groups, on developments in Zimbabwe. The UK supported the EU's draft resolution on Zimbabwe at the UN Commission on Human Rights in April this year in Geneva. Officials have regular contact with UN officials at all levels.

Rough Diamonds

Dr. Tonge: To ask the Secretary of State for International Development what discussions *(a)* her Department and *(b)* other Government departments have had with participant governments regarding the development of national action plans in preparation for the establishment of an international certification scheme for rough diamonds. [77062]

Mr. Macshane: I have been asked to reply.

The Foreign and Commonwealth Office is the lead department for the Kimberley Process international certification Scheme for rough diamonds, which we expect to start in January 2003.

The European Commission has issued a draft Regulation, setting out how the Kimberley Process will be implemented in the EC. The FCO has submitted an Explanatory Memorandum for parliamentary scrutiny, in advance of final approval of the Regulation by the Council.

The Foreign and Commonwealth Office is setting up a Government Diamond Office to implement the Regulation within the UK and is preparing guidance for companies.

We have had discussions with a number of other participants about their implementation and understand that they are also in the process of completing their plans for implementation.

Shener Levent

Mr. Burden: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the human rights implications of the forthcoming trial of Shener Levent of the Afrika newspaper in Northern Cyprus. [77089]

Mr. Macshane: I am disappointed that Sener Levent is again being tried in court for publishing articles critical of the Turkish Cypriot authorities. I condemn all attacks on press freedom, and call upon the Turkish Cypriot authorities to ensure full respect for the right to freedom of expression of Sener Levent and all Turkish Cypriots. The British Government made official representations when Sener Levent and Memduh Ener were imprisoned in August and we will continue to follow this case closely.

Iraq

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs, what steps are being taken to ensure that communications between weapons inspectors working in Iraq with the United Nations are secure; and if he will make a statement. [77280]

Mr. Macshane: It is the responsibility of UNMOVIC to ensure its readiness to operate effectively on the ground in Iraq.

UNMOVIC have told us that they have identified, but not yet procured, a range of new technologies and equipment that should ensure encrypted communications of both voice and data between inspectors in Iraq and the UN offices in New York and Vienna as well as internally within the UN Monitoring Centre in Baghdad.

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library the text of the resolution prepared by the United States and United Kingdom for the United Nations Security Council in respect of action to be taken against Iraq to permit international inspectors and to destroy its weapons of mass destruction. [77222]

Mr. Macshane: The draft resolution is under discussion at the United Nations Security Council in New York. A copy will be placed in the House Libraries when it has been agreed.

Mr. Sheerman: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps are being taken to ensure that weapons inspectors are reintroduced and active in Iraq as soon as is possible. [77509]

Mr. Macshane: Discussions on a new Security Council resolution focusing on Iraqi disarmament and the return of weapons inspectors to Iraq are continuing in New York. Planning by the Executive Chairman of UNMOVIC and the Director General of the IAEA for their inspection teams to enter Iraq is at an advanced stage, and they expect to be ready to do so soon after the resolution has been adopted.

Turkey

Mr. Connarty: To ask the Secretary of State for Foreign and Commonwealth Affairs, what recent discussions he has had with Turkey about EU enlargement. [77032]

Mr. Macshane: My right hon. Friend the Secretary of State met Foreign Minister Gurel on 24 September during his visit to London. They spent much of the meeting discussing EU Enlargement, with particular reference to Cyprus and Turkey. HMG welcomes the major reforms that Turkey has adopted in recent months and believes that Turkish accession to the EU would be in the best interests of Britain and of Europe as a whole.

General Affairs Council

Mr. Connarty: To ask the Secretary of State for Foreign and Commonwealth Affairs what the outcome was of the General Affairs Council held on 21st to 22nd October; what the Government's stance was on each issue discussed, including its voting record; and if he will make a statement. [76930]

Mr. Macshane: My right honourable friend the Foreign Secretary and the then Minister for Europe represented the UK at the General Affairs and External Relations Council in Luxembourg on 21/22 October. Conclusions were agreed by consensus and no formal votes were taken. The Council adopted the "A" points listed in document 12354/1/02 PTS 44. Copies of this document will be placed in the Library of the House.

General Affairs Session

PROGRESS OF WORK IN OTHER COUNCIL CONFIGURATIONS

The Council took stock of developments in other Council configurations during September and October, noting that the issue of the EU Return Programme on Afghanistan and its financing would be on the November JHA Council's agenda.

PREPARATION OF THE EUROPEAN COUNCIL (BRUSSELS 24/25 OCTOBER)

Enlargement

Delegations welcomed Ireland's ratification of the Nice Treaty and broadly supported the annotated draft agenda for the European Council in accordance with new procedures agreed at Seville. The Council confirmed that ten countries were expected to accede to the EU by 2004 and that accession negotiations with these countries should be concluded at the Copenhagen European Council, with signature of the accession Treaty following in Athens in April 2003.

The Council also supported the Commission's evaluation of Romania and Bulgaria's progress, noting the Commission's plan to present updated pre-accession strategies for these countries at the Copenhagen European Council. Turkey's recent and substantial progress was also noted.

Agreement was found on the institutional questions (weighting of votes in the Council; QMV threshold; future size of the European Paliament and seat allocation).

The Council also agreed the EU Common Position on the Competition Policy Chapter with the Czech Republic. Consultations on this with Slovakia will continue.

Kaliningrad

The Council took stock of discussions with Lithuania and the Russian Federation and expressed the hope that a solution could be agreed at the EU/Russia summit on 11 November. The Council proposed that the following elements should be contained in the package: (i) Lithuania should implement national border control regulations by January 2003, in line with chapter 24 of the EU Accession Treaty; (ii) the Facilitated Transit Document (FTD) should be available as of January 2003, in accordance with the Commission communication of 18 September 2002; and (iii) use of Russian passports, FTDs and other valid travel documents should be sanctioned by Lithuania until December 2004, for transit by train.

FLOODS: ESTABLISHMENT OF AN EU SOLIDARITY FUND

The Council, Commission and Parliament have jointly agreed to a draft Institutional Agreement to establish an EU Solidarity Fund. Signature to the Agreement and formal adoption of the regulation by the Council will proceed as soon as possible, enabling the EU to demonstrate its solidarity with the victims of recent floods in Central Europe.

External Relations

MIDDLE EAST

The Council took stock of the situation, following High Representative Solana's readout of 'Quartet' discussions on the roadmap towards achieving a comprehensive settlement by 2005. Ministers condemned the terrorist attack in Hadera, Northern Israel and expressed concern about the humanitarian situation in the Middle East.

WESTERN BALKANS

Albania

The Council authorised the Commission to open negotiations for a Stabilisation and Association Agreement with Albania, in parallel to the Consultative Task Force (CTF) meetings, which will encourage further reforms.

Bosnia and Herzegovina

The Council noted the October election results, complimenting the authorities' efficient organisation but stating that the low turnout was disappointing. The Council called for the early creation of new governments committed to vigorous reform. The Council reconfirmed the EU's commitment to work actively with the new authorities to this end.

Federal Republic of Yugoslavia (FRY)

The Council regretted that the 13 October election turnout was insufficient to enable the election of a new President in Serbia. It urged all political parties to work together to ensure that the process of selecting a new President would be conducted in a manner safeguarding democratic stability in a period of reform.

KIMBERLEY PROCESS

The Council supported the Kimberley process' aim to establish an international certification scheme for global trade in rough diamonds. It agreed to take the necessary steps to support this and adopted a Declaration to this effect.

RELATIONS WITH RUSSIA

The Council took stock of preparations for the EU-Russia Summit, to be held in Copenhagen on 11 November 2002. The Summit is expected to assess the Russia-EU Partnership and Cooperation Agreement, and will discuss EU enlargement plus international issues.

IRAN: HUMAN RIGHTS

Council conclusions were adopted on the establishment of an EU-Iran human rights dialogue. The Council welcomed Iran's agreement to this dialogue and underlined its concern at current violations of civil and political rights.

INDONESIA: TERRORIST ATTACK IN BALI

The Council condemned the attacks of 12 October. It reaffirmed the EU's long-term commitment to the fight against terrorism and the need for the international community to act together.

IVORY COAST

The Council was briefed by the Presidency and the French delegation on the latest developments. The Council condemned the violence in Cote d'Ivoire, reiterating its attachment for the principles of the African Union, which condemns any recourse to force in order to obtain political change. It also welcomed the cease-fire agreement and offered support to ECOWAS mediation efforts.

ESDP

Ministers had an exchange on the state of play concerning EU-NATO relations.

Democratic Republic of Congo

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment has been made of the situation in the Ituri region of the Democratic Republic of Congo; and if he will make a statement. [77330]

Mr. Macshane: The security and humanitarian situation in the Ituri region remains serious as a result of ethnic clashes and fighting between rebel groups. The United Nations Secretary General has asked the Ugandan Peoples Defence Force (UPDF) to stay in the Ituri region to provide law and order, until an alternative Congolese force can perform this role. The UN peacekeeping operation has also been asked to increase its presence in Ituri.

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what humanitarian assistance is being provided to the Ituri region of the Democratic Republic of Congo; and if he will make a statement. [77329]

Mr. Macshane: The UK is not at present providing any direct humanitarian assistance to the Ituri region. UK assistance to the Democratic Republic of Congo (DRC) is focused on human rights projects. Relief assistance is provided through the UN and international NGOs. This year the UK expects to spend over £14 million in the DRC on direct humanitarian and conflict resolution assistance.

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Government of Uganda to ensure that its remaining forces in the Ituri region of the Democratic Republic of Congo cease partisan involvement in ethnic conflict; and if he will make a statement. [77328]

Mr. Macshane: The United Nations Secretary General has asked the Ugandan Peoples Defence Force (UPDF) to stay in the Ituri region to provide law and order, until an alternative Congolese force can perform this role. The UK has reminded the Ugandan Government of the UPDF obligations to the local population.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs which UK companies were named in the report to the UN on 21st October by the UN Panel on Illegal Exploitation of Natural Resources in the Democratic Republic of the Congo as violating OECD guidelines; what representations have been made to these companies; and what action will be taken. [77059]

Mr. Macshane: Twelve UK registered companies are amongst the 85 listed in Annex III of the UN Panel report (S2002/1146), which can be found on the UN website (www.un.org). The Panel alleges that these companies have violated the OECD Guidelines for Multinational Enterprises. The report does not go into detail. We have encouraged the companies that have contacted us to seek further information from the UN. We are considering a substantive response to the report's recommendations.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the recommendations made by the report to the UN of 21st October by the UN Panel on Illegal Exploitation of Natural Resources in the Democratic Republic of Congo, with particular reference to the recommendation to impose financial restrictions on companies and individuals involved in abuses; and if he will make a statement. [77058]

Mr. Macshane: We welcome the report, which recommends a wide range of potential actions. We are considering a substantive response. It is too early to comment on specific proposals.

United Nations Day

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans Her Majesty's Government has to mark United Nations Day. [77237]

Mr. Macshane: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs issued a press statement on 24 October to mark United Nations Day.

That evening my right hon. Friend the Secretary of State for International Development was guest speaker at a UN Day reception at her Department's Headquarters hosted by the United Nations Information Centre (UNIC).

Uganda

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Uganda regarding the raid on the offices of the Monitor newspaper. [76974]

Mr. Macshane: I refer to the hon. Member to the answer I gave to the hon. Member for Eastbourne (Mr Nigel Waterson) on 22 October Official Report, column 201W.

Poland

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to visit Poland. [77365]

Mr. Macshane: My right hon. Friend the Foreign Secretary met his Polish opposite member in London in July and hopes to make his second official visit to Poland in due course.

EU Enlargement

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Swedish Foreign Minister regarding *(a)* EU enlargement and *(b)* the euro. [77364]

Mr. Macshane: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs meets his Swedish counterpart Anna Lindh, regularly in the margins of the EU General Affairs and External Relations Council (GAERC). The Secretary of State visited Sweden on 29-30 August 2002. He most recently met Anna Lindh at the European Council on 24-25 October 2002. Discussions have covered the range of EU topics including EU Enlargement and the Euro.

Irish Referendum

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the result of the Irish referendum and its implications for the EU. [77368]

Mr. Macshane: I am very pleased that the Irish people voted in favour of the Treaty of Nice. Nice is necessary for enlargement to take place smoothly by 2004. Enlargement is essential for European stability, security and prosperity. However, important and difficult negotiations lie ahead between now and the Copenhagen European Council in December.

Cameroon

Mr. Caton: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the human rights situation in Cameroon; and whether he has identified an improvement since the UN Special Rapporteur on Torture visited that country in 1999, with particular reference to the use of torture. [77629]

Mr. Macshane: The UK continues to be concerned about the human rights situation in Cameroon. We continue to use every available opportunity, bilaterally and through the EU and Commonwealth, to bring pressure upon the Government of Cameroon to implement substantial human rights and governance reform generally. We do not believe that there have been substantial improvements to the situation since the UN Special Rapporteur on Torture's report in 1999.

The FCO's Anti-Torture Initiative was established in October 1998. Phase 3 of the initiative was launched in July this year and was marked in Cameroon by a joint British Council-British High Commission seminar aimed at raising awareness of the issue in Cameroon.

The British High Commission in Yaounde has funded projects to provide human rights training for the forces of law and order, and works with local NGOs to promote action on human rights problems.

Collective Defence

Mr. Jenkin: To ask the Secretary of State for Foreign and Commonwealth Affairs what his Department's policy is on the question raised in the note by Mr. M Barnier to Members of the Convention on the Future of Europe, CONV 264/02, as to whether an undertaking of collective defence should be enshrined in the Treaty on European Union. [77819]

Mike O'Brien: The Government's policy, and the policy to which the EU collectively committed itself at the European Council of Nice in December 2000, is that NATO remains the basis for the collective defence of its members.

Iran

Sir Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his visit to Iran; and what discussions he has had with Iran in its role in seeking to resolve the dispute between the Palestinians and the Government of Israel. [78308]

Mike O'Brien: During his visit to Iran on 9 October, my right hon. Friend the Foreign Secretary discussed a number of regional issues, including the Middle East Peace Process, with both President Khatami and Foreign Minister Kharrazi. He urged the Iranians actively to support a two state solution and to cease any support to those opposing the Peace Process. We therefore welcome the statement by the Iranian MFA spokesman on 15 October that Iran would not reject a two state solution provided it was acceptable to the Palestinians and Israelis.

Sir Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has received on the purpose and objective of their policy of sanctions against Iran; and if he will make a statement. [78307]

Mike O'Brien: It is for the US to explain their policy on Iran. Our own policy is one of critical engagement with Iran.

Pitcairn Island

Norman Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs when (*a*) a Minister and (*b*) an official within his Department last visited Pitcairn Island. [77685]

Mike O'Brien: No Minister has visited Pitcairn recently. An FCO official accompanied the Governor on a visit to the island in 1995.

Norman Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs when a Governor of Pitcairn Island last visited the territory. [77686]

Mike O'Brien: The Governor of Pitcairn is due to visit Pitcairn in November. The previous Governor visited the island in September 2000. The previous Deputy Governor spent six weeks on the island in November/December 2001.

Correspondence

Mr Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs when UK Visas will reply to the letter of 27th June from the honourable Member for Manchester Central, regarding Mr. AM reference NBI/1003564/7/8. [77533]

Mike O'Brien: I will reply to my hon. Friend shortly.

Nepal

Dr. Jenny Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the gifting of non-lethal military equipment to the government of Nepal using funds from the Global Conflict Prevention Pool. [78206]

Mike O'Brien: I refer the hon. Member to a Ministry of Defence Departmental Minute dated 22 July, which is available in the Library of the House of Commons and which gives full details of non-lethal military equipment to be gifted to the Government of Nepal, including those made from the Global Conflict Prevention Pool Fund.

Written Answers to Questions

Thursday 31 October 2002

CULTURE, MEDIA AND SPORT

2012 Olympics

Mr. Greenway: To ask the Secretary of State for Culture, Media and Sport (1) what commitment she has received from the Mayor of London to provide support for the staging of the 2012 Olympics in London; [78565]

(2) if she will publish the Ove Arup report on the likely cost of a bid to stage the 2012 Olympics; [78566]

(3) what commitment she has received from the Chancellor of the Exchequer to provide public funds to support the staging of the 2012 Olympics in London. [78564]

Mr. Caborn: The summary of the Arup report on the costs and benefits of bidding for and staging an Olympic games in London 2012 will be published on 1 November 2002. Copies will be deposited in the Libraries of both Houses.

The report estimates the cost of staging the Olympic games at £2 billion and the cost of bidding at £13 million. We have learnt that the risk associated with hosting an event of the magnitude of the Olympic games is significant and it is our responsibility to the tax payer that this risk is properly assessed.

All stakeholders and relevant Government Departments, including the GLA and the Treasury, are analysing this report and the Government will give careful consideration to the costs, benefits and risks involved before we announce our decision on whether to support a bid to host the games in 2012. We aim to make that decision by the end of the year.

John McDonnell: To ask the Secretary of State for Culture, Media and Sport when she expects to publish the ARUP report on the costs and benefits of staging the 2012 Olympic games in London; and if she will make a statement. [79204]

Mr. Caborn: The summary of the Arup report on the costs and benefits of bidding for and staging an Olympic games in London 2012 will be published on 1 November 2002. Copies will be deposited in the Libraries of both Houses.

This report has been commissioned jointly by my Department, the London Development Agency, the British Olympic Association and UK Sport.

The report estimates the cost of staging the Olympic games at £2 billion, and the cost of bidding at £13 million. We have learnt that the risk associated with hosting an event of the magnitude of the Olympic games is significant and it is our responsibility to the tax payer that this risk is properly assessed.

All stakeholders and relevant Government Departments are currently analysing this report and the Government will give careful consideration to the costs, benefits and risks involved before we announce our decision on whether to support a bid to host the games in 2012. We aim to make that decision by the end of the year.

Departmental Logo

Mr. Randall: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on the design of her Department's logo. [78346]

Dr. Howells: The logo, and the visual identity of which it is a part, was introduced in February 1999 following the Department's name change. The identity was designed to improve the consistency and distinctiveness of DCMS communications and to achieve better value for money in design and print purchasing.

The introduction of the identity resulted in year on year savings of over 25 per cent. on the procurement of the Department's printed stationery.

Gambling

Mr. Gareth Thomas: To ask the Secretary of State for Culture, Media and Sport what recent estimate she has made of the level of problem gambling in the UK. [77517]

Mr. Caborn: The most recent authoritative estimate remains that noted in the report of the Gambling Review Body (Cm 5206), that between 0.6 per cent. and 0.8 per cent. of the adult population of Great Britain are problem gamblers.

Job Advertisements

Annabelle Ewing: To ask the Secretary of State for Culture, Media and Sport how many non-devolved posts were advertised in the press in each year from June 1999; and what percentage of them were advertised in the Scottish press. [76850]

Dr. Howells *[holding answer 24 October 2002]:* The Department for Culture, Media and Sport has not advertised any post in the press since June 1999 which deals exclusively with departmental responsibilities which extend to Scotland.

Radio Industry

Mr. George Osborne: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on her assessment of the impact of the Communications Bill on the independent radio industry. [76428]

Dr. Howells: Our general approach to the radio industry, and to communications markets in general, is deregulatory. Format controls and ownership restrictions will both be relaxed. However, we recognise the importance of maintaining the distinctive local basis of commercial radio. We therefore propose to retain key local ownership rules, and to give Ofcom a duty to protect and promote local content.

Rate Relief

Nick Harvey: To ask the Secretary of State for Culture, Media and Sport what recent discussions she has had with *(a)* charities and *(b)* sports clubs on rate relief; and if she will make a statement. [78410]

Mr. Caborn: The Government announced in April that community amateur sports clubs will now be eligible to apply for charitable status, under which they would receive mandatory 80 per cent. rate relief and other tax advantages. The recent Finance Act 2002 also included a package of tax reliefs available from the Inland Revenue that will benefit such clubs.

In July, my right hon. Friend the Secretary of State met several of sport's governing bodies, as representatives of community amateur sports clubs, to discuss these measures and other issues. In September, my Department arranged a seminar which was designed to give sport's governing bodies the chance to discuss the tax and charitable status options available to amateur clubs. Since the Budget, my Department has met representatives from Sport England, the Central Council of Physical Recreation and the National Playing Fields Association on a number of occasions to discuss these issues. I will continue to work with these organisations and with governing bodies to agree the best way forward for helping these clubs.

Tourism

Paul Farrelly: To ask the Secretary of State for Culture, Media and Sport what proposals she has for the reform of Government support for tourism; and if she will make a statement. [79130]

Tessa Jowell: I announced new arrangements for support for tourism in the English regions on 13 May. Since then I have agreed with the Regional Development Agencies that they are ready to implement this, corporate planning guidance has been issued about how the RDAs should plan for the new tourism responsibilities and further planning work is in hand.

I also proposed changes for the English Tourism Council and to improve the co-ordination of marketing activity for England. I have decided to achieve this by a radical reform of the existing support structures, and there are two aspects to the announcement that I make today.

The first will result in a strengthening of the marketing of Britain in overseas tourism markets. This will be of direct benefit not only to England but also to Scotland and Wales. I had already asked the new Chief Executive of the British Tourism Authority, Tom Wright, to carry out a fundamental review of strategy and structure of support for British tourism overseas. The emerging conclusions point to increasing effectiveness with a structure based on dedicated new hubs for each major market and less emphasis on central services. More resource will be concentrated where it is needed most, that is in the overseas markets served by the BTA. I will also improve the accountability arrangements for BTA in co-operation with other GB Tourism Ministers.

The second aspect of my announcement concerns the need for better co-ordination of the marketing of England as a tourism destination in the GB market. We wish to combine some of the day-to-day operations of the English Tourism Council with the BTA. These two organisations have served tourism well, but combining their resources and strengths allows us to develop more quickly the marketing team for England we need. This will also enable us to put more resource into direct support for tourism and less into overheads. We will take this opportunity to develop more effective partnerships with private industry investors to support tourism. We will pursue our commitment to the sustainable development of tourism, particularly in rural areas, some of which are still in recovery following the foot-and-mouth outbreak.

Accordingly, I am today asking Tom Wright to broaden the BTA reform programme and to draw up detailed plans for a further unit to lead and co-ordinate the marketing of England, promoting destinations to customers within our own country. Funding for this activity, and other activities of the relaunched national organisation in support of English tourism, will be accounted for and reported to Parliament separately from action in overseas markets on behalf of all three parts of Britain.

In England, I see a major leadership role for both the private sector and the Regional Development Agencies in developing a coherent marketing agenda across the industry. The new marketing team for English tourism within the relaunched national organisation will be guided by a slimmed down English Tourist Board, drawing on support from the private sector and regional and local government. The broad remit for its work has been drawn up by a group drawn from the private and public sectors, which was fully endorsed at a meeting I chaired of a wide range of tourism bodies at the beginning of August. The team will have responsibility for working closely with RDA and other partners to make the most of the public funds available to support marketing and promotion.

I have asked Alan Britten and David Quarmby, the chairs of the existing boards, to work closely together to ensure the new arrangements are implemented quickly and effectively. Staff from both organisations will be treated on an equal and fair basis, taking full account of their own skills and experience and the requirements of the new arrangements. I have asked them to make recommendations about the new name when they have made further progress on the reforms.

I am also announcing additional funding for tourism services in England. £10 million over three years is available, but will only be released on the effective implementation of reform, on industry rising to the challenge by coming together with matching funds, and the delivery of increased productivity we are looking for in the tourism industry.

DEFENCE

Anthrax

Mr. Jenkin: To ask the Secretary of State for Defence *(1)* if the anthrax innoculation programme offered to *(a)* Navy, *(b)* Army, *(c)* Air Force and *(d)* other Ministry of Defence personnel is compulsory; [78101]

(2) what proportion of *(a)* Navy, *(b)* Army, *(c)* Air Force and *(d)* other Ministry of Defence personnel (i) are fully vaccinated and (ii) have commenced a vaccination programme against anthrax; and if he will make a statement. [78100]

Dr. Moonie: In keeping with long-standing medical practice, immunisation against anthrax for the Armed Forces and other Ministry of Defence personnel is voluntary and on the basis of informed consent.

Up to and including September 2002, the period for which most recent figures are available, approximately 46 per cent. of personnel offered immunisation against anthrax had accepted. Broken down by the categories requested this equates to *(a)* Royal Navy 28 per cent. *(b)* Army 78 per cent. *(c)* Royal Air Force 46 per cent. and *(d)* other Ministry of Defence Personnel 61 per cent. Thus far, immunisation against anthrax has been targeted at a small number of personnel in the most readily deployable units. As approximate proportions of their total strengths, excluding reserves, this equates to *(a)* Royal Navy, 0.7 per cent. *(b)* Army 0.4 per cent.; *(c)* Royal Air Force, 4.5 per cent.; and *(d)* other Ministry of Defence personnel 0.2 per cent.. Information concerning individuals' current anthrax immunisation status is not held centrally and could only be provided at disproportionate cost.

Earlier this year we announced a decision to expand the programme so that all service personnel, including reserves, and those essential civilians who are likely to deploy on operations are routinely offered immunisation against anthrax. We plan to expand the programme gradually over the next few years, beginning with those units that are held at the highest readiness. I refer the hon. Member to the answer my hon. Friend the Secretary of State for Defence gave on 13 June 2002, *Official Report, columns 1343–44* to the hon. Member for High Peak (Mr. Levitt).

Arms Sales

Angus Robertson: To ask the Secretary of State for Defence if he will list the *(a)* countries and *(b)* organisations outside the UK to whom sale of arms and arms components is prohibited. [76533]

Mr. Rammell: I have been asked to reply.

The United Kingdom has arms embargoes in place in respect of the following countries pursuant to European Union sanctions: Bosnia/Herzegovina; Libya; Burma; Sudan; China (not full scope); the Democratic Republic of Congo and Zimbabwe.

The United Kingdom has arms embargoes in place in respect of Armenia and Azerbaijan pursuant to Organisation for Security and Co-operation in Europe sanctions. There is also a unilateral arms embargo in place in respect of Iran (not full scope).

Although the scope of the embargo varies from country to country depending on the wording of the source instrument, arms embargoes are in general implemented in the UK by prohibiting the export of goods and technology on the Military List. The Military List forms Part III of the Export of Goods (control) Order 1994 as amended.

An up to date list of all export restrictions applicable in the UK is available on www.dti.gov.uk/export. control.

Angus Robertson: To ask the Secretary of State for Defence what measures are in place to ensure that arms and arms components sold abroad are not acquired by *(a)* countries and *(b)* organisations outside the UK to whom sale of arms and arms components is prohibited. [76534]

Mr. Rammell: I have been asked to reply.

Exports of arms and other goods controlled for strategic reasons are subject to export licences issued by my right hon. Friend the Secretary of State for Trade and Industry. All individual licence applications are assessed against the Consolidated EU and National Arms Exporting Licensing Criteria. Criterion 1A of the consolidated criteria makes clear that the Government will not issue a licence if approval would be inconsistent with the UK's international obligations and its commitments to enforce UN, OSCE and EU arms embargoes, as well as national embargoes observed by the UK.

The Government focus their efforts on assessment of potential end-use at the export licensing stage. This includes checks made by our posts overseas where necessary. Carrying out effective risk assessment on end-users before making the export licensing decision is the surest way of preventing arms from falling into the wrong hands. In addition the Government remain committed to carrying out end-use monitoring of exports in those circumstances where this will genuinely add value to our efforts to minimise the risk of misuse and diversion and where such monitoring is practicable. Our overseas posts have standing instructions to report on allegations of misuse of any UK-origin defence equipment. We take these reports into account in our assessment.

Officials from across Whitehall co-operate to pursue possible breaches of sanctions in the UK and abroad. Breaches involving the sale of UK arms and components sold abroad are thoroughly investigated by the relevant authorities.

Correspondence

Mr. Jenkin: To ask the Secretary of State for Defence pursuant to the statement by the Minister of State for the Armed Forces on 17 October 2002, *Official Report*, column 570, when the letter to the hon. Member for North Essex on the relationship between NATO and the European Security and Defence Policy will be sent; and if he will place a copy in the Library. [78102]

Mr. Ingram: I replied to the hon. Member on 30 October.

D-Day (60th Anniversary)

Mr. Jenkin: To ask the Secretary of State for Defence what preparations will be made for the 60th anniversary of D Day; and if he will make a statement. [78419]

Dr. Moonie: Although preparations have not been concluded, the intention is for the Government and Armed Forces to be represented at ministerial and senior officer level at parades and services in Normandy being organised by the French Comité du Debarquement. The Army will provide a band. Appropriate representation will also be provided at a service of remembrance and thanksgiving which will take place at St. Paul's Cathedral.

Doctors

Mr. Hancock: To ask the Secretary of State for Defence how many doctors were serving in *(a)* the RAF, *(b)* the Army and *(c)* the Royal Navy in each of the last five years; and if he will make a statement. [78272]

Dr. Moonie: The number of military trained doctors in the Royal Navy, Army and RAF as at 1 April in each of the last five years are shown in the table:

Year	*Royal Navy*	*Army*	*RAF*
1998	209	431	207
1999	209	437	197
2000	211	452	185
2001	215	459	183
2002	224	473	181

EU Defence

Mr. Jenkin: To ask the Secretary of State for Defence what his Department's policy is on the question raised in the note by Mr. M Barnier to members of Convention, CONV 264/02, as to whether an undertaking of collective defence should be enshrined in the Treaty on European Union. [77817]

Mr. Hoon: The Government's policy, and the policy to which the EU collectively committed itself at the European Council of Nice in December 2000, is that NATO remains the basis for the collective defence of its members.

Mr. Rosindell: To ask the Secretary of State for Defence if he will make a statement on the effect of enlargement on military contributions to the EU designated peacemaking and peacekeeping forces. [78117]

Mr. Hoon: All the countries which are candidates for accession to the EU have made offers of contributions, with a view to their participation in EU-led operations. These countries could already offer forces to an EU-led operation, if invited to take part. When a country joins the EU, it simply removes the need for a formal invitation for that country to take part in EU-led operations.

Procedurally, there is also a change. The offers from member states are recorded in the Helsinki Force Catalogue; those of accession candidates in a supplement to the catalogue. This catalogue identifies the pool of capabilities, meeting commonly-agreed requirements, from which forces can be rapidly assembled on a case-by-case basis for particular operations, with the approval of the relevant national governments.

European Security and Defence Policy

Mr. Jenkin: To ask the Secretary of State for Defence if he will make a statement on the definitions of *(a)* European Security and Defence Policy and *(b)* European Security and Defence Identity. [77813]

Mr. Hoon: I refer the hon. Member to the answer I gave him on 4 March 2002, *Official Report*, column 31W.

Gibraltar

Sir John Stanley: To ask the Secretary of State for Defence if he will list the restrictions imposed by the Spanish Government on the movements of NATO military aircraft and warships in the vicinity of Gibraltar and in transit between Spain and Gibraltar; and what steps have recently been taken by the UK Government to have these restrictions lifted. [77379]

Mr. Ingram: NATO Standardised Agreement (STANAG) 1100, sets out the procedures for visits to NATO and non-NATO ports by naval ships of NATO nations. This Agreement contains a reservation, inserted by the Spanish Government, which prevents visits by NATO ships to or from Gibraltar directly to or from Spanish ports. Any request by military aircraft from NATO (or other) nations, which has Gibraltar as a departure or arrival airfield, to overfly or land in Spain is routinely denied by Spanish authorities. We understand that NATO has no plans specifically to discuss the restrictions imposed by Spain on NATO ships and aircraft. Discussions between the British and Spanish Government in the context of the Brussels Process aim to resolve all outstanding issues between the United Kingdom and Spain over Gibraltar.

Health Care Professionals

Jon Trickett: To ask the Secretary of State for Defence how many *(a)* nurses, *(b)* GPs, *(c)* medical consultants and *(d)* other health care professionals working for the NHS are subject to military call-up as reservists in the event of military action. [74650]

Dr. Moonie: Although the Ministry of Defence encourages reservists to declare their reserve status to civilian employers, there is no legal requirement to do so unless specified in individual contracts of employment. Reservists are not usually required to provide details of any civilian employment to the Ministry of Defence, until such time as they are called-out. Therefore, no records are available for the number of nurses, GPs, medical consultants and other healthcare professionals that are working in the NHS who are subject to military call-out as reservists.

However, it is possible to provide the number of volunteer reserve nurses, GPs, consultants and other healthcare professionals in the Defence Medical Services (DMS) as at September 2002, and this is outlined in the following table:

Volunteer reserves in the DMS	Number
Nurses	1,278
GPs	96
Consultants	103
Other healthcare professionals	2,065

In addition, ex-Regular personnel with a reserve or recall liability can be subject to military call-out.

Joint Maritime Course

Mr. Gerald Howarth: To ask the Secretary of State for Defence for what reason HMS Marlborough and HMS Northumberland have been withdrawn from the Joint Maritime Course off Scotland. [78658]

Mr. Ingram: HMS Marlborough and HMS Northumberland have not been withdrawn from the Joint Maritime Course. HMS Marlborough is currently taking part in this training. HMS Northumberland was not scheduled to take part in the Course. She is undertaking safety training prior to her planned period of Operational Sea Training which begins in early November.

Medical Reservists

Mr. Keetch: To ask the Secretary of State for Defence what his policy is on the call-up of medical reservists; and if he will make a statement. [78320]

Dr. Moonie: It is vital that service personnel deployed on military operations receive the appropriate level of medical support. The use of reservists for operations is fully in line with the tenets of the Strategic Defence Review, namely having more capable, usable, integrated and relevant reserve forces that support their regular counterparts on operations overseas. The need to call-out reservists is kept under review as part of contingency planning. If reservists are called out, we would select the most suitably qualified individuals for mobilisation by taking into account their relevant skills, fitness and training, and their professional and domestic circumstances. The Ministry of Defence would work closely with the NHS Trusts concerned to minimise disruption as far as possible.

Medical Specialists

Mr Keetch: To ask the Secretary of State for Defence how many medical specialists, and in which specialisations, the Department requires in order to meet operational requirements. [78318]

Dr. Moonie: The Operational and Retained Task requirement for medical specialists and the number of consultants we have in those categories, and in which specialisations, as at 1 July 2002, are set as follows:

	Operational and retained task requirement	Current manning (including command and staff appointments)	Deficit
Vocationally trained general practitioners	416	195	221
General surgery	43	18	25
Orthopaedic surgery	28	11	17
General medicine	51	20	31
Anaesthetics	120	23	97
Accident and emergency	23	3	20
Dermatology	0	3	—
Paediatrics	5	2	3
Genito-urinary medicine	0	1	—
Neurology	1	0	1
Obstetrics and gynaecology	3	0	3
Urology	0	3	—
Burns and plastic surgery	10	3	7
Psychiatry	35	10	25
Ophthalmology	10	3	7
Oral and maxioolofacial surgery	10	7	3
Ear, nose and throat	10	3	7
Rheumatology and rehabilitation	7	6	1
Radiology	11	10	1
Pathology	6	5	1
Chemical pathology	4	0	4
Haematology	4	1	3
Histopathology	0	2	—
Microbiology	6	2	4
Aviation medicine	6	1	5
Occupational medicine	61	43	18
Public health medicine	2	8	—

Military Crisis Management

Mr Jenkin: To ask the Secretary of State for Defence what arrangements have been concluded that will allow the non-EU European NATO members and other countries which are candidates for accession to the EU to contribute to EU military crisis management. [77814]

Mr. Hoon: The EU is committed to the fullest possible involvement of the non-EU European Allies and the EU accession partners in the European Security and Defence Policy (ESDP). A supplement to the Helsinki Force Catalogue has been drawn up, detailing offers of contributions made by these states with a view to their participation in EU-led operations. The Nice European Council agreed at substantial set of provisions governing consultation with these countries and arrangements for their participation in EU-led operations. As a result, they now attend regular ESDP meetings at a number of levels. In the event of a crisis, this dialogue and consultation will be intensified. In particular, it was confirmed at Nice that "upon a decision by the Council to launch an operation, the non-EU European NATO members will participate if they so wish in the event of an operation requiring recourse to

NATO assets and capabilities. They will, on a decision by the Council, be invited to take part in operations where the EU does not use NATO assets. Other countries who are candidates for accession to the EU may also be invited by the Council to take part in EU-led operations once the Council has decided to launch such an operation". More detailed modalities concerning non-EU European NATO members were agreed at the European Council in Brussels last weekend. Thursday 31 October 2002PQ Ref No 5558M

Military Medical Records

Mr. Hancock: To ask the Secretary of State for Defence whether all service personnel have direct access to their military medical records; and if he will make a statement. [78277]

Dr. Moonie: Under the Data Protection Act 1998, personnel are able to request access to their service medical records by making a subject access request. For access to primary health care records, the request should be made to the appropriate Royal Navy, Army or Royal Air Force Service Records Office. For access to secondary health care records, the request may be sent to either the appropriate service records office, the hospital they were treated at, or to the Ministry of Defence Central Health Records Library.

Mr. Hancock: To ask the Secretary of State for Defence what action has been taken to ensure that all military medical records will be accurately maintained and secured; and if he will make a statement. [78285]

Dr. Moonie: Every effort is taken to ensure that service personnel medical records are accurately maintained and securely stored. All three services have routine administrative procedures in place to check that the medical records of both regular and reserve personnel are both up to date and accurate.

Pension Schemes

Mr. Keetch: To ask the Secretary of State for Defence what plans he has to amend the Armed Forces pension scheme to allow benefits to be paid to partners of service men and women killed on active service; and if he will make a statement. [78210]

Mr. Ingram *[holding answer 30 October 2002]:* In the light of support for change expressed in response to public consultation and to a series of focus groups across the Armed Forces, consideration is being given to introducing pension benefits for unmarried partners as part of our review of the Armed Forces pension scheme. The Ministry of Defence will be seeking to finalise approvals on the new scheme around the turn of the year. Those who decide to remain in the current pension scheme would not benefit from any change. Under a similar review of current compensation arrangements, consideration is being given to extending benefits for attributable deaths to unmarried partners as part of a new scheme.

Royal Navy Submarine Crews

Mr. Gerald Howarth: To ask the Secretary of State for Defence how many *(a)* officers and *(b)* men the Royal Navy requires to crew the submarines in service with an adequate margin of reserve to ensure full continuity of operations; and how many are available. [78314]

Mr. Ingram: As at 1 August 2002, the Royal Navy Submarine Arm required 254 officers and 1,959 ratings to man submarines in service.

On the same date, 834 officers and 3,670 ratings were required to man the Submarine Arm as a whole. The equivalent strength figures were 629 officers and 3,552 ratings. The shortfall is borne by a range of support and training functions ashore and is currently the focus of a range of recruitment and retention initiatives.

Service Personnel (Illness)

Mr. Hancock: To ask the Secretary of State for Defence how many service personnel are not serving because of illnesses acquired on deployments in *(a)* Sierra Leone, *(b)* Saif Sareea, *(c)* Afghanistan, *(d)* Kosovo and *(e)* Macedonia; and if he will make a statement. [78284]

Dr. Moonie: The number of Army personnel discharged as a result of illness following deployment to Sierra Leone and Kosovo, is one and seven respectively. No Army personnel were discharged as a result of illness to the other deployments listed. No personnel were recorded as having been discharged as a result of these deployments from the Royal Navy or the Royal Air Force.

Suez Campaign (Medals)

Mr. Blizzard: To ask the Secretary of State for Defence what the *(a)* terms of reference, *(b)* membership and *(c)* date for final report are of the committee chaired by Lord Guthrie to examine the case for a service medal for veterans of the Suez Canal Zone campaign from 1951 to 1954. [78573]

Dr. Moonie: The terms of reference are as I announced in a written response to a Parliamentary Question on 23 July 2002, *Official Report*, column 1106W, to the hon. Member for Colchester (Mr. Bob Russell). The sub-committee of the HD Committee under the chairmanship of General Lord Guthrie of Craigiebank will report on the case for an exceptional award of a GSM for the Suez Canal Zone without creating a wider precedent or breaching long-standing principles which underpin the making of such awards.

The sub-committee will consist of the chairman plus Field Marshal Sir John Chapple GCB CBE; Air Vice Marshal K D Filbey CBE FIMgt FRAes RAF; Charles de Chassiron CVO Vice-Marshal of the Diplomatic Corps and Head of Protocol Division, Foreign and Commonwealth Office; the military historian Sir Max Hastings and Gay Catto, Ceremonial Officer, Cabinet Office.

The sub-committee is necessarily independent of the Ministry of Defence and as such I have no visibility or authority over their proceedings. I am advised that the sub-committee has yet to take evidence after which it will fully consider the options. When it has reached a conclusion on the matter, it will report to the HD Committee which in turn will publish the results.

The Ceremonial Branch of the Cabinet Office are acting as secretariat to the sub-committee.

Weapon Thefts

Mr. Keith Simpson: To ask the Secretary of State for Defence how many and what category of weapons have been *(a)* lost and *(b)* stolen from MOD units and establishments in each year since 1972. [76671]

Mr. Ingram *[holding answer 24 October 2002]:* Ministry of Defence records show a total of 354 weapons to have been lost, and 802 weapons stolen, since 1972. 262 weapons have been recovered during this period. Only the Army and Royal Marines records go back as far as 1972. Royal Navy records go back to 1993 and the RAF to 1991. The detailed year-by-year since statistics were provided is set out in the tables.

Lost, stolen and recovered MOD weapons by type from 1 January 1972 to 28 October 2002(Lost weapons register

Year	Pistol	Mil. Rifle	SMG	LMG/ GPMG	Mortars	Antique/ other	Shot gun	Baton gun	Tgt Rifle (Sport)	Total
1972	3	0	1	0	0	0	0	0	0	4
1973	3	0	1	0	0	0	0	0	0	4
1974	0	0	0	0	0	0	0	0	0	0
1975	4	0	1	1	0	0	0	0	0	6
1976	2	2	9	0	0	0	0	0	0	13
1977	8	10	3	0	0	0	0	0	0	21
1978	5	6	20	0	0	0	0	1	0	32
1979	9	4	17	0	0	0	1	1	0	32
1980	10	6	12	1	0	0	2	0	0	31
1981	11	5	8	0	0	0	0	1	0	25
1982	4	2	7	0	0	0	0	0	0	13
1983	9	7	7	0	2	0	0	0	0	27
1984	2	4	12	0	1	0	0	0	0	19
1985	3	7	11	0	1	0	0	0	0	22
1986	0	7	2	1	1	0	0	0	0	11
1987	2	0	5	0	0	0	0	0	0	7
1988	1	0	4	0	0	0	0	0	0	5
1989	3	2	2	0	0	0	0	0	0	7
1990	0	0	1	0	0	0	0	0	0	1
1991	1	6	3	0	3	0	0	0	0	11
1992	7	4	1	0	0	0	0	0	0	12
1993	3	1	0	0	0	0	0	0	0	4
1994	1	0	1	0	0	0	0	0	0	2
1995	1	0	0	0	0	0	0	0	0	1
1996	0	0	0	0	0	0	0	0	0	0
1997	1	1	0	0	0	0	20	0	0	22
1998	0	0	0	0	0	0	0	0	0	0
1999	2	0	1	0	0	0	0	0	0	3
2000	0	1	0	0	0	2	0	0	0	3
2001	3	0	2	0	0	0	0	0	0	5
2002	3	4	4	0	0	0	0	0	0	11
Totals	101	79	135	3	8	2	23	3	0	354

Stolen weapons register

	Pistol	Rifle	9mm SMG	LMG/ GPMG	Mortars	Antique/ other	Shot gun	Baton gun	Tgt rifle (sport)	Total
1972	16	44	15	0	0	0	0	0	0	75
1973	13	12	4	0	0	0	0	0	0	29
1974	0	3	1	0	0	0	0	0	0	4
1975	1	1	0	0	0	0	0	0	0	1
1976	10	101	3	7	2	0	0	0	0	123
1977	7	14	0	0	0	0	0	0	0	21
1978	6	12	1	0	0	1	0	0	0	20
1979	9	9	1	0	0	0	0	0	0	19
1980	8	1	0	0	0	0	0	0	0	9
1981	6	15	0	0	1	0	1	0	0	23
1982	12	4	2	0	0	0	0	0	0	18
1983	5	3	0	0	0	0	0	0	0	8
1984	6	19	5	5	0	2	0	0	0	37
1985	9	33	2	1	0	2	0	0	0	47
1986	5	20	3	1	0	0	0	0	0	29
1987	16	38	0	4	0	0	0	0	0	58
1988	11	14	0	1	0	0	0	0	0	26
1989	2	14	0	0	0	0	0	0	0	16
1990	2	0	0	0	0	0	0	0	0	2
1991	6	4	0	0	3	15	0	0	4	32
1992	15	1	0	1	0	0	1	0	3	21
1993	2	2	0	0	0	0	0	0	23	28
1994	4	13	0	0	0	5	0	0	2	24

Stolen weapons register

	Pistol	*Rifle*	*9mm SMG*	*LMG/ GPMG*	*Mortars*	*Antique/ other*	*Shot gun*	*Baton gun*	*Tgt rifle (sport)*	*Total*
1995	3	3	0	1	0	2	0	0	1	10
1996	6	16	0	0	0	12	0	0	6	40
1997	1	7	0	0	0	0	0	0	0	8
1998	3	12	0	0	0	0	0	0	0	15
1999	0	9	0	0	1	1	1	0	0	12
2000	21	2	0	0	0	10	7	0	2	42
2001	3	3	0	0	0	0	0	0	0	6
2002	2	0	0	0	0	0	0	0	2	4
Totals	211	428	37	21	7	50	10	0	35	802

Recovered weapons register

	Pistol	*Mil rifle*	*SMG*	*LMG/ GPMG*	*Mortars*	*Antique/ other*	*Shot gun*	*Riot gun*	*Tgt rifle (sport)*	*Total*
1972	0	0	0	0	0	0	0	0	0	0
1973	2	0	0	0	0	0	0	0	0	2
1974	0	1	0	0	0	0	0	0	0	1
1975	0	0	0	0	0	0	0	0	0	0
1976	1	3	0	0	0	0	0	0	0	4
1977	0	0	0	0	0	0	0	0	0	0
1978	0	0	0	0	0	0	0	0	0	0
1979	0	2	2	0	0	0	0	0	0	4
1980	0	3	1	0	0	0	0	0	0	4
1981	5	5	1	0	0	0	0	0	0	11
1982	0	1	2	0	0	0	0	0	0	3
1983	3	3	1	0	0	0	0	0	0	7
1984	4	8	3	0	0	0	0	0	0	15
1985	3	0	1	1	0	0	0	0	0	5
1986	1	1	1	0	0	0	0	0	0	3
1987	10	4	0	0	0	0	0	0	0	14
1988	1	1	1	0	0	0	0	0	0	3
1989	0	0	0	0	0	0	0	0	0	0
1990	1	0	0	0	1	0	0	0	0	2
1991	2	3	1	1	0	30	0	0	0	10
1992	7	4	1	0	1	0	1	0	0	14
1993	1	3	0	2	0	0	0	0	0	6
1994	3	4	0	0	0	0	0	0	0	7
1995	2	7	0	0	1	2	1	0	0	13
1996	7	16	0	0	0	0	0	0	0	23
1997	5	12	0	1	0	0	20	0	0	39
1998	3	6	1	0	0	1	0	0	0	11
1999	3	11	0	0	0	1	0	0	0	15
2000	12	3	0	0	1	6	1	0	0	23
2001	6	6	0	0	1	1	0	0	0	14
2002	0	9	0	0	0	0	0	0	0	9
Total	82	116	16	5	6	14	23	0	0	262

Note:
SMG(9mm Sub-Machine Gun. LMG(Light Machine Gun. GPMG(General Purpose Machine Gun

DEPUTY PRIME MINISTER

Affordable Housing

Andrew George: To ask the Deputy Prime Minister how much was spent on affordable housing in villages in rural England in *(a)* 2000–01, *(b)* 2001–02 and *(c)* 2002–03 to date. [78406]

Mr. McNulty: Information in the form requested is not available immediately. I will write to the hon. Member as soon as the information is collated.

Education Facilities

Mr Love: To ask the Deputy Prime Minister what guidelines he issues to local authorities considering the construction of new educational facilities on *(a)* green belt and *(b)* metropolitan open land; and if he will make a statement. [78081]

Mr. McNulty: Guidance on all aspects of development in the green belt, including new educational facilities, is set out in planning policy guidance note (PPG) 2, green belts. Designated metropolitan open land has the same status as green belt, and the planning policies set out in PPG2 will also apply to such land. New educational facilities in the green belt will be subject to the same controls as other development in the green belt and proposals will need to demonstrate that very special circumstances exist, which

outweigh the harm caused to the green belt by the development, if they are to be granted planning permission.

Fireworks

Mr. Laurence Robertson: To ask the Deputy Prime Minister what assessment he has made of the use of fireworks on *(a)* the environment and *(b)* wildlife; and if he will make a statement. [76958]

Alun Michael: I have been asked to reply.

The Government do take the issue of fireworks seriously. On 14 October 2002, *Official Report*, column 890W, my hon. Friend the Minister for Consumer Affairs announced a package of measures which the Government are introducing to address the problems that fireworks can pose to humans, to the environment and to wildlife.

In terms of air pollution, a burning firework may produce particulate matter, organic compounds (including polycyclic aromatic hydrocarbons, dioxins and furans), and a variety of metal fumes and aerosols, depending on its contents. The effects of bonfire night celebrations can certainly be detected in local air quality, but is very dependent on local atmospheric conditions at the time, and the most significant source of emissions is likely to be bonfires rather than fireworks.

In relation to wildlife, there is little research evidence on the immediate effects of bonfire night on wildlife. Fires and loud noises can have a disturbing effect on animals of any kind, but bonfire night celebrations are short-lived and relatively localised in nature.

Housing (Enfield)

Mr. Andrew Love: To ask the Deputy Prime Minister what estimate he has made of the amount of brownfield land in *(a)* the London Borough of Enfield and *(b)* Greater London for the construction of new dwellings; how many new dwellings could be constructed; and if he will make a statement. [78091]

Mr. McNulty: From the 2001 National Land Use Database of Previously Developed Land (NLUD-PDL) an estimated 2,500 hectares of brownfield land were potentially suitable for housing in London. On the figures supplied by local authorities and current density assumptions they could provide 149,000 dwellings.

The most recent information for Enfield is from its return for the 1998 survey. This showed 49 hectares of brownfield land potentially suitable for housing. At densities current at the time they could provide about 2,300 dwellings.

In 2001 23 out of the 33 London Boroughs returned information to NLUD-PDL. The information has been grossed up to provide the estimates for London as a whole quoted above.

Housing Corporation

Mr. Steen: To ask the Deputy Prime Minister how much was allocated in housing grants in each year since 1997 to the Housing Corporation; and how many houses were built as a result. [77869]

Mr. McNulty: The table shows the amount of grant paid by the Housing Corporation to registered social landlords under the approved development programme (ADP) and local authority social housing grant (LASHG) together with the dwellings completed in each year for these programmes:

Approved development programme

	Gross ADP expenditure £ £ million	*Dwellings completed*
1997–98	678	35,418
1998–99	602	31,960
1999–2000	635	25,040
2000–01	715	22,354
2001–02	773	22,875

Local authority social housing grant

	LASHG expenditure £ million	*Dwellings completed*
1997–98	363	10,152
1998–99	335	9,929
1999–00	328	8,678
2000–01	400	8,419
2001–02	410	6,971

Because of the length of time to complete development, no comparison can be made between funding and completions in any one year.

Housing Developments

Ms Buck: To ask the Deputy Prime Minister what measures he intends to bring forward to raise the density of new housing developments in London and the South East. [78711]

Mr. Prescott: In my Parliamentary Statement of 18 July on sustainable communities I announced the Government's intentions for tackling the housing shortage in London and the South East. The Statement explained that the Government expects the housing numbers already agreed in regional planning guidance for the South East to be delivered, working within the presumption of making better use of land by improving design, increasing densities and using brownfield sites to the full. In the Statement, I announced I would intervene in planning applications for housing that involve a density of less than 30 dwellings per hectare net. I am publishing today the Town and Country Planning (Residential Density) (London and South East England) Direction 2002 which gives effect to this announcement. From 2 December local planning authorities in London and the South East will have to consult me before giving planning permission for low density housing developments.

Local Authority Lettings

Andrew George: To ask the Deputy Prime Minister how much his Department has made available to implement a more flexible lettings policy by local authorities; and how much each rural local authority received in *(a)* 2000–01, *(b)* 2001–02 and *(c)* 2002–03 to date. [78395]

Mr. McNulty: We are currently funding 27 local authority pilots of choice based lettings. £13 million was allocated in April 2001 towards the pilots which are expected to finish in April 2003. Out of these, four rural authorities are being supported and payments to date are as follows:

£

	2001–02	*2002–03*
Payments to all 27 pilots	4,208,532	1,724,377
Harborough	167,371	114,199
Herefordshire	49,283	18,818
Kennet	145,612	32,179
Restormel	82,097	18,845

Mobile Phone Masts

Mr Pike: To ask the Deputy Prime Minister whether *(a)* planning permission and *(b)* public consultation is needed in order for phone companies to erect antennae on buildings; and if he will make a statement. [78033]

Mr. McNulty: The Town and Country Planning (General Permitted Development) Order 1995 (GPDO) (as amended) grants a general planning permission for licensed telecommunications code system operators to install specified telecommunications apparatus without the need to apply for planning permission to the local authority, subject to certain conditions and limitations.

The installation of an antenna on a building, where the antenna does not exceed the height of the building by 4 metres or more, would normally be regarded as permitted development and would not therefore require an application for planning permission or statutory public consultation.

All mobile phone antennas are registered with the radiocommunications agency. Information on the location and ownership of the antennas is available on the Agency's Site Finder database at www.sitefinder.radio.gov.uk The site is updated every three months.

Mr. Pike: To ask the Deputy Prime Minister what plans the Government has to introduce regulations restricting the ability of phone companies to erect base stations close to residential properties, schools and hospitals; and if he will make a statement. [78034]

Mr. McNulty: Mobile phone mast development close to residential properties, schools and hospitals is subject to the normal telecommunications planning arrangements in place throughout England, set out in Part 24 of the Town and Country Planning (General Permitted Development) Order 1995 (GPDO). Following publication of the Stewart report on mobile phones and health in May 2000, these arrangements were significantly strengthened and include improved requirements for consulting local people about mast proposals. The changes to the GPDO were underpinned by revised guidance, set out in planning policy guidance note 8, telecommunications, published in August 2001.

The Stewart report did not recommend that the erection of mobile phone masts should be restricted in such areas and we have no plans to introduce specific restrictions. However, in respect of masts near schools, PPG8 advises that before an operator submits an application for planning permission or prior approval for a mast near a school or college they should discuss the proposed development with the relevant body of the school or college.

Mr. Pike: To ask the Deputy Prime Minister how many representations he has received on health issues relating to mobile phone masts; and if he will make a statement. [78035]

Mr. McNulty: Between January and October this year, the former Department of Transport, Local Government and the Regions and the Office of the Deputy Prime Minister received centrally 166 letters from Members of Parliament and 165 letters from members of the public and local planning authorities about the amenity or health aspects related to mobile phone masts.

Neighbourhood Renewal Unit

Mr. Anthony D. Wright: To ask the Deputy Prime Minister when he intends to publish the Neighbourhood Renewal Unit's Annual Review. [78712]

Mrs. Roche: I have today published the Neighbourhood Renewal Unit's annual report, copies have been placed in the libraries of the House.

Parish and Town Councils

Mr. Drew: To ask the Deputy Prime Minister if he will list those parish and town councils which have reported to him that they have had councillors resign rather than sign the new Standards Code. [76993]

Mr. Leslie: The Office of the Deputy Prime Minister and the Standards Board for England together have been informed of 95 resignations of parish councillors who were unwilling to accept the new Code of Conduct. A list of those parish councils is as follows:

Authority	*Number of resignations*
Aiskew parish council	1
Arborfield and Newland parish council	1
Ashby Woulds town council	1
Baschurch parish council	1
Boddington parish council	2
Bradworthy parish council	1
Brenk Knoll parish council	1
Brockdish parish council	4
Bunwell parish council	1
Butleigh parish council	2
Chineham parish council	1
Credebhill parish council	2
Cutcombe parish council	1
Easebourne parish council	2
East Carlton parish council	3
Epsom and Ewell borough council	1
Fowey town council	1
Frensham parish council	1
Great Notley parish council	1
Hampstead Norreys parish council	2
Haversham cum Little Linford parish council	1
Holcome Burnell parish council	2
Holt parish council	2
Hungerford town council	3
Idmiston parish council	1
Kings Ripton parish council	2
Little Waltham parish council	5
Melsonby parish council	1
Mereworth parish council	2

Authority	Number of resignations
Midgham parish council	1
New Romney town council	1
Northchapel parish council	3
Norton parish council	1
Old Windsor parish council	1
Over Haddon parish council	1
Potton town council	2
Purton parish council	2
Ringmore parish council	1
Shinfield parish council	3
Snarestone parish council	1
Speldhurst parish council	1
St. Bees parish council	2
Stebbing parish council	2
Streatley parish council	1
Sulhamstead parish council	1
Swanton Morley parish council	3
Tittleshall parish council	1
Tiverton parish council	2
Town council of Frinton and Walton	1
Warfield parish council	1
West Ilsley parish council (the whole council)	6
Westleton parish council	1
Wookey parish council	1
Wysall and Thorpe-in-the-Glebe parish council	3
Unnamed parish in East Suffolk	2
Unnamed parish in Kendal	1
Total	95

There is no requirement for parish councils to inform us of resignations, for whatever reason. There are over 8,000 parish councils in England.

Parish Councillors

Mr. Burns: To ask the Deputy Prime Minister how many parish councillors there are in the West Chelmsford parliamentary constituency; and how many have notified his Department that they have resigned from their parish councils as a result of the introduction of a code of conduct for parish councillors. [77152]

Mr. Raynsford: The information requested is not held centrally. Nine parish councillors from four parish councils in Essex have told the Office of the Deputy Prime Minister or the Standards Board for England of their intention to resign.

Planning

Mr Cameron: 10. To ask the Deputy Prime Minister when he currently expects to implement proposals in the planning green paper about public consultation; and if he will make a statement. [77870]

Mr. McNulty: The Government is developing its plans for implementing the planning reforms including in public consultation, which were set out in the policy paper Sustainable *Communities—Delivering through Planning*. Some of those plans require primary legislation and we will be seeking to introduce legislation at the earliest opportunity.

Mr. Mole: To ask the Deputy Prime Minister what plans he has to streamline the procedure governing planning enforcement appeals. [79203]

Mr. McNulty: My right hon. Friend will tomorrow lay before Parliament five statutory instruments to improve the handling of planning enforcement appeals under each of the three main procedures: written representations, hearings and inquiries. These are the Town and Country Planning (Enforcement Notices and Appeals) (England) Regulations 2002; the Town and Country Planning (Enforcement Appeals) (Written Representations Procedure) (England) Regulations 2002; the Town and Country Planning (Enforcement) (Hearings Procedure) (England) Rules 2002; the Town and Country Planning (Enforcement) (Inquiries Procedure) (England) Rules 2002; and the Town and Country Planning (Enforcement) (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2002.

A departmental circular (ODPM 02–2002), "Enforcement Appeals: Procedures", which explains the new procedures, is to be issued to accompany the new statutory instruments. Copies are to be placed in the House Libraries. The changes implement the conclusions of a consultation exercise announced in August 2000.

The new arrangements, due to come into operation on 23 December 2002, implement the Government's commitment to improve the Planning Inspectorate's service to its customers, and to increase the efficiency of the enforcement appeals process by reducing both the cost and time taken. In introducing these changes, the Government recognise that it is vital to maintain a system which ensures that there is fair and open decision-making and that all parties have the opportunity to put their case, resulting in decisions that are legally sound and of the highest possible quality.

We have already set tough targets for the Planning Inspectorate to turn round enforcement appeals more quickly, and they have made a good deal of progress in improving their own performance. However, improving service to the benefit of all concerned is not just the responsibility of the Planning Inspectorate. All parties to the enforcement appeal process have a responsibility to meet the deadlines set and to co- operate with the inspectorate in agreeing dates offered for hearings and inquiries. The new procedures will put in place a regime of discipline for all parties involved in the process by setting clear timetables and deadlines for the various stages. In future, representations sent after due dates will normally be disregarded. We intend to monitor the impact of the changes, and will review their effectiveness to help us decide whether any further action is needed.

Post Offices

Vernon Coaker: To ask the Office of the Deputy Prime Minister what steps he is taking to protect post offices in areas of urban deprivation. [76424]

Mrs. Roche: The Government announced their commitment to set up "a £15 million fund to sustain and improve post offices and associated retail facilities in deprived urban areas" in the 'Urban White Paper', which was published in November 2000.

The Office of the Deputy Prime Minister is seeking to launch the scheme in the autumn of 2002, with receipt of first applications early in 2003.

The proposed scheme will seek to contribute to the regeneration and renewal of urban deprived areas through sustaining and improving sub-post offices. Where sub-post offices face risk of closure, it is expected to support:

improvements relating to core post office services;

improvements relating to the development of non-post office facilities; and

improvements to a sub-postmaster's working conditions, particularly to deter violent and other crime.

Public Sector Contracts

Mr. Hopkins: To ask the Deputy Prime Minister (1) when he plans to publish the code of practice covering the recruitment of new staff on public sector contracts; [77955]

(2) what progress he has made towards ending the two-tier workforce in local authority services; and if he will make a statement. [77990]

Mr. Leslie: The Government recently consulted on a code of practice and new statutory guidance which will ensure that all local authority service contracting takes proper account of the need for a high quality workforce in order to deliver high quality services. The consultation period ended on 6 September; we are currently considering the responses, with the aim of publishing the code and guidance shortly.

Public Spaces

Brian White: To ask the Deputy Prime Minister when he will publish his report on public spaces; and when he will respond to the report of the Urban Green Spaces Taskforce. [78710]

Mr. Prescott: I am today publishing "Living Places—Cleaner, Safer, Greener", the Government's report on public space at the Urban Summit. The report draws upon the work of six government departments. The report also includes the Government's response to the report of the Urban Green Spaces Taskforce. Copies of the report have been placed in the library of the House.

Renewable Energy

Mr. Gareth Thomas: To ask the Deputy Prime Minister if he will introduce financial incentives and penalties to encourage achievement of regional targets for renewable energy; and if he will make a statement. [78143]

Mr. McNulty: These targets are regionally owned. Advice on achieving them in the context of land use planning will be included in the proposed Planning Policy Statement 22 (renewable energy), on which we will consult fully. We are examining more generally the role of local and regional bodies in delivering energy policy objectives as part of the on-going work for the Energy White Paper, which is due to be published in the new year.

Westminster City Council

Mr. Bill O'Brien: To ask the Deputy Prime Minister, (1) how the costs on the District Auditor's Office inquiry into the sale of dwellings by Westminster Council will be distributed; how much other local authorities will be charged to cover the costs; and if he will make a statement. [76860]

(2) what he estimates the cost of the inquiry into housing sales by Westminster City Council will be to the Office of the District Auditor; and if he will make a statement. [76861]

Mr. McNulty: The auditor's investigation leading to his decision in 1996 that six individuals had caused a loss, through wilful misconduct, of some 31million to Westminster City Council, and to issue surcharge certificates against those individuals, cost approximately 3 million. Those costs were met by Westminster City Council.

The auditor's costs in the subsequent litigation (during which the Divisional Court set aside the auditor's surcharge in respect of four of the six individuals) leading to the decision of the House of Lords in December 2001, to uphold the surcharge against Dame Shirley Porter and David Weeks, were met by the Audit Commission. The total of the auditor's litigation costs to this point was around 4.5million. Westminster City Council is currently taking legal action to recover the amount of the surcharge and costs. The final costs of the investigation and litigation will not be known until the outcome of those proceedings.

Starter Home Initiative

Tim Loughton: To ask the Deputy Prime Minister how much each local authority will receive from the £200 million Challenge Fund as part of the Starter Home Initiative. [78198]

Mr. McNulty: The Challenge Fund (which is not part of the Starter Home Initiative) has been set up within the Housing Corporation's Approved Development Programme in 2003–04 to provide 4,000 homes for rent and low cost home ownership in south-east England. Bids for the Challenge Fund were invited from registered social landlords by 18 October. Dependent upon the bids received, a proportion of the homes will be for key public sector workers. We hope to announce the outcome of the bidding process in November.

Public Relations

Mr. David Davis: To ask the Deputy Prime Minister if he will list external *(a)* public relations/communications companies, *(b)* advertising and marketing companies, *(c)* management consultancies, *(d)* accountancy companies, *(e)* banking firms, *(f)* individual consultants and *(g)* other specialist consultancies used by his Department since June 2001; what actions those consultancies/companies have performed within his Department; and what costs have been incurred through use of these consultancies/companies. [74689]

Mr. Leslie: I refer the right hon. Member to the answer given by my right hon. Friend the Member for Warley to the hon. Member for Haltemprice and Howden on 28 October, *Official Report*, column 735–36W.

EDUCATION AND SKILLS

National Tests (Cheating)

Mr. Damian Green: To ask the Secretary of State for Education and Skills what steps he has taken to gather evidence about cheating in national tests for 11-year-olds; and if he will make a statement. [78376]

Mr. Miliband: The QCA reports to the Department each year on the incidence of malpractice and maladministration in national tests. Both the Department and QCA take all complaints about malpractice very seriously. QCA works closely with LEAs to investigate and monitor reported incidents. Even anonymous complaints are recorded and monitored. QCA works very closely with LEA inspectors who conduct thorough checks throughout the test process. Investigations of malpractice can involve a review of scripts from a school, interviews with teachers, talking to children and drawing on advice from experts in the field depending upon the nature of the allegations.

In 2002, 479 cases of alleged malpractice or maladministration across the three key stages were reported, leading to the annulment of the results of seven schools. Of these seven schools, four had the results in one subject annulled, two the results in two subjects and one the results in all three subjects.

Mr. Damian Green: To ask the Secretary of State for Education and Skills what recent guidance his Department has given the QCA on preventing cheating in national tests for 11-year-olds. [78380]

Mr. Miliband: The Department's remit to the Qualifications and Curriculum Authority includes the maintenance of a robust, reliable and credible examination and assessment system. As part of its role in overseeing the administration of statutory assessments, it is for the Qualifications and Curriculum Authority to approach the Department with proposals for minimising the incidence of malpractice and maladministration in the national tests.

The QCA will continue to keep its processes under review and to advise the Department accordingly.

Mr. Damian Green: To ask the Secretary of State for Education and Skills if he will set up an inquiry into the levels of cheating in national tests for 11-year-olds. [78377]

Mr. Miliband: No. The QCA continues to keep its processes for detecting and investigating malpractice under review.

QCA works closely with LEAs to investigate and monitor reported incidents. Anonymous complaints are recorded and monitored. QCA works very closely with LEA inspectors who conduct thorough checks throughout the test process. Investigations of malpractice can involve a review of scripts from a school, interviews with teachers, talking to children and drawing on advice from experts in the field depending upon the nature of the allegations. There has been no evidence presented to Government of widespread malpractice in the administration of the Key Stage 2 tests this year.

Child Care

Mr. Jim Cunningham: To ask the Secretary of State for Education and Skills if she will make a statement on the role of her Department in improving access to child care for working parents. [76459]

Maria Eagle: A new unit, led by Baroness Ashton, accountable for delivery to the Department for Education and Skills and the Department for Work and Pensions, will administer a budget of £1.5 billion a year by 2005–06. This represents a doubling of child care spending in real terms .

By March 2004, new child care places for 1.6 million children will be created. New places for a further 450,000 children will be created by 2006. There are specific initiatives—like the establishment of children's centres and neighbourhood nurseries— which will provide more good quality, safe child care in disadvantaged areas.

Substantial help with child care costs is provided to lower income families through the child care tax credit element of the working families tax credit. This assistance will continue in an improved and more flexible form as part of the working tax credit from April 2003.

GCSE Pass Marks

Mr. Laws: To ask the Secretary of State for Education and Skills what is the average mark required to pass GCSE *(a)* maths, *(b)* English and *(c)* history for each of the last five years; and if she will make a statement. [75259]

Mr. Miliband *[holding answer 24 October 2002]:* The GCSE is not a pass/fail examination. The GCSE grading system is criteria-related and grade boundary ranges for each subject are established each year by awarding bodies, making reference to candidates' work from the previous year, grade descriptions, past papers and statistical data. Each boundary is set by individual awarding bodies using both professional judgment and key statistical evidence. Information on grade boundary marks is not routinely collected.

The information on grade boundaries in maths, English and history will be lodged in the House of Commons Library in due course.

Mr. Laws: To ask the Secretary of State for Education and Skills (1) what the average mark needed to attain a grade *(a)* A, *(b)* C and *(c)* G in GCSE mathematics was in each year from 1987 to 2002; [75263]

(2) what the average mark needed to achieve an *(a)* A grade and *(b)* A* grade in GCSE mathematics was in each of the last five years; and if she will make a statement. [76548]

Mr. Miliband *[holding answer 24 October 2002]:* Information is not routinely collected on grade boundary marks in GCSE mathematics, across individual awarding body specifications. Grade boundary ranges for each subject, including mathematics, are established making reference to candidates' work from the previous year, grade descriptions, past papers and statistical data. Each

boundary is set by individual awarding bodies using both professional judgement and key statistical evidence.

The information on grade boundaries in Maths GCSE for the period requested will be lodged in the House of Commons Library in due course.

National Grid for Learning

Andrew George: To ask the Secretary of State for Education and Skills how much government funding is available to connect schools to the National Grid for Learning; and how much was spent on rural schools in *(a)* 2000–01, *(b)* 2001–02 and *(c)* 2002–03 to date. [78398]

Mr. Ivan Lewis: Government are committed to investing £1.8 billion on ICT in schools in England over 1998–2004; this covers equipment, content and training as well as connecting schools to the National Grid for Learning through the internet. Allocations to schools in 2000–01 and 2001–02 were £205 million and £245 million, respectively. A further £355 million is being allocated in 2002–03. This funding is not disaggregated for connections to the internet or for the amount allocated to rural schools. However, latest survey data published on 30 October indicate that average school expenditure on ICT has risen from £18,100 in 2000–01 to £24,800 in 2001–02.

PE Teaching (Primary Schools)

Mr. Swayne: To ask the Secretary of State for Education and Skills what assessment she has made of the effectiveness of PE teaching in primary schools. [73936]

Mr. Ivan Lewis: The Office for Standards in Education (Ofsted) is responsible for monitoring, reporting and advising the Secretary of State on the quality of teaching and learning in schools, including Physical Education (PE).Ofsted published—in February 2002—a primary subject report on PE for the academic year 2000–01. This reported that in one in four primary schools there had been a significant improvement in the quality of PE since their previous inspections. Ofsted also reported that teaching was good or better in about half of schools; this maintains recent trends. The report has been placed in both libraries.

School Exclusions (West Kent)

Mr. Norman: To ask the Secretary of State for Education and Skills how many children have been excluded from *(a)* state primary and *(b)* state secondary schools in West Kent at each of the key stages, in each year since 1997. [77503]

Mr. Miliband: The available information is shown in the table. Information collected centrally on permanent exclusions does not record the key stage of the pupil; a breakdown of the figures by age is given as a proxy. Figures are not available centrally on fixed-term exclusions.

Maintained primary and secondary schools in Kent local education authority: number of permanent exclusions by age of pupils—England 1996–97 to 2000–01[1]

	Age of pupils		
Primary schools[2]	*6 and under*	*7 to 10*	*Total*
1996–97			
Number of permanent exclusions	18	61	79
Percentage of all permanent exclusions[3]	22.8	77.2	100.0
Percentage of school population[4]	0.03	0.08	0.06
1997–98[5]			
Number of permanent exclusions	9	32	41
Percentage of all permanent exclusions[3]	22.0	78.0	100.0
Percentage of school population[4]	0.01	0.04	0.04
1998–99			
Number of permanent exclusions	7	26	33
Percentage of all permanent exclusions[3]	21.2	78.8	100.0
Percentage of school population[4]	0.01	0.04	0.03
1999–2000			
Number of permanent exclusions	5	28	33
Percentage of all permanent exclusions[3]	15.2	84.8	100.0
Percentage of school population[4]	0.01	0.04	0.03
2000–01[1]			
Number of permanent exclusions	6	63	69
Percentage of all permanent exclusions[3]	8.7	91.3	100.0
Percentage of school population[4]	0.01	0.10	0.06

	Age of pupils			
Secondary schools[2]	*13 and under*	*14 to 15*	*16 and over*	*Total*
1996–97				
Number of permanent exclusions	167	189	9	365
Percentage of all permanent exclusions[3]	45.8	51.8	2.5	100.0
Percentage of school population[4]	0.31	0.54	0.06	0.35
1997–98[5]				
Number of permanent exclusions	138	152	9	299
Percentage of all permanent exclusions[3]	46.2	51.0	3.0	100.0
Percentage of school population[4]	0.25	0.44	0.06	0.28
1998–99				
Number of permanent exclusions	134	134	20	288
Percentage of all permanent exclusions[3]	46.5	46.7	7.0	100.0
Percentage of				

Secondary schools[2]	Age of pupils 13 and under	14 to 15	16 and over	Total
school population[4]	0.28	0.47	0.15	0.32
1999–2000				
Number of permanent exclusions	94	107	6	207
Percentage of all permanent exclusions[3]	45.4	51.7	2.9	100.0
Percentage of school population[4]	0.20	0.37	0.04	0.23
2000–01				
Number of permanent exclusions	[6] —	[6] —	[6] —	296
Percentage of all permanent exclusions[3]	[6] —	[6] —	[6] —	100.0
Percentage of school population[4]	[6] —	[6] —	[6] —	0.32

[1] Permanent exclusions data for 2000–01 have been estimated as they are known to be incomplete.
[2] Includes middle schools as deemed.
[3] The number of permanent exclusions expressed as a percentage of the total number.
[4] The number of permanent exclusions expressed as a percentage of the number (headcount) of full and part-time pupils (excluding dually registered pupils in special schools) in January each year.
[5] After Local Government Reorganisation.
[6] Not available (data at secondary school level are incomplete for this LEA and are therefore not available).
Source:
Annual Schools Census

Schools (Somerset)

Mr. Flook: To ask the Secretary of State for Education and Skills how many pupils have been excluded from state *(a)* primary and *(b)* secondary schools at each of the key stages in each year since 1997 in Somerset. [77764]

Mr. Miliband: The available information is shown in the table. Information collected centrally on permanent exclusions does not record the key stage of the pupil; a breakdown of the figures by age is given as a proxy. Figures are not available centrally on fixed-term exclusions.

Maintained primary and secondary schools in Somerset local education authority: number of permanent exclusions by age of pupils(England 1996–97 to 2000–01[1]

Primary schools[2]	Age of pupils 6 and under	7 to 10	Total
1996–97			
Number of permanent exclusions	4	14	18
Percentage of all permanent exclusions[3]	22.2	77.8	100.0
Percentage of school population[4]	0.02	0.07	0.05
1997–98			
Number of permanent exclusions	2	9	11
Percentage of all permanent exclusions[3]	18.2	81.8	100.0
Percentage of school population[4]	0.01	0.04	0.03
1998–99			
Number of permanent exclusions	1	5	6
Percentage of all permanent exclusions[3]	16.7	83.3	100.0
Percentage of school population[4]	0.01	0.02	0.02
1999–2000			
Number of permanent exclusions	0	12	12
Percentage of all permanent exclusions[3]	0.0	100.0	100.0
Percentage of school population[4]	0.00	0.06	0.03
2000–01[1]			
Number of permanent exclusions	5	10	15
Percentage of all permanent exclusions[3]	33.3	66.7	100.0
Percentage of school population[4]	0.03	0.05	0.04

Maintained primary and secondary schools in Somerset local education authority: number of permanent exclusions by age of pupils(England 1996–97 to 2000–01[1]

Secondary schools[2]	Age of pupils 13 and under	14 to 15	16 and over	Total
1996–97				
Number of permanent exclusions	37	41	0	78
Percentage of all permanent exclusions[3]	47.4	54.7	0.0	100.0
Percentage of school population[4]	0.21	0.42	0.00	0.27
1997–98				
Number of permanent exclusions	31	32	1	64
Percentage of all permanent exclusions[3]	48.4	50.8	1.6	100.0
Percentage of school population[4]	0.18	0.32	0.06	0.22
1998–99				
Number of permanent exclusions	26	29	0	55
Percentage of all permanent exclusions[3]	47.3	54.7	0.0	100.0
Percentage of school population[4]	0.14	0.29	0.00	0.19
1999–2000				
Number of permanent exclusions	24	25	0	49
Percentage of all permanent				

Secondary schools[2]	Age of pupils: 13 and under	14 to 15	16 and over	Total
exclusions[3]	47.9	52.1	0.0	100.0
Percentage of school population[4]	0.13	0.25	0.00	0.16
2000–01[1]				
Number of permanent exclusions	23	15	0	38
Percentage of all permanent exclusions[3]	60.5	39.5	0.0	100.0
Percentage of school population[4]	0.12	0.14	0.00	0.12

[1] Permanent exclusions data for 2000–01 have been estimated as they are known to be incomplete.
[2] Includes middle schools as deemed.
[3] The number of permanent exclusions expressed as a percentage of the total number.
[4] The number of permanent exclusions expressed as a percentage of the number (headcount) of full and part-time pupils (excluding dually registered pupils in special schools) in January each year.
Source:
Annual Schools Census

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Fisheries Council

Mr. Connarty: To ask the Secretary of State for Environment, Food and Rural Affairs what the outcome was of the Fisheries Council held in Brussels on 14 and 15 October; what the Government's stance was on each issue discussed, including its voting record; and if she will make a statement. [76019]

Margaret Beckett: My hon. Friend the Parliamentary Under-Secretary represented the United Kingdom at the meeting of the Agriculture and Fisheries Council in Luxembourg on 14–15 October. The Scottish Minister for Environment and Rural Development also attended.

The Council considered three proposals on food safety, covering the monitoring and control of zoonoses and genetically modified food and feed. Some clarification of positions emerged but it was not possible to reach agreement on this occasion. Further work will be undertaken by officials before Ministers reconsider these dossiers.

The Council assessed the agricultural priorities flowing from the World Summit on Sustainable Development in Johannesburg and agreed conclusions accordingly.

The Council continued its consideration of the mid-term review of the CAP with a discussion concentrating on the proposals concerning rural development, farm audits and three commodity sectors: nuts, rice and milk. My hon. Friend was supported by a number of other Member States in stressing the importance of a shift from production-linked support under the CAP to rural development programmes and he recalled the importance of a fair distribution of funds between Member States. On the commodity proposals, he opposed the introduction of new market measures for nuts and supported the Commission's proposals on rice which would complement improved access to the EU market for third countries. On milk, he reiterated UK support for action that would eventually enable milk quotas to be phased out, and indicated that we would be prepared to consider favourably the possible acceleration of certain measures agreed in the Agenda 2000 package.

Ministers also discussed the agricultural aspects of the WTO round negotiations. My hon Friend strongly supported Commissioner Fischler in emphasising the importance of CAP reform in general and decoupling in particular if the EU is to participate constructively in the round.

Under other business, the Commission dealt with enquiries about olive oil promotion, aid to Greek cotton producers and negotiations with third countries over grain imports.

On fisheries, the Council held a further debate on the Commission's proposals for reform of the Common Fisheries Policy, this time covering access to waters and resources, enforcement, and the Commission's proposals for Regional Advisory Councils: the presidency noted the various views expressed and reiterated that its aim is to conclude this dossier at the December Agriculture and Fisheries Council.

The Council also debated the Commission's proposal for a cod and hake recovery plan based on limitations on days at sea, which was originally submitted to the Council in December 2001. There was a divergence of view on the desirability of a plan, with one significant group of member states, including the UK, supportive of the need to act, and another group markedly less so. For the UK, my hon. Friend recognised the seriousness of the state of the stocks and emphasised that all possible approaches, including days at sea, warranted consideration. He stressed also that it would be important, when determining what measures to adopt, to recognise the varying structures and circumstances of national fleets.

Commissioner Fischler gave a first presentation to the Council on his proposed action plan for Mediterranean fisheries. The Council will discuss this substantively at a later date.

Areas of Outstanding Natural Beauty

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs how much was spent on areas of outstanding natural beauty in each region in *(a)* 2000–01, *(b)* 2001–02 and *(c)* 2002–03 to date. [78391]

Alun Michael: The Countryside Agency, which manages the expenditure on Areas of Outstanding Natural Beauty, has provided the following figures:

Region	2001–02	2002–03	
North East	407,692	133,748	(545,000)
North West	216,126	108,001	(310,000)
Yorkshire and Humberside	80,358	13,677	(189,000)
East Midlands	69,400	(10,570)	(75,000)
West Midlands	492,998	109,916	(449,000)
East of England	369,966	78,227	(308,000)
South East and London	1,227,573	406,730	(1,555,000)
South West	923,526	362,617	(1,805,000)
Nationally	1,108,429	412,077	(970,000)
Total:	4,896,069	[1] 1,635,563	(6,206,000)

[1] Actual spend to date for 02/03 as at 29 October 2002 is given along with, in brackets, the expected total spend based on current commitments.

The Agency advises that figures for 2000/01 are not available in this format because the programme for areas of outstanding natural beauty that year was part of a wider theme on protected landscapes, taking in national parks, Heritage coasts and Heritage landscapes. The total spend on the theme was £4.4m.

TB

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what actions her Department and the Bourne Group have undertaken to investigate the incidence of bovine TB in those areas which have been restocked with cattle since the culling and movement restriction policy following the foot and mouth outbreak last year. [77388]

Mr. Morley: Defra has commissioned an extensive research project with Warwick University to study the transmission of bovine TB in restocked herds. The first part of this project investigates the incidence of bovine TB in herds in the badger culling trial areas which have been restocked since the foot and mouth disease (FMD) outbreak, compared with herds in the same areas which were unaffected by FMD. The second part of the project is a case control study of restocked herds in all parts of Great Britain which become infected with bovine TB within two years of restocking.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what the timetable is for the implementation of the amended TB Order. [77391]

Mr. Morley: The original public consultation on the amended TB Order was interrupted by the foot and mouth disease outbreak. Additional policy considerations have come to light since the initial exercise was carried out and a further consultation on the amended TB Order is planned for the first half of next year. A timetable for implementation of the Order will be drawn up following consultation.

Common Agricultural Policy

Mr. Ancram: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the Government's policy on the European Commission's proposals on the mid-term review of the common agricultural policy. [75960]

Mr. Morley: I welcome the European Commission's proposals for reform of the CAP which are a good basis for discussion. The Government supports the proposed shift in support from production-linked payments to wider agri-environment and rural development measures as well as the proposal to remove the link between production and support. In a number of key areas we would have liked the proposals to go further, notably by offering real budgetary savings and firm proposals for reform of the dairy regime. We will need to ensure that the reforms offer a fair deal for UK producers.

Mr. Spring: To ask the Secretary of State for Environment, Food and Rural Affairs what progress she expects on reform of the Common Agricultural Policy as a result of the mid-term review; and if she will make a statement. [75248]

Mr. Morley *[holding answer 23 October 2002]:* Formal legislative proposals for reform of the Common Agricultural Policy are not expected until December at the earliest. Negotiations will therefore continue into 2003. It is too early to say what the outcome of discussions will be, but the UK will continue to argue that reform is essential if we are to meet our domestic objectives and international obligations.

Community Development Work

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how much of the fund for community development work was spent in *(a)* 2000–01, *(b)* 2001–02 and *(c)* 2002–03 to date. [78404]

Alun Michael: The proposal to support community development workers was announced in the rural White Paper in November 2000. I understand from the Countryside Agency that bids from rural community councils to employ additional community development workers to work with small rural communities to tackle the problem of social exclusion were invited in October 2001 for the three year period from April 2002. 37 posts have been approved. In addition, the Community Development Foundation has been contracted to develop a network of rural community development workers, including the posts funded through the Agency, to build capacity among the network, to spread good practice and to promote training. Total spend in the year to date is £385,691. There was no expenditure in 2000/01 and 2001/02.

Countryside Agency

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs what *(a)* recent discussions she has had and *(b)* representations she has received regarding the Countryside Agency; and if she will make a statement. [78614]

Alun Michael: I have regular meetings with the Chairman and Chief Executive of the Countryside Agency and we exchange correspondence frequently. Most recently I met the board of the agency on 16 October where we discussed how best we could work together to deliver the Government's objectives of securing prosperous rural economies, vibrant rural communities and a countryside which all may enjoy.

Officials in the Department also work closely with officials in the Agency to ensure the efficient and effective delivery of rural policy.

Departmental Logo

Tim Loughton: To ask the Secretary of State for Environment, Food and Rural Affairs how much it cost to redesign the Department's logo; and which outside bodies were involved in the creative process. [78200]

Alun Michael: Our current expenditure on redesigning the Defra Logo is £24,000, with a further £8,000 of expenditure on research and refinement.

The outside body involved in the creative process was the brand design agency, Bamber Forsyth-Fitch.

Environmental Action Fund Grant

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs how much funding is available through the Environmental Action Fund Grant; and how much was spent through it in *(a)* 2000–01, *(b)* 2001–02 and *(c)* 2002–03 to date. [78392]

Alun Michael: In each of the financial years 2000–01, 2001–02 and 2002–03, £4.2 million has been available through the Environmental Action Fund. Out-turn was also £4.2 million in both 2000–01 and 2001–02. For 2002–03 we have allocated the full resource of the Fund to deserving biodiversity and sustainable development education and awareness raising projects.

Farm Support

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how much has been spent and how many farmers have been supported, by category, through the *(a)* England Rural Development Programme and *(b)* Farm Business Advisory Service in *(i)* 2000–01, (ii) 2001–02 and (iii) 2002–03 to date. [78386]

Alun Michael: England Rural Development Programme (ERDP)

Total amount spent in each year

£

2000–2001	2001–2002	2002–2003
122.6[1]	167.2	50.0

[1] The ERDP was approved by the European Commission on 11 October 2000. Expenditure recorded against the programme did not start until 16 October 2000. This is the date on which the European Agriculture Guidance and Guarantee Fund (EAGGF) (under which CAP payments are Made) year commences.

The total number of those supported in each year[2]

2000–2001	2001–2002	2002–2003
25,828	26,089	7,217

[2] This includes farmers and non-farmers in receipt of payments from any of the ten ERDP schemes. Those benefiting from more than one scheme are counted only once. It is not possible separately to identify figures for farmers and for non-farmer recipients, or to break down the figures by type of farm other than at disproportionate cost.

Farm Business Advisory Service (FBAS)

Total amount spent each year

£

2000–2001	2001–2002	2002–2003
4.1	6.8	0.95

Total number of first visits

2000–2001	2001–2002	2002–2003
3,480	3,102	789

Total number of action whole farm plans completed (for core and enhanced service)

2000–2001	2001–2002	2002–2003
2,012	2,955	916

It is not possible to identify the numbers of farmers by type of farm in either scheme without incurring disproportionate costs.

Firefighters' Strike

Mr Evans: To ask the Secretary of State for Environment, Food and Rural Affairs what preparations she has made to ensure the safety and continuity of service to the public in the event of a firefighters' strike; and what the cost is to the Department of these actions. [77665]

Alun Michael: I refer the hon. Member to the answer given by my right hon. Friend the Minister of State, Office of the Deputy Prime Minister (Mr. Raynesford) on 28 October 2002, *Official Report*, column 527W. The cost of providing emergency cover will depend on the extent and nature of any industrial action.

Growth Promoters

Mr. Gordon Prentice: To ask the Secretary of State for Environment, Food and Rural Affairs what recent assessments she has made of the appropriateness of using growth promoters in livestock and poultry. [77624]

Mr. Morley: The Government take very seriously the possibility of the development of antimicrobial resistance in bacteria affecting humans as a result of the use of antibiotics in animals. They are satisfied that the four remaining antibiotic growth promoters are not related to any therapeutic antibiotics currently used in human or veterinary medicine but will keep the issue under review. Government policy will continue to be informed by the advice of their specialist committees.

There is currently a proposal before the European Commission for a regulation on additives for use in animal nutrition. The proposal aims to rationalise existing measures and introduce new controls. One of the effects will be to withdraw the use of antibiotic growth promoters by 31 December 2005. The intended withdrawal is based on a precautionary approach taking into account the impact that antimicrobial-resistant microbes can have on human health. This time scale includes a phasing out period, allowing time for the development of new husbandry methods and for industry to develop alternative products.

BEST COPY AVAILABLE

Household Waste (Chelmsford)

Mr Burns: To ask the Secretary of State for Environment, Food and Rural Affairs what her estimate is of the proportion of household waste that was recycled in the Chelmsford local authority area in *(a)* the last year for which figures are available, *(b)* 1998 and *(c)* 1995. [77153]

Mr. Meacher: Figures derived from the Defra annual Municipal Waste Management Survey show a household recycling rate for Chelmsford borough council, of 7 per cent in 2000–01 and 3 per cent in 1998–99. Data is not available for 1995. Copies of the results from the municipal waste management survey 2000–01 and earlier years, are available in the House of Commons Library and from the DEFRA website: httD.V/www.defra.aov.uk/environment/wastats/mwbOOOI/index.htm

LEADER + Programme

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how much has been *(a)* applied for and *(b)* spent through the LEADER + Programme by area in *(a)* 2000–01, *(b)* 2001–02 and *(c)* 2002–03 to date. [78401]

Alun Michael: LEADER + is an EU programme which is part funded by the European Agricultural Guidance and Guarantee Fund. Funding is allocated by calendar year. English LEADER + local action groups have been allocated the following funding for their development plans, grouped by region:

Region	*2002*		*2003*	
	EU (£)	*DEFRA (£)*	*EU (£)*	*DEFRA (£)*
North West	596,479	258,579	1,007,033	480,777
North East	273,912	78,579	551,815	126,802
Yorkshire and the Humber	304,481	142,820	648,359	316,965
West Midlands	129,311	66,004	191,694	91,059
East Midlands	214,948	102,975	623,928	272,488
East	306,181	58,612	450,071	89,838
South West	618,097	305,384	1,139,343	568,422
South East	499,020	125,345	1,396,003	427,227
Total	2,942	1,138,298	6,008,346	2,373,578

We do not yet have any figures on expenditure by local action groups as they are currently putting together their first grant claims. These will cover the period 7 January 2002 (when the successful local action groups were announced) to 31 September 2002.

Management and Best Practice Toolkit

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs how many applications were made and how much was spent through the internet-linked management and best practice toolkit in *(a)* 2000–01, *(b)* 2001–02 and *(c)* 2002–03 to date; broken down by project. [78394]

Alun Michael: Following a commitment in the Rural White Paper the web based best practice toolkit for parishes was launched in September 2002. It was developed by the Countryside Agency working with the Local Government Association (LGA), the National Association of Local Councils (NALC) and the improvement and Development Agency (IDeA). The 'Knowledge' website is a free web resource. The address is www.idea-knowledge.gov.uk and is currently used by over 15,000 registered users.

The editorial management is jointly owned by the IDeA, LGA, NALC and the Countryside Agency. The Countryside Agency chairs and services the editorial management meetings. The toolkit focuses particularly on partnership working between parish and town councils and principal local authorities.

The toolkit is a resource not a mechanism for application for grants. Therefore figures cannot be provided in the format requested.

Market Town Regeneration

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how much has been *(a)* applied for and *(b)* spent on market town regeneration by her Department in *(i)* 2000–01, (ii) 2001–02 and (iii) 2002–03 to date. [78400]

Alun Michael: The Market Town Initiative is being taken forward on Defra's behalf by the regional development agencies, working with the Countryside Agency and local partners, and using the £37 million of Government funding announced in the rural White Paper in November 2000 plus such match funding as can be secured from other public and private sources.

Expenditure on the Initiative in 2001–02 is estimated at some £2.9m by the regional development agencies and some £2.5m by the countryside agency. Information for the current financial year is not yet available but as most towns have now completed their action plans this should result in a substantial increase in project expenditure by RDAs and other partners.

Mr. and Mrs. Rogers

Mr. Steen: To ask the Secretary of State for Environment, Food and Rural Affairs, if she will ensure that her officials avoid causing the bankruptcy of Mr. L. A. and Mrs. S. M. Rogers of South Milton, Kingsbridge by continuing to demand a penalty for their failure to despatch the appropriate forms to the British Cattle Movement Service in Cumbria in 2001. [77530]

Alun Michael: I can assure the hon. Member that following a thorough review of the case his constituents will receive their 2001 Beef Special Premium Scheme payment shortly.

National Parks

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how much was spent on national park grants in *(a)* 2000–01, *(b)* 2001–02 and *(c)* 2002–03 to date. [78390]

Alun Michael: In 2000–01 and 2001–02 the English National Park Authorities and the Broads Authority received £26,166,650 and £27,920,833 respectively.

In 2002–03 the National Parks and Broads Authority will receive £31,493,854[1]. Of this, £25,345,978 has been spent to date.

[1] This includes funding to aid recovery from Foot and Mouth and for implementation of the Countryside and Rights of Way Act. Core funding for 2002–03 is £29,618,853.

Pigswill

Mr. George Howarth: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what representations she has received, and what studies have been conducted, into the environmental impact of pigswill being disposed of to landfill; and what assessment her Department has made of the risk of an outbreak of foot-and-mouth disease or swine fever as a result; [76303]

(2) how many representations she has received concerning pig farmers affected by the ban on the use of pigswill. [76311]

Mr. Morley: In March 2001 during the foot and mouth outbreak, the proposal to ban swill feeding was the subject of a full public consultation and Regulatory Impact Assessment. We received over 350 responses to the consultation letter. Subsequently, Minister's have received 51 letters and 33 questions from MPs with regards to the ban on swill feeding. On 20 November 2001 I met with representatives of the Associated Swill Users.

Before the ban on swill-feeding, only a small proportion of catering waste from restaurants and other catering establishments was fed to pigs as swill. The vast majority was already disposed of to landfill or incineration. As the additional waste was going to landfill under the same conditions as before, no specific assessment was made as to the environmental and animal health impacts from the use of landfill to dispose of material that would otherwise have been fed to pigs.

Poultry Cages

Mr. Owen Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs whether it is the Government's policy to take decisions concerning the future of enriched cages at EU level. [77360]

Mr. Morley: Council Directive 99/74/EC laying down minimum standards for the welfare of laying hens has been implemented through the Welfare of Farmed Animals (England) Regulations 2000, as amended, which came into force on 25 June. Consistent with the Government's Strategy for Agriculture, the directive has been implemented without adding to it in any way.

However, we have carried out a three-month public consultation on the future of enriched cages. Responses to this consultation will form part of our consideration on whether "enriched" cages should continue to be permitted. That consideration will be guided by the available scientific evidence and the need to provide egg producers with the certainty they need to enable them to make long-term investment decisions.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the potential change in employment in England as a result of a ban on the enriched laying cage. [77361]

Mr. Morley: A partial regulatory impact assessment was included in the public consultation and will be considered again and revisited in the light of responses received.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs (1) if she will publish the results of her Department's detailed assessment of the competition implications of the proposed ban on enriched laying cages; [77362]

(2) when she intends to make a decision on the future of enriched laying cages. [77363]

Mr. Morley: A partial regulatory impact assessment was included in the public consultation about a possible ban on enriched cages. The impact assessment will be looked at again in light of the responses received. A full regulatory impact assessment will be made available along with the results of the consultation.

Public Spaces

Mr. Gareth Thomas: To ask the Secretary of State for Environment, Food and Rural Affairs when she will publish the consultation paper on reforming the legislative framework for providing and maintaining public spaces. [78621]

Alun Michael: I am today publishing "Living Places—Powers, Rights, Responsibilities", the Government's consultation paper on options for reforming the way statutory powers, duties and guidance help the relevant service providers to improve our public spaces and the local environment. The paper is being presented at the urban summit to accompany a report on public spaces being published by my right hon. Friend the Deputy Prime Minister. The consultation paper concerns several Government departments and I look forward to feedback from a broad range of groups. Copies of the report have been placed in the Library of the House.

Rural Payments Agency

Mr. Edwards: To ask the Secretary of State for Environment, Food and Rural Affairs when she will publish the 2001–02 annual report of the rural payments agency. [79117]

Alun Michael: The 2001–02 annual report and accounts for the rural payments agency were laid before Parliament today. Copies are available in the Library of the House.

Street Cleaning

Mr. Jim Cunningham: To ask the Secretary of State for Environment, Food and Rural Affairs what sums she makes available to provide for street cleaners; and what measures she can take if a local authority fails to keep its area clean for the public. [77008]

Alun Michael: A number of large mainstream budgets directly affect the safety and cleanliness of local neighbourhoods. Additional investment in real terms for these areas was announced in Spending Review 2002 covering the years 2003–06. General revenue grant to local authorities is up by an average of 3.9 per cent a year after inflation. The Government's general revenue provision for most aspects of public space, including

provision for street cleaners, is allocated via the Environment, Protective and Cultural Services grant block, which is up 1.3 per cent. after inflation.A litter abatement order may be applied for if a local authority does not carry out its statutory duty to keep its land free of litter and debris, so far is practicable. This is done through the Magistrates' Court. If successful in obtaining the order it means that the offending authority must clean the area.

Voluntary Sector

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how much funding is available for the voluntary sector in terms of *(a)* grants and *(b)* core-funding by her Department; and how much of that money has been *(i)* applied for and (ii) spent in (A) 2000–01, (B) 2001–02 and (C) 2002–03 to date. [78389]

Alun Michael: Because of departmental changes in June 2001, the information is not readily available in the form requested. Information is being collated and I will write to the hon. Member within the next week.

Wildlife-friendly Agriculture

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to direct grant monies towards wildlife-friendly agriculture; and if she will make a statement. [77044]

Mr. Morley: The Government are committed to improving standards of environmental protection in agriculture, and are pressing for a shift in Common Agricultural Policy (CAP) expenditure from production-linked payments towards rural development and agri-environment measures.

In 2001, the Government introduced modulation, re-directing a proportion of CAP payments into schemes such as the Countryside Stewardship Scheme and Environmentally Sensitive Areas, both of which aim to safeguard and enhance wildlife habitats.

These schemes form part of the England Rural Development Programme, under which £1.6 billion will be invested in the countryside between 2000 and 2006, including £1 billion on agri-environment measures. The Government have committed an additional £75 million to introduce a new entry-level agri-environment scheme in 2005, following successful pilots. This scheme will be available to as many farms as possible.

FOREIGN AND COMMONWEALTH AFFAIRS

Afghanistan

Mr. Hepburn: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what the latest estimate is of how much of Afghanistan's poppy fields have been destroyed; and what the UK is doing to help the Afghanistan Government combat the production of opium; [77929]

(2) what action the UK is taking to help the Afghanistan Government combat the production of opium; [78450]

(3) what his latest estimate is of how much of Afghanistan's poppy fields have been destroyed in the last 12 months. [78449]

Mr. Mike O'Brien: The Afghan Government estimate their eradication programme destroyed approximately 17,300 hectares of the 2002 opium poppy crop. The United Nations Office for Drug Control and Crime Prevention estimates that the size of the 2002 crop was 74,000 hectares.

The UK is co-ordinating international anti-narcotics assistance to Afghanistan. In consultation with the Afghan Government, other donors and international (especially UN) agencies, the UK has developed a strategy for the long term elimination of drugs from Afghanistan. It identifies four key areas where the international community should focus its support: providing alternative livelihoods for opium poppy farmers; improving Afghan drug law enforcement capacity; building up the capacity of Afghan drug control institutions; and reducing drug demand in Afghanistan.

Bilateral Aid

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent assistance the Government has given to each EU applicant country in terms of bilateral aid. [78872]

Mr. MacShane: I refer my hon. Friend to the answer given him by my right hon. Friend the then Minister for Europe on 21 June 2002, *Official Report*, column 636W. The UK pays 19.6 per cent. of EU pre-accession assistance.Bilateral assistance is ongoing and comes from a number of areas. DFID provides significant assistance through its bilateral programme. The Foreign and Commonwealth Office provides assistance to applicant countries through its bilateral action plans, command programme budget allowances and through functional departments (e.g global conflict prevention fund).

British High Commission (Singapore)

Mr Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs when his Department was informed that the Government of Singapore had made a statement on responsibility for the attempted attack on the British High Commission in that country in December 2001; what assessment his Department made of that statement; what consequent threat assessment his Department has made; what action was taken and on what date; and if he will make a statement. [78326]

Mr. Straw: The Government of Singapore informed us in mid-December 2001 of a possible threat to our High Commission in Singapore. The High Commission raised its level of security. The Government of Singapore subsequently announced on 6 January 2002 the detention of thirteen people during December 2001 in connection with plans to mount terrorist attacks against a range of targets in that country.

As my right hon. Friend the Prime Minister said on 15 October 2002, *Official Report*, column 178, prior to 11 September 2001, and especially afterwards, we identified

South East Asia as an area with a real and present threat from groups linked to al-Qaeda. The FCO's travel advice to the region takes account of this threat.

On 28 October 2002 my right hon. Friend the Home Secretary laid before this House the Statutory Instrument for the proscription of Jemaah Islamiyah in the UK. This issue was debated by both Houses of Parliament on 30 October 2002 and the Order will now come into force on 1 November 2002.

Child Abduction

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what plans he has to raise the case of Catherine Meyer in an international forum; [75652]

(2) what plans he has to raise child abduction issues in an EU forum. [75651]

Mr. Mike O'Brien: I refer my hon. Friend to the answer given him by my right hon. Friend the Prime Minister on 28 October 2002, *Official Report*, column 554.

Common Agricultural Policy

Mr. Connarty: To ask the Secretary of State for Foreign and Commonwealth Affairs what measures are being taken to reconcile the CAP with the coming enlargement of the EU. [77033]

Mr. MacShane: At the Brussels European Council on 24 October 2002, the EU agreed to phase in direct payments for the new member states over nine years (2004–2013). To help limit the cost of extending CAP to the new member states, the EU also agreed to put a ceiling on traditional CAP expenditure between 2007 and 2013 based on its 2006 levels. This is without prejudice to possible CAP reform in the context of the mid term review and the Doha development round, which the Government strongly advocates.

Mr. Swire: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with his European counterparts concerning the Common Agricultural Policy. [77944]

Mr. MacShane: My right hon. Friend the Foreign Secretary has discussed the Common Agricultural Policy (CAP) with EU colleagues on a number of occasions over the last few weeks. As the Prime Minister made clear to the House on 28 October, the Government remain firmly committed to a thorough reform of the CAP, consistent with the commitments that we and our EU partners made at the Doha WTO Ministerial and WSSD in Johannesburg. The conclusions of the Brussels European Council recall those commitments made at Doha.

Convention on the Future of Europe

Mr. Jenkin: To ask the Secretary of State for Foreign and Commonwealth Affairs what the mandate of the Convention on the Future of Europe Working Group on Defence is; and if he will make a statement. [77818]

Mr. MacShane: The Government welcome the European Convention's decision to set up a Working Group on Defence. The Working Group's mandate is set out in Convention document CONV 206/02 of 19 July 2002 and reads as follows:

Apart from the Petersberg tasks, what defence remit could be envisaged for the Union?

Since the Union has decided that it must have a genuine operational capability, including a military capability, what can be done to ensure that the Member States have the military capabilities needed to guarantee the credibility of the Union's defence policy? Should we seek inspiration from monetary union, and establish admission criteria and a pact to be complied with thereafter?

Should provision be made for extending enhanced cooperation to defence matters?

What can be done to ensure that decisions can be taken quickly during a crisis management operation?

What can be done to ensure coherent planning of the Union's crisis management operations?

What methods should be used to ensure greater efficiency and economies of scale in arms procurement, research and development? Should the creation of a European Arms Agency be envisaged?

Correspondence

Mr. Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs when UK Visas will reply to the letter of 27 June from the hon. Member for Manchester, Central, regarding Mr. AM reference NBI/1003564/7/8. [77533]

Mr. Rammell *[holding answer 30 October 2002]:* I am sorry for the delay in replying to my hon. Friend's letter of 27 June. A reply was sent to him on 30 October.

Cyprus

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the status of Cyprus' application to join the EU [77926]

Mr. MacShane: Cyprus has made very good progress in negotiations, having provisionally closed 28 of the 31 negotiating chapters. At Brussels the European Council confirmed its determination to conclude negotiations with Cyprus, along with nine other countries, at its meeting in Copenhagen on 12/13 December. It also reiterated its preference for a reunited Cyprus to join the EU. If there is no settlement, it said, "the decisions to be taken in December by the Copenhagen European Council will be based on the conclusions set out by [..] Helsinki" i.e. that the Council's decision will be taken without a settlement being a precondition and that all relevant factors would be taken into account.

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress is being made towards establishing discussions between the communities in Cyprus on property rights as part of a settlement; and if he will make a statement. [77911]

Mr. MacShane: Property is one of the core issues, identified by the UN Secretary-General, being discussed by the two leaders in Cyprus as part of efforts to find a comprehensive, just and lasting settlement to the Cyprus problem. The UN Secretary-General has asked that the content of discussions during the settlement talks

remain private. I urge the two leaders to do all they can to narrow their differences on property and on the other core issues.

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with *(a)* Turkey and *(b)* Greece, concerning the prospects of a settlement in Cyprus; and if he will make a statement [77912]

Mr. MacShane: My right hon. Friend the Foreign Secretary met Sukru Sina Gurel, Turkish Foreign Minister, on 24 September and George Papandreou, Greek Foreign Minister on 24 October 2002. He discussed settlement negotiations in Cyprus with both, made clear that our aim is for a reunited island to be invited at the Copenhagen European Council to accede to the European Union and urged both to take an active role in supporting the UN on Cyprus.

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs what bicommunal events and activities his Department and the British Council have supported in Cyprus in the last 12 months; and if he will make a statement.[R] [77913]

Mr. MacShane: The Government are committed to developing practical co-operation between the two communities on and off the island. The then Minister for Europe my hon. Friend the Member for Neath (Peter Hain) hosted a reception and gave a speech to an intercommunal gathering on 10 April which was attended by senior politicians from both communities. The British high commission has made a significant contribution to intercommunal dialogue, bringing Turkish and Greek Cypriots together at a wide range of events.

Mr Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress is being made by the technical committees established under UN auspices to look at aspects of the Cyprus problem relating to constitutional and treaty matters; and if he will make a statement [77915]

Mr. MacShane: I welcome the establishment of the technical committees to support the settlement talks on Cyprus, announced by the Secretary-General on 4 October. We hope the committees will start their work as soon as possible. The UN Secretary-General has asked that the content of discussions during the settlement talks remains private to the parties.

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs when Lord Hannay has visited *(a)* Cyprus, *(b)* Greece, *(c)* Turkey and *(d)* the United Nations in the last 12 months for discussions on the Cyprus problem; and who he met on each occasion. [77916]

Mr. MacShane: Lord Hannay visited Cyprus on:

17 to 18 December 2001 and met Glafcos Clerides (Greek Cypriot leader), Rauf Denktash (Turkish Cypriot leader) and key players from both sides of the island;

12 to 13 February 2002 and met Mr Clerides, Mr Denktash, and key players from both sides of the island;

10 to 11 April 2002 and met Mr Clerides, Mr Denktash, and key players from both sides of the island;

10 to 11 June 2002 and met Mr Clerides, Mr Denktash, and key players from both sides of the island;

30 August to 2 September 2002 and met Mr Clerides, Mr Denktash, and key players from both sides of the island; and,

24 to 27 October 2002 and met Mr derides, Hakki Muftezade (senior adviser to Mr Denktash) and key players from both sides of the island.

Lord Hannay visited Greece on:

26 November 2001 and met Tassos Yiannitsis (Alternate Foreign Minister), Dora Bakoyanni (New Democracy), other key players and also gave a background briefing to Greek journalists;

11 to 12 April 2002 and met George Papandreou (Foreign Minister), Mr Yiannitsis and other key players; and,

16 to 18 May 2002 and met Mr Papandreou and close advisers.

Lord Hannay visited Turkey on:

27 November 2001 and met Ugar Ziyal, Baki Ilkin, Ertugrul Apakan (Turkish Ministry of Foreign Affairs), Tachan Ildem (President Sezer's foreign policy adviser), Volkan Vural (Secretary-General for EU Affairs) and other key players; -

21 to 22 March 2002 and met Mr Ziyal, Mr Ilkin, Mr Apakan, Mr Ildem, Volkan Bozkir (Deputy Secretary-General for EU Affairs) and other key players;

5 to 6 June 2002 and met Ismail Cem (Turkish Foreign Minister), Mr Ziyal, Mr Ilkin, MrApakan, Mehmet Nuri Yilmaz (Deputy Prime Minister), Mr Vural and had dinner with a cross-section of MPs and media commentators; and,

24 to 25 July and met Mr. Ziyal, Mr. Vural, Mr. Ilkin, Mr. Apakan, Ms Tayyibe Guledkl

Lord Hannay visited the UN in New York on:

12 to 15 November 2001 and met Alvaro de Soto (UN Special Representative for Cyprus), Tom Weston (US Special Representative for Cyprus), Mr Wittig (German Special Representative for Cyprus), Mr derides, loannis Kasoulides (Foreign Minister of Cyprus), Mr Zackheos (Cyprus Permanent epresentative to the UN), Yigit Alpogan (Turkish Deputy Under-Secretary), Mr Papandreou and other key players;

25 February 2002 and met Mr de Soto, Mr Weston and other key players; -

3 April 2002 and met Kofi Annan (UN Secretary-General), Mr de Soto, Mr Weston, Kieran Prendergast (UN) and other key players;

11 to 16 September 2002 and met Mr Kasoulides, Mr Papandreou, Marc Grossman (State Department), Fris Arne Petersen (Danish Ministry of Foreign Affairs), Mr

Prendergast and other key players; and,

30 September to 5 October 2002 and met Mr Annan, Mr Weston, Mr de Soto, Mr Clerides, Mr Denktash and other key players.

Lord Hannay also had meetings with Mr de Soto in;

Cyprus on 12 to 13 February;

Cyprus on 10 to 11 April;

Rome on 8 and 9 June;

Cyprus on 10 to 11 June;

Paris on 5 July;

Vienna on 27 July;

Paris on 7 September;

Cyprus on 30 August to 2 September;

Vevey on 8 October; and,

Cyprus on 24 to 27 October 2002.

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps are being taken to extend the benefits of EU membership to Cypriot inhabitants of the SBAs, Cyprus; and if he will make a statement [77924]

Mr. MacShane: As the Commission noted in its report on Cyprus of 9 October, as part of the preparation for Cyprus1 future EU membership, the British government has over the past year held meetings with Cyprus and the European Commission to discuss the arrangements that will come into force in the SBAs

when Cyprus joins the EU. Our objective has been, as described in the written answer by my noble Friend Baroness Symons of 5 December 2001 (*Official Report*, column WA 140), to continue with the policy of the SBAs remaining outside the EU, except where necessary to ensure that Cypriots who live and work in the SBAs do not benefit less from Cyprus's membership of the European Union than their compatriots in the Republic of Cyprus. The outcome of these discussions will be considered by the European institutions, including the Council of Ministers.

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on efforts to find a solution to the Cyprus problem [77927]

Mr. MacShane: I am pleased that talks are continuing between the two sides in Cyprus to reach a comprehensive, just and lasting settlement. Our aim, and that of our EU partners and the US, is that such a settlement should be reached as soon as possible, so that a reunited island can be invited, at the Copenhagen European Council, to accede to the EU. I fully support the UN in its efforts to bridge the gaps between the two sides and urge the two leaders to do all they can to narrow their differences on the core issues.

Death Penalty

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those organisations funded by committees' money campaigning to end the death penalty; if such organisations campaign in the United States; and what representations he has received from *(a)* the US Government *(b)* individual US states thereon. [78124]

Mr. Rammell: It is unclear to which committee the hon. Member is referring, but it is HMG policy to lobby for a world-wide abolition of the death penalty.

The UK took the lead during its EU presidency in formulating new EU guidelines on the death penalty. We have also established a Death Penalty Panel including expert academics and NGO representatives.

Currently, the FCO is funding the International Justice Project. It is a resource centre in the US that provides information to US defence lawyers tackling death penalty cases.

We shall continue to lobby States in the US until the death penalty is abolished.

Gibraltar

Mr. Wiggin: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on negotiations with the Government of Spain over the future sovereignty of Gibraltar. [78443]

Mr. MacShane: I refer the hon. Member to the statement my right hon. Friend the Foreign Secretary made to the House on 12 July 2002, *Official Report*, columns 1165–67.

North Korea

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs when Her Majesty's Government was informed by the United States Government of the latter's knowledge of the most recent status of North Korea's nuclear weapons programme; and what action has been taken by the United Kingdom as a result of this knowledge. [77221]

Mr. Mike O'Brien: Like the US, we have been concerned for some time at reports of clandestine North Korean nuclear activities. The North Koreans confirmed that they were pursuing an enrichment programme for nuclear weapons in a meeting with US Assistant Secretary Kelly on 4 October. We learned of that admission shortly afterwards.

My right hon. Friend the Foreign Secretary said on 17 October (full statement available on the FCO website www.fco.gov.uk) that North Korea's actions are a serious violation of its international obligations. We are assessing our policy towards North Korea in consultation with our friends and allies most directly concerned with security on the Korean Peninsula, and with our partners in the European Union.

Recruitment (Over-50s)

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those reports produced to date by the EU Institute for Security Studies, with security caveat grading. [78122]

Mr. Mike O'Brien: The publication record of the institute, and its official reports are available on its website (www.iss-eu.org). None of its reports has a security classification.

Resale Rights Directive

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the legal basis of Directive 2001/84/EC on art resale rights; at what point right of veto was waived by Her Majesty's Government; and if he will make a statement. [78118]

Mr. MacShane: The legal basis of Directive 2001/84/EC on the resale right for the benefit of an author of an original work of art was Article 95 of the Treaty establishing the European Community. The directive was subject to qualified majority voting. During lengthy negotiations the Government were, however, able to secure significant improvements to the initial proposal put forward by the Commission.

Shener Levent

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Turkish Cypriots concerning *(a)* the imprisonment of journalist Shener Levent and Lavant of "Afrika" newspaper, *(b)* the outstanding charges against Shener Levent in the military court, *(c)* the outstanding charges against Ozker Ozkur and Izzet Izcan, political party leaders, in the military court and *(d)* the use of military court against opponents of the Denktash regime and if he will make a statement.[R] [77925]

Mr. MacShane: I am disappointed that Shener Levent is again being tried in court for publishing articles critical of the Turkish Cypriot authorities. I condemn all attacks on press freedom, and call upon the Turkish

Cypriot authorities to ensure full respect for the right to freedom of expression of Shener Levent and all Turkish Cypriots. I made a statement on 4 September and the British Government made official representations when Shener Levent and Memduh Ener were imprisoned in August. We will continue to follow this case, and all cases before the military court, closely.

Terrorism

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions his Department had with other government departments, concerning *(a)* proscribing Jemaah Islamiyah under the Terrorism Act 2000 and *(b)* freezing the assets of that group; and if he will make a statement. [78324]

Mr. Straw: On 23 October 2002 my right hon. Friend the Chancellor of the Exchequer instructed the Bank of England to issue notice requiring all UK banks and financial institutions to freeze the assets of Jemaah Islamiyah. This action was taken in co-ordination with the submission of Jemaah Islamiyah to the United Nations Sanctions Committee in New York. Jemaah Islamiyah was formally added to the United National Sanctions List under Security Council Resolution 1390 on 25 October.

On 28 October 2002 my right hon. Friend the Home Secretary laid before this House the statutory instrument for the proscription of Jemaah Islamiyah in the UK. This issue was debated by both Houses of Parliament on 30 October 2002 and the Order will now come into force on 1 November 2002.

Both of these actions were taken after close consultation between the Foreign and Commonwealth Office, Her Majesty's Treasury and the Home Office.

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what information his Department has collated concerning links between Jemaah Islamiyah and organisations *(a)* based in Europe, *(b)* with assets held in Europe and *(c)* with close links to groups resident in Europe; and if he will make a statement. [78325]

Mr. Straw: The Jemaah Islamiyah group based in South East Asia is not generally thought to operate outside that region and should not be confused with other Islamist groups elsewhere in the world that bear the same name. Information about terrorist groups and their finances is kept under constant review. We believe that the Jemaah Islamiyah group in South East Asia has strong links with the al Qaeda network and that al Qaeda maintains links with terrorists groups around the world, including Europe.

On 23 October 2002 the European Union co-sponsored the submission of Jemaah Islamiyah to the United Nations Sanctions Committee in New York on the basis of that groups links to al Qaeda. Jemaah Islamiyah was added to the United Nations Sanctions List under Security Council Resolution 1390 on 25 October.

Turkey

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the request by Turkey for a date for the commencement of the accession process to the EU to be given at the Copenhagen summit; and if he will make a statement. [77914]

Mr. MacShane: HMG has long been a strong supporter of Turkey's EU candidature and we look forward to Turkey's membership of the EU as soon as possible and in accordance with the conditions which all candidates have to meet. The European Council at Brussels welcomed the important reforms undertaken by the Turkish Government and said that Turkey's progress has brought forward the prospect of opening accession negotiations.

Women, Peace and Security

Ms Oona King: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the implementation of Security Council Resolution 1325 on Women, Peace and Security passed on 31October 2000. [79131]

Mr. Rammell: The UN Secretary-General reported to the Security Council on 16 October on implementation of SCR 1325. That report included a number of important points that the Government strongly supports: promoting gender equality is not just the responsibility of women; post-conflict reconstruction should be based on full observance of human rights and the principle of non-discrimination; and more effort is needed to address the problems of children associated with armed groups, particularly girls. The Secretary-General also proposed a target of 50 per cent. women in all areas of UN peace operations by 2015.

The Government strongly supports both the intention and implementation of this ground-breaking resolution. We welcome the UN's efforts to incorporate a gender perspective throughout its work, including peacekeeping and peacebuilding. We are funding a series of projects through the UN's Department of Peacekeeping Operations, UNIFEM (the UN development fund for women) and NGOs to support implementation of the resolution. We used our Presidency of the Security Council in July to host an open debate on conflict, peacekeeping and gender. We shall continue to work through the Security Council, with the UN and in our peace and development efforts for implementation of this resolution and for the benefit of women and all people striving for peace.

HEALTH

Accident and Emergency Departments

Mr. Laws: To ask the Secretary of State for Health what assessment he has made of the performance of accident and emergency wards in England; and if he will make a statement. [76255]

Mr. Lammy: Improving patients' experience of emergency care is a Government priority.

The NHS Plan set the target to reduce the maximum wait in accident and emergency (A&E) from arrival to admission, transfer or discharge to four hours or less by 2004. By the time of the first milestone in March 2002, 77

per cent. of all patients attending A&E in England spent four hours or less in A&E. This slightly exceeded the milestone which was set at 75 per cent.

To help meet the NHS Plan target, the Reforming Emergency Care Strategy was launched in October 2001. This is a long-term programme of reform and investment to provide fast effective treatment in a modern and safe environment.

Community Equipment

Dr. Fox: To ask the Secretary of State for Health what the 10 most frequently prescribed items of community equipment are. [78057]

Jacqui Smith: Community equipment is prescribed according to local needs and priorities. We do not keep a central count.

Dr. Fox: To ask the Secretary of State for Health what new targets have been introduced to speed up the delivery of community equipment and the time taken to make minor adaptations. [78059]

Jacqui Smith: My right hon. Friend, the Secretary of State for Health, made a statement to the House on 23 July 2002 concerning services for older people. He announced that by December 2004, all items of community equipment will be delivered within seven working days. This target will also apply to minor adaptations made by community equipment services.

Correspondence

Mr. Kaufman: To ask the Secretary of State for Health when he will reply to the letter to him dated 13 September from the right hon. Member for Manchester, Gorton with regard to Anne Franke. [78043]

Mr. Milburn: A reply was sent to the hon. Member on 21 October.

Draft Mental Health Bill

Mrs. Helen Clark: To ask the Secretary of State for Health if he will recommend that the Draft Mental Health Bill be considered a Special Standing Committee. [74876]

Jacqui Smith: The Government would look favourably on the idea of referring the Bill to a Special Standing Committee, as this would be helpful to examine the Bill in detail and enable us to take further evidence from many parties.

Enuresis

Dr. Fox: To ask the Secretary of State for Health what steps his Department is taking to promote the availability of drinking water and adequate toilet facilities in schools to combat enuresis. [78095]

Mr. Miliband: I have been asked to reply.

The Education (School Premises) Regulations 1999 specify the toilet facilities required in all schools. They also state that a school shall have a wholesome supply of water for domestic purposes including a supply of drinking water. We are also planning to disseminate good practice advice to schools and local education authorities on drinking water provision in the light of the health risks associated with not drinking enough water.

Inpatient Treatment

Mr. Burns: To ask the Secretary of State for Health how many people were waiting for inpatient treatment in each trust area in England at the latest available date; and of these, how many had been waiting for *(a)* 0 to 2, *(b)* 3 to 5, *(c)* 6 to 8, *(d)* 9 to 11, *(e)* 12 to 14 and *(f)* 15 plus months in each case. [77155]

Mr. Hutton: Information on the number of patients waiting for inpatient elective admission by months waiting, as at 31 August by national health service trust and primary care trust has been placed in the Library.

Local Government Finance

Mr. Burstow: To ask the Secretary of State for Health what his assessment is of the forward revenue commitments for each of the next three years for each of the ring-fenced grants paid by his Department to local authorities in 2002–03. [78312]

Jacqui Smith: It is for individual local authorities to decide what forward commitments to enter into in respect of ring-fenced grant expenditure and this information is not available centrally.

Children in Care (Educational Standards)

Mr. Burstow: To ask the Secretary of State for Health (1) how many looked-after children have obtained *(a)* no GCSEs, *(b)* one A-G GCSE, *(c)* five A-G GCSEs, *(d)* one A*-C GCSE and *(e)* five A*-C GCSEs in each year since 1997; and what target his Department has set for educational standards for looked-after children in each of those years. [78427]

Jacqui Smith. The Government has established the following national public service agreement targets.

Increase to 50 per cent. by 2000–01 the proportion of children leaving care aged 16 and over with a GCSE or GNVQ qualification; and to 75 per cent. by 2002–03.

Increase to 15 per cent. by 2003–04 the proportion of children leaving care aged 16 and over with five GCSEs at grade A*-C.

The number of children who ceased to be looked after in England during the years ending 31 March 2000 and 2001, aged 16 and over, by qualifications achieved is set out in the following table. Information is not available prior to March 2000.

Children who ceased to be looked after during the years ending 31 March 2000 and 2001, aged 16 or over, by level of qualification achieved

	2000	*2001*
No GCSEs	4,800	4,200
1 A*-G GCSE	2,000	2,400
5 A*-G GCSE	1,300	1,600
1 A*-C GCSE	890	1,100
5 A*-C GCSE	270	300
Total care leavers	6,800	6,600

Mental Health Advocacy

Dr. Berry: To ask the Secretary of State for Health what recent advice he has given to PCTs concerning the funding of mental health advocacy. [77107]

Jacqui Smith: Final decisions on funding for 2003–04 will be made in the autumn as part of the work on primary care trust allocations and central budgets, as such no announcements or advice on this funding have yet been made.

NHS Expenditure

Mr. Wiggin: To ask the Secretary of State for Health how much was spent by the NHS on NHS magazines, briefings and literature in 2001–02. [75142]

Mr. Lammy: A breakdown of expenditure by National Health Service organisations on NHS magazines, briefings and literature could be supplied only at disproportionate cost as the information is not held centrally.

Nursing Leaders

Mr. Burstow: To ask the Secretary of State for Health how many structures identifying nursing leaders with responsibility for older people have been developed as part of the milestones set out in the National Service Framework for Older People, page 172. [78424]

Jacqui Smith: Information about progress against the April 2002 milestones set within the national service framework for older people is currently being collected.

One-stop Primary Care

Andrew George: To ask the Secretary of State for Health how much funding is available from his Department for investment in 100 One-Stop Primary Care centres in *(a)* all and *(b)* rural England; and how much was spent in *(i)* 2000–01, (ii) 2001–02 and (iii) 2002–03 to date in (A) all and (B) rural England. [78407]

Mr. Hutton: The NHS Plan announced that up to £1 billion will be invested in primary care facilities to substantially refurbish or replace 3,000 general practitioner premises and provide 500 one-stop primary care centres, of which 100 are expected to provide services accessible to rural populations, by 2004.

In August 2002 an announcement was made that £22 million of public capital was to be used to accelerate 100 one-stop primary care centre schemes for completion in 2003.

Overseas Surgical Teams

Dr. Fox: To ask the Secretary of State for Health how many overseas surgical teams have been brought to the UK by the NHS; where they have worked; and how many operations they have carried out. [78096]

Mr. Hutton: The national health service has brought six overseas clinical teams to the United Kingdom. The team at Central Middlesex hospital has carried out 516 general surgical operations. The team at Hillingdon hospital has carried out 350 orthopaedic operations. The team at South Tyneside NHS trust has carried out 39 orthopaedic operations. The team at east Somerset has carried out 12 general surgical operations. The team at Morecambe Bay hospitals NHS trust has carried out 313 cataract operations. The team at mid-Staffordshire carried out two cataract operations.

Prison Health Care Workers

Dr. Fox: To ask the Secretary of State for Health how many prison health care workers have acquired an NVQ in custodial care. [77999]

Jacqui Smith: There are 36 prison health care workers currently enrolled on the custodial care National Vocational Qualification. They will transfer to the new custodial health care NVQ when this NVQ has been accredited by the Qualifications and Curriculum Authority.

Radiographers

Mr. Burstow: To ask the Secretary of State for Health if he will set out the *(a)* Health Professional Council registration fees for radiographers for each of the last three years and *(b)* proposed registration fees for the next two years. [76820]

Mr. Hutton: Radiographers and other health professions regulated by the Health Professions Council (HPC) are subject to independent self-regulation, which is self-financing. Since 1990 the registration fee has only increased by £10. For the last three years it has remained at the level of £22.

The HPC's role has expanded substantially since it succeeded the Council for Professions Supplementary to Medicine (CPSM) and the HPC has recently consulted on proposals for the new register. This included the level of fees, which it proposes to set at between £65-£85 per year, payable on a two yearly basis, commencing April 2003.

Mr. Burstow: To ask the Secretary of State for Health how many *(a)* radiographers and *(b)* vacant posts for radiographers there were in each of the last five years, broken down by *(i)* health authority and (ii) region. [76656]

Mr. Hutton The information requested has been placed in the Library between September 1997 and September 2001, the number of diagnostic radiographers has increased by 800 from 10,360 to 11,160 and the number of therapeutic radiographers has increased by 130 from 1,410 to 1,540.

Redundancy Payments (NHS Executives)

Dr. Richard Taylor: To ask the Secretary of State for Health how redundancy payments are calculated for executives of NHS trusts made redundant by trust mergers; and what the average such payment has been. [77242]

Mr. Hutton: The arrangements for the calculation of redundancy payments for National Health Service staff are set out in Section 45 and 46 of the Whitley General Council Handbook. A copy of this document is available in the Library.

Payments to executives of NHS trusts made redundant by trust mergers are not collected centrally.

Social Services Departments

Mr. Drew: To ask the Secretary of State for Health what timetable he proposes for the changes to social services departments announced recently. [76996]

Jacqui Smith *[holding answer 28 October 2002]:* At the Annual Social Services Conference on 16 October my right hon. Friend the Secretary of State, set out a number of proposals for changes to the way services are delivered. Our plans for implementation include:

Children's trusts: We plan to establish pilots for children's trusts during 2003.

Reimbursement: It is hoped subject to parliamentary time, to introduce legislation, which will allow us to implement reimbursement for delayed discharge from hospital.

Care trusts: The first four care trusts were established on 1 April 2002. A further five sites are now working to develop care trust proposals locally, to be up and running by April 2003.

Regulation for direct payments: Regulations to ensure all older people assessed as having care needs are provided with the choice of direct payments will be issued for consultation shortly with the intention to implement by January 2003.

Strategic commissioning group report: I have asked the strategic commissioning group to report to me in 2003, on how local voluntary and community organisations could play a bigger part in the delivery of social services.

Less bureaucracy: We have reduced significantly the number of planning documents associated with social services grants from seven this year to two next year, and to one the year after.

Greater freedoms: From the next financial year the best performing social services departments will have the freedom to spend social services grant on any aspect of social care, the right to carry out resources between financial years, less form filling and less inspection. We are currently discussing with my right hon. Friend the Deputy Prime Minister further freedoms for the best performing councils.

Suicide

Dr. Fox: To ask the Secretary of State for Health (1) by what means the National Institute for Mental Health in England will identify suicide hotspots; and who will have responsiblity to take action in respect of them; [78000]

(2) what action he plans to take in respect of locations at which suicide is frequently committed. [78049]

Jacqui Smith: The National Institute for Mental Health in England (NIMHE) will be working with a number of local agencies to develop guidance on identifying and taking appropriate action at suicide hotspots. This will involve close partnership working with a number of local agencies including police and emergency services, local authorities, the national health service and voluntary sector, railway authorities and coroners. Specific intervention and prevention measures will depend on the nature and location of each hotspot identified.

Dr. Fox: To ask the Secretary of State for Health who is carrying out the suicide and open verdict on the railways report; and when it is expected to be published. [78048]

Jacqui Smith: The suicide and open verdict on the railway network (SOVRN) project is a three-year study. SOVRN is co-sponsored by railway safety and the national health service, managed through Doncaster and South Humber Healthcare NHS Trust, and in collaboration with the University of Sheffield, Community Health Sheffield NHS Trust and the University of Nottingham. The report is due to be published in December 2002.

Truancy

Dr. Fox: To ask the Secretary of State for Health what role the Department of Health and its statutory agencies will play in truancy sweeps. [78028]

Jacqui Smith: Health and social services were involved in truancy sweeps in 82 of the local education authorities, which reported on the May truancy sweep exercise. Health professionals, such as community psychiatric nurses and social workers, focus on follow-up work with individual children and/or families.

Waiting Lists

Mr. Laws: To ask the Secretary of State for Health what estimate his Department has made of the number of people waiting more than *(a)* three months, *(b)* six months, *(c)* nine months and *(d)* 12 months for *(i)* speech and language therapy, (ii) treatment for depression, (iii) occupational therapy and (iv) chiropody services; and if he will make a statement. [76286]

Mr. Hutton *[holding answer 24 October 2002]:* Waiting times data are collected on in-patient elective admissions and first outpatient appointments following general practitioner referral and are specifically consultant led services with data attributed to the consultant's main specialty function. Data on patients' waiting times are not collected by the categories in the question.

Audiology Services

Dr. Berry: To ask the Secretary of State for Health what plans his Department has to set national standards for waiting times in audiology services from time of referral to fitting. [77108]

Jacqui Smith: There are no plans, at this time, to set national standards for waiting times for audiology services. The modernising hearing aid services project is being extended so that by the end of this financial year there will be 50 sites involved, with at least a further 15 equipped to supply digital hearing aids from next April. A new, more streamlined patient process will be introduced at these second wave sites from the outset

and at first wave sites over the next few months. In addition we are in the middle of a pilot which is looking at the role the private sector can play in reducing waiting times for supply of digital hearing aids. We will continue to look at ways of reducing the waiting times for hearing aid services as the project moves on.

HOME DEPARTMENT

Criminal Records Bureau

Mrs Ellman: To ask the Secretary of State for the Home Department what assessment he has made of the findings of the investigation into the Criminal Records Bureau; and what changes he proposes to implement. [75019]

Hilary Benn: In early September the Home Secretary appointed an independent team to review the situation at the Criminal Records Bureau (CRB). The review is continuing. The main focus of the team's work centres on what needs to be done to ensure the medium and long-term success of the service. They are taking a fundamental look at all aspects of the CRB's operation and will report to the Home Secretary in due course.

Mr. Damian Green: To ask the Secretary of State for the Home Department (1) what his latest estimate is of the time for each Criminal Records Bureau check on *(a)* teachers and *(b)* classroom assistants in England and Wales; [74349]

(2) what his latest estimate is of the time taken for each Criminal Records Bureau check on childminder applicants in England and Wales. [74346]

Hilary Benn *[holding answer 15 October 2002]:* The estimated average turnaround of checks processed by the Criminal Records Bureau (CRB) remains at approximately six weeks. This is measured from the point at which a correctly completed form is received by CRB, accompanied by all relevant supporting details. No distinction is made in relation to the profession of an applicant. They are all subject to the same level of service.

Matthew Taylor: To ask the Secretary of State for the Home Department what penalties have been incurred by Capita on the Criminal Records Bureau contract; and if he will make a statement. [74123]

Hilary Benn: There is provision for penalties for delay or poor performance. Liquidated damages have been incurred by Capita for delay although the details remain commercial in confidence and cannot be divulged. The main priority is for the Criminal Records Bureau and Capita to collaborate in order to achieve further improvement in the quality of service.

Asylum Seekers

Diana Organ: To ask the Secretary of State for the Home Department (1) which professional organisations were consulted prior to the decision to withdraw asylum seekers' right to work; [77118]

(2)what representations he received concerning the right of new asylum seekers to get permission to work after six months being removed *(a)* before and *(b)* subsequent to the announcement. [77117]

Beverley Hughes: We received a number of written representations regarding the general issue of asylum seekers and entitlement to work earlier this year as part of the wider consultation exercise on our White Paper, 'Secure Borders, Safe Haven'. All of these responses have been placed in the Library, with the exception of those respondents who indicated they did not wish their responses to be published.

We also received representations fromthe Refugee Council following our announcement to end the concession.

We did not consult directly with other organisations immediately prior to announcing abolition of the concession. Improved timeliness of initial decisions by the Immigration Nationality Directorate had made the concession largely irrelevant in practice so wider consultation would have added no real value.

Mr Caton: To ask the Secretary of State for the Home Department how many people from Cameroon applied for asylum in the UK in *(a)* 2000, *(b)* 2001 and *(c)* to date this year; and what percentage was successful in each year. [77628]

Beverley Hughes: The information requested is given in the table. Data on initial decisions are independent of applications data, and do not all necessarily relate to applications lodged in the same period.

Asylum applications received in the United Kindom, and initial decisions, excluding dependants, Cameroon, January 2000 to June 2000[1,2]

	Total applications[3]	*Total initial decisions*	*Initial Decisions Cases considered under normal procedures*[4]				*Cases considered under backlog clearance exercise*[5]		
			Total	*Grants of asylum (percentage)*	*Grants of ELR*	*Refusals*	*Total*	*Grants of asylum or ELR*	*Refusals*[6]
2000	355	285	260	8	3	89	25	96	4
2001[P]	370	565	565	9	5	87	-	-	-
January to June 2002[P]	280	265	265	7	9	85	-	-	-

[1] Figures (other than percentages) rounded to the nearest five.
[2] Decision figures do not necessarily relate to applications received in the same period Information is of initial decisions, excluding the outcome of appeals or other subsequent decisions.
[3] May exclude some cases lodged at Local Enforcement Offices between January and March 2000.
[4] Cases considered under the normal procedures may include some cases decided under the backlog criteria.
[5] Case decided under measures aimed at reducing the pre 1996 asylum application backlog.
[6] Includes some cases where the application has been refused on substantive grounds.
[P] Provisional data.

Information on appeals is given in the table. Appeals in any given time period do not necessarily relate to initial decisions made by the Home Office. The figures exclude any further appeals (Immigration Appeals Tribunal, Court of Appeal, judicial review, House of Lords).

Appeals in asylum cases, brought by nationals of Cameroon, determined by adjudicators of the Immigration Appellate authority January 2000 to June 2002[1]

	Total Determined	*Allowed (perentage)*	*Dismissed (percentage)*	*Withdrawn*[2]
2000	N/A	N/A	N/A	N/A
2001	195	25		
January to June 2002	165	29	68	2

[1] Provisional estimated figutrse rounded (other than percentrages) to the nearest 5.
[2] Includes appeals withdrawn by the appellant and the Home Office.
N/A Date are not available for 2000.

Information on asylum applications and initial decisions is published quarterly. The next publication will cover the third quarter (July to September) of 2002 and will be available from 29 November 2002 on the Home Office Research Development and Statistics Directorate web site at http://www.homeoffice.gov.uk/rds/immigration1 .html.

Mr. Love: To ask the Secretary of State for the Home Department how many failed asylum seekers from Sri Lanka have been repatriated in each month for the last 12 months for which figures are available; and if he will make a statement. [78077]

Beverley Hughes: The latest 12 months data available for removals of Sri Lankan principal asylum applicants is for April 2001 to March 2002 and are given in the table.

Month	*Sri Lankan Principal applicants*[1,2]
April 2001	10
May	10
June	20
July	15
August	10
September	10
October	15
November	15
December	15
January 2002	20
February	25
March	25

[1] Estimates of asylum removals by nationality—principal applicants removed only. Includes persons departing 'voluntarily' after the initiation of enforcement action against them, and persons leaving under assisted voluntary returns programmes run by the international organisation for migration
[2] Figures are rounded to nearest five.

I regret that it is not possible to determine how many were repatriated, as persons removed from the UK are not necessarily returned to their country of origin. Information on the destination of those removed is not collated centrally and could only be obtained by examination of individual casefiles at disproportionate cost.

Mr Love: To ask the Secretary of State for the Home Department what recent information on in-country conditions in Sri Lanka have been received from *(a)* other Government departments and *(b)* other organisations relating to the return of failed Tamil asylum seekers; and if he will make a statement. [78082]

Beverley Hughes: The Sri Lanka country assessment was updated in October 2002. The Foreign and Commonwealth Office and British High Commission in Colombo both contribute up to date information and check the accuracy of the document. A range of other information is used from organisations such as Amnesty International, the British Refugee Council and the Medical Foundation for the Care of Victims of Torture. A full list of the source material from these organisations can be found at annex D of the Country Assessment, which will be posted imminently on the Immigration and Nationality Directorate website at www.homeoffice.gov.uk.

Commission for Racial Equality

Keith Vaz: To ask the Secretary of State for the Home Department, if he will list the commissioners of the CRE, their dates of appointment and their remuneration. [77966]

Beverley Hughes: The names of the current commissioners of the Commission for Racial Equality (CRE), their dates of appointments and their remuneration as of 1 April 2002 are listed in the table:

Number/Position	*Name*	*Date of appointment*	*Remuneration (£)*
1.Chair (Acting) Beverley Bernard as Deputy Chair	Beverley Bernard	7 August 2002	[1] 100,000.00
	Beverley Bernard	1 July 2000	[1] 55,527
2. Deputy Chair (Acting) Khurshid Ahmed as Commissioner	Khurshid Ahmed	23 August 2002	[2] 250.00
		1 April 2002	[3] 3,075.00
3. Deputy Chair (Acting) Ian Barr as Commissioner representing the interests of the CBI	Ian Barr	23 August 2002	[2] 250.00
		1 April 2002	[3] 3,075.00
4. Commissioner representing Scottish Interests	Kay Hampton	1 April 2002	[3] 4,612.00
5. Commissioner representing Welsh Interests	Cherry Short	1 April 1998	[3] 4,612.00
6. Commissioner representing the interest of the TUC	Gloria Mills	1 April 2002	[3] 3,075.00
7.	Jagdish Gundara	1 April 2002	[3] 3,075.00
8.	Sarah Spencer	1 April 2002	[3] 3,075.00
9.	Patrick Passley	1 April 1999	[3] 3,075.00
10.	Shushila Patel	1 April 1999	[3] 3,075.00
11.	Gita Sootarsing	1 April 1999	[3] 3,075.00
12.	Kamaljett Jandu	1 June 2000	[3] 3,075.00

[1] Pro rata
[2] A day
[3] Per annum(Commissioners are required to commit a minimum 20 days per annum, 30 days for those representing Scottish and Welsh interests

Keith Vaz: To ask the Secretary of State for the Home Department, when he last met *(a)* the Acting Chairman of the CRE, and *(b)* Mr. Gurbux Singh, in an official capacity. [77967]

Beverley Hughes: My right hon. Friend the Home Secretary met Beverley Bernard, the Acting Chair of the Commission for Racial Equality (CRE), on 30 October. This was the first official meeting as, due to diary commitments, previous meetings have not been possible.

My right hon. Friend last met with Gurbux Singh on 29 May 2002, in an official capacity.

The Home Secretary has regular quarterly meetings with the Chair or Acting Chair of the CRE to keep each other updated on issues of current and mutual interest with regard to race relations and equality. They also meet on other occasions during the year.

Keith Vaz: To ask the Secretary of State for the Home Department in which publications the post of Chairman of the CRE has been advertised. [77965]

Beverley Hughes: The advertisement has appeared in the following publications:

Daily Mail
Daily Telegraph
Asian Times, Eastern Eye, Caribbean Times, New Nation
Jewish Chronicle
Scotland on Sunday
Scotsman
South Wales Echo
The Guardian
The Sunday Telegraph
The Sunday Times
The Times
Voice
Western Mail

Websites:

Muslim News website (the publication timetable did not allow for it to go in the monthly newspaper)
Office of the Commissioner of public appointments (OCPA) and Home Office Public Appointments
The Times/Sunday Times
The Guardian

Criminal Justice

Vera Baird: To ask the Secretary of State for the Home Department what action he will take to alter public perception found in Improving Public Attitudes to the Criminal Justice System, Home Office Research Study 245, that crime was increasing. [73782]

Hilary Benn: The Government believe that the key to improving public perception of crime and criminal justice is to continue to deliver reductions in crime and improvements in the way the criminal justice system operates.

The recently published White Paper, Justice for All, set out what needs to be done to modernise and improve the Criminal Justice System (CJS). The Home Office has been set targets for reducing crime and the fear of crime, improving the delivery of justice and increasing confidence in the criminal justice system.

The Government are committed to improving the prevention and detection of crime, convicting the guilty and rehabilitating offenders so they do not offend again. Reform will also ensure that justice is seen to serve and protect the interests of the community, and especially victims of crime.

The presentation of statistical information about crime has been made clearer and more comprehensive by combining publication of recorded crime statistics and information from the British Crime Survey. An objective in all our communication activity is to work with our partners to close the gap between the public perception that crime is rising against the reality of long term falls in crime. The media make an important contribution to public perceptions of crime, and efforts are being made to encourage responsible reporting of crime. We are also exploring alternative ways to provide accurate information about crime to the public.

The Government have made a commitment to increase the number of crimes that result in the perpetrator being brought to justice, an initiative called 'Narrowing the Justice Gap'. A co-ordinated strategy based on: tackling weaknesses in the criminal justice process; targeting types of offender, particularly persistent offenders; and targeting specific types of offence, aims to bring 1.2 million offences to justice by 2005–06. Narrowing the justice gap not only reduces crime but also demonstrates that the criminal justice system is effective and responsive to the needs and concerns of victims and witnesses. The perception that criminals are "getting away with it" is hugely damaging to confidence levels. The Government have made improvement in this area their key aim for the CJS.

We also have a responsibility to promote confidence in the CJS and we are actively working on a programme of work in this area. This will be based on ensuring that the public are aware of the impact of reform and improvements in the delivery of justice.

Entitlement Cards

David Winnick: To ask the Secretary of State for the Home Department when the consulation is due to end on the issue of entitlement cards. [78352]

Beverley Hughes: The consultation paper on Entitlement Cards and Identity Fraud published by my right hon Friend the Home Secretary on 3 July stated that the consultation period would last until 10 January 2003.

The Government has decided to extend the consultation period to 31 January 2003 to allow organisations a little more time to prepare their responses.

Fireworks

Chris Ruane: To ask the Secretary of State for the Home Department how many deaths and serious injuries have been caused by fireworks in the UK in each of the last 20 years; and if he will make a statement. [76151]

Miss Melanie Johnson: I have been asked to reply.

The years for which the number of deaths and injuries from fireworks are available are specified in the table. These figures are extracted from the annual DTI firework injuries statistics based on returns from the accident and emergency departments of hospitals in

Great Britain. They are collected over a 4-week period in October and November each year. Serious injuries are not separately identified in the statistics.

	Overall firework injuries	*Deaths from firework injuries*
1990	805	0
1991	723	0
1992	942	0
1993	1,058	0
1994	1,574	0
1995	1,529	0
1996	1,233	0
1997	908	0
1998	831	0
1999	1,056	0
2000	972	2
2001	1,362	0

Mal Hussain

Harry Cohen: To ask the Secretary of State for the Home Department if he will set up a public inquiry into the case of Mr Mal Hussain of the Ryelands estate in Lancaster and the role of the public authorities in protecting him from racial harassment; and if he will make a statement. [77338]

Beverley Hughes: This matter is under consideration and a decision will be announced shortly.

Registered Charities (Sports Clubs)

Mr. Greenway: To ask the Secretary of State for the Home Department (1)if he will list community amateur sports clubs that are now registered as charities; [78012]

(2) how many community amateur sports clubs *(a)* have applied and *(b)* are registered with the Charity Commission as a community amateur sports club. [78014]

Beverley Hughes: This is a matter for the Charity Commission as the Government Department that registers charities in England and Wales. The Director of Operations of the Charity Commission will write to the hon Member and a copy of his reply will be placed in the Library.

INTERNATIONAL DEVELOPMENT

African Natural Resources

Dr. Tonge: To ask the Secretary of State for International Development (1) what discussions her Department has had with the Governments of *(a)* Rwanda and *(b)* Uganda regarding illegal exploitation of natural resources by their citizens in the DRC; and what action these Governments plan to take; [77060]

(2) what discussions her Department has had with the Governments of *(a)* Rwanda, *(b)* the DRC, *(c)* Uganda and *(d)* Burundi regarding border controls and their ability to monitor the flow of natural resources with particular reference to *(i)* diamonds and (ii) cotton. [77061]

Clare Short: There have been regular discussions with the Governments of Uganda and Rwanda at both ministerial and official levels since the first UN panel report on exploitation of resources in the DRC was published. We have urged both Governments to work openly and constructively with the panel team and take seriously any allegations of exploitation. The final UN panel report was issued on 18 October. The Government of Uganda have already established a judicial enquiry into the allegations in a previous report, and this report is due on 15 November. The Government of Rwanda have rejected this report, as they did earlier ones, on the grounds that it is politically motivated and lacking in corroborative evidence. While we share many of the Government of Rwanda's criticisms of the report, we will continue to encourage the Government of Rwanda to take action to address the panel's accusations in an open manner. We believe the most important focus for future work is achieve peace and work to help the DRC and other Great Lakes countries put trade and the exploitation of mineral resources on to a well-regulated, transparent basis.

Burundi

Mrs. Spelman: To ask the Secretary of State for International Development if she will make a statement on the peace process in Burundi and the assistance provided by the British Government to that process. [76899]

Clare Short: We are supporting all international efforts to promote an end to conflict and achieve a secure and lasting peace in Burundi, through full implementation of the Arusha Peace Accord, as a necessary prerequisite for sustained economic development. We are at the same time helping to address the immediate material needs of Burundi's people by supporting humanitarian programmes largely through non-governmental channels.

There have been some positive developments in the on-going peace process. The Regional Summit held in Dar-es-Salaam on 7 October welcomed the recent signing of a cease-fire agreement with the Transitional Government of Burundi by two of the remaining rebel forces not party to the Arusha Peace Accord, CNDD-FDD (Jean-Bosco) and PALIPEHUTU-FNL (Mugabarabona). The summit agreed an extension of 30 days to allow for the negotiation of similar cease-fire agreements with the two largest remaining rebel groups CNDD-FDD (Nkurunziza) and PALIPEHUTU-FNL (Rwasa).

The British Government have been co-ordinating with other donors to help the facilitation efforts of the South Africans, Gabonese and Tanzanians. We have committed £250,000 to this through ACCORD, a South African NGO involved in peace-building in the Great Lakes region and elsewhere. We are also providing support to peace and reconciliation activities in Burundi through other NGOs

Cote d'Ivoire

Hugh Bayley: To ask the Secretary of State for International Development what assessment her Department has made of the humanitarian impact of the conflict in Cote d'Ivoire; what response her

Department and the international community have made to those needs; what steps are being taken to establish peace; and if she will make a statement. [76923]

Clare Short: We have not undertaken an independent assessment of the humanitarian impact of the conflict in Cote d'Ivoire. However we are monitoring the situation closely and are in regular contact with UN agencies in the field. The UN held an Emergency Regional Contingency Planning meeting in Accra from 17–18 October to discuss the situation. We are awaiting their assessment of likely humanitarian needs.

We are working closely with the international community to bring about a swift and peaceful resolution to the conflict. We consider that the best hope for peace lies in an African led solution and we are supporting the efforts of ECOWAS (Economic Community of West African States) to mediate in the conflict. An ECOWAS mediation team has succeeded at establishing contact with the rebels and gaining commitment from both parties to a ceasefire and the start of negotiations. It is also proposed that an ECOWAS monitoring force be established to replace the French troops currently providing a buffer force between the two sides. The plans for this force are still under discussion. The UK has provided a military adviser to assist ECOWAS in their efforts.

Departmental Job Vacancies

Mr. McNamara: To ask the Secretary of State for International Development how many job vacancies there were at *(a)* administrative assistant or equivalent, *(b)* administrative officer or equivalent, *(c)* administrative executive officer, *(d)* higher executive officer, *(e)* senior executive officer, *(f)* grade 7 principal and *(g)* all positions above grade 7 level in her Department for jobs located in London and *(i)* the south-east between 1 April 2001 and 31 March; and what is the total employment for each civil service grade. [76551]

Clare Short *[holding answer 28 October 2002]:* The total numbers of staff in each civil service grade employed in DFID's London headquarters is set out in the table. There are no DFID staff employed in the south-east region outside London. Details of vacancies are not collated centrally and are, therefore, unavailable. However, it is worth pointing out that, by and large, DFID does not have difficulty in recruiting staff in London and vacancies rarely remain unfilled for any length of time.

Total staff in London—position as at 1 April 2001	*Grade*
45	C2 (administrative assistant equivalent)
137	C1 (administrative officer equivalent)
130	B2 (executive officer equivalent)
184	B1 (higher executive officer equivalent)
39	A3 (senior executive officer equivalent)
140	A2 (grade 7 equivalent)
164	above A2 (grade 6 and above)

Ghana

Dr. Tonge: To ask the Secretary of State for International Development (1) what discussions her Department has had with the Government of Ghana regarding urban street children; [76971]

(2) what initiatives her Department supports to eliminate the poverty of urban street children in Ghana. [76972]

Clare Short: The Government are committed to supporting the Government of Ghana to deliver its priorities against the Ghana Poverty Reduction Strategy (GPRS). Children in difficult circumstances, such as street children, are identified as a vulnerable and excluded group in the GPRS. Planned Government of Ghana interventions include slum upgrading and partnership programmes with non-government organisations that seek to safeguard children. The Government are also supporting civil society initiatives that protect children in Ghana and West Africa through the Civil Society Challenge Fund and Partnership Programme Agreements with Action Aid and Save the Children.

Intellectual Property Rights

Dr. Tonge: To ask the Secretary of State for International Development what assessment she has made of the report of the Commission on Intellectual Property Rights; and if she will make a statement. [76969]

Clare Short: I refer the hon. Member to the answer I gave to the hon. Member for Meriden on 28 October 2002, *Official Report*, columns 548–49W.

Overseas Aid (Indonesia)

Dr. Tonge: To ask the Secretary of State for International Development what financial assistance her Department *(a)* has offered and *(b)* plans to offer the Government of Indonesia to assist with the *(i)* victims of the terrorist bomb in Bali and (ii) loss of livelihoods incurred by employees within the tourist sector in Bali. [76975]

Clare Short: The immediate medical needs of Indonesian victims of the terrorist bomb have been met by the Government of Indonesia and Balinese non-government organisations. Officials from my Department have undertaken an assessment of longer term needs, alongside colleagues from the United Nations, Australia and the United States. Based on this assessment we are considering a range of activities to support victims of the bombing, including post trauma counselling, conflict prevention initiatives and technical support for the Indonesian authorities in Bali.

In addition, DFID, other donors and the Government of Indonesia, are assessing the impact of the bombing on the national and local economies, and will consider how best donors can support economic recovery. My Department will contribute to the international effort once needs are defined.

Presidential Meeting

Dr. Tonge: To ask the Secretary of State for International Development if she will make a statement

on the outcome of the meeting between President Museveni and President Kagame in London last week. [76970]

Clare Short: President Museveni and President Kagame recommitted themselves and their Governments to the Understanding they signed last November in London on not interfering in each others' political and security affairs. They agreed to make more regular and effective use of the mechanisms that had been put in place to resolve differences and to avoid recourse to the use of the media. The UK agreed to continue to act as third party in this process.

Equally importantly, Presidents Museveni and Kagame agreed to work together to achieve pace and stability in the region. They urged President Mbeki of South Africa, as Chairman of the African Union, to convene an urgent regional summit to call on all parties to fully implement the Pretoria and Luanda peace agreements.

Presidents Museveni and Kagame shared my deep concern at the situation in Burundi and agreed we should all work together, especially with the Governments of Tanzania and South Africa, to get a full ceasefire and support the Transitional National Government under the Arusha Accords.

Sudan

Mr. Laurence Robertson: To ask the Secretary of State for International Development what action she is taking to help end the war in Sudan; and if she will make a statement. [77038]

Clare Short: The UK role in supporting the peace process is led jointly by the FCO and DFID. The UK Special Representative for Sudan, Alan Goulty, leads the UK observer delegation at the peace talks. He is supported by a joint FCO-DFID Sudan Unit. He and his team co-ordinate with the mediators and other observers at Machakos so that we can complement each other's efforts to deliver the best results. We carry out intensive consultations with the Government of Sudan and the Sudan People's Liberation Movement/Army in Khartoum and elsewhere. We ensure that UK policy and the peace process are fully understood by other interested Governments and co-ordinate with international partners, including the EU; our collective approach to implementing an eventual peace agreement. This year, we have committed over £8 million to support both humanitarian work and the peace process.

UNHCR

Mrs. Spelman: To ask the Secretary of State for International Development what *(a)* assessment her Department has made of safeguards against and *(b)* discussions she has had with the UNHCR regarding the sexual exploitation of women in refugee camps. [76907]

Clare Short: My Department has closely monitored developments regarding the investigation by the UN Office of Internal Oversight Services (OIOS) into allegations of sexual exploitation of refugee women and girls by humanitarian aid workers and peacekeepers in refugee camps in West Africa. While the OIOS report found no involvement by UNHCR staff in acts of sexual exploitation, from a total of 43 cases of possible sexual exploitation investigated by the OIOS team 10 cases were substantiated by evidence. This finding confirms that the issue of sexual exploitation is a significant one and that it is not just confined to West Africa—but wherever refugees find themselves in similarly desperate and vulnerable circumstances.

The report crucially identifies several factors which contribute to sexual exploitation in refugee communities including aspects of refugee camp life, camp structure, camp security, food and services distribution, employment opportunities, profiles of camp workers, and the quality and quantities of food and other relief items distributed.

UNHCR has, in partnership with other concerned UN agencies, instituted a number of remedial measures and preventative actions to enhance the prevention and response to sexual and gender-based violence. Specifically, in West Africa these include: increasing the accountability of humanitarian workers through the design of country-specific standards, applicable to all UN agencies and international and local NGOs; raising awareness of rights and entitlements in refugee communities through education and advocacy campaigns; increases in-field presence and improved training in sexual training and gender-based issues for UNHCR staff; improved reporting and monitoring procedures to speed up the identification of victims; building on existing programmes to better facilitate equal access and control of material resources as well as strengthening support to victims and groups at risk.

There exist additional measures which extend to the rest of Africa which, in turn, complement UNHCR's efforts on a global front, specifically the UNHCR Code of Conduct which aims to guide the behaviour and attitude of all UNHCR international and local staff in terms of the standards of conduct that are expected to be adhered to in the UN Charter and the Staff Regulation and Rules.

We will, through our close relationship with UNHCR in the field and through our participation at the Standing and Executive Committees in Geneva, continue to monitor progress on all these fronts.

World Food Programme (Africa)

Mr. Simon Thomas: To ask the Secretary of State for International Development what contribution her Department has made to *(a)* the World Food Programme for Saharawi refugees and *(b)* the additional appeal by the WFP for funding for Saharawi refugees in the last year. [77399]

Clare Short: DFID has not contributed directly to the World Food Programme (WFP) funding for Saharawi refugees. Our assistance to the Saharawi refugees is channelled through contributions to the European Community Humanitarian Office (ECHO). A new global plan agreed by the EC in May will provide €14.34 million of assistance to the Saharawi refugees over a 15-month period. The total assistance provided since 1993 is over €95 million, including over €79 million in food aid co-ordinated by ECHO, the office of the United Nations High Commissioner for Refugees (UNHCR) and the WFP. ECHO works in close co-ordination and

co-operation with the WFP to provide basic food items to the Saharawi refugees. 19 per cent. of ECHO funding comes from my Department's budget.

Yugoslavia

Mr. Randall: To ask the Secretary of State for International Development what organisations she met on her recent visit to Yugoslavia; and with whom she had discussions. [77295]

Clare Short: I visited Belgrade on 7 October 2002, to meet with various Republic of Serbia and Federal Republic of Yugoslavia (FRY) representatives; I then flew to Pristina to have meetings with Kosovo and UN representatives, returning to the UK on 9 October. Meetings held were as follows:

Separate meetings	*Roundtable discussions*
Belgrade	
Vojislav Kostunica, FRY President	Gordana Matkovic, Serbian Minister of Social Affairs
Miroljub Labus, FRY Deputy Prime Minister	Dragan Milovanovic, Serbian Minister of Labour and Employment
Goran Svilanovic, FRY Foreign Minister	Aleksandar Vlahovic, Serbian Minister of Economy and Privatisation
Goran Pitic, Serbian Minister for International Economic Relations	Dejan Popovic, Serbian Deputy Minister of Finance
Rory O'Sullivan, Head of the World Bank Office, Belgrade	Gordana Lazarevic, Assistant Minister, Serbian Ministry of International Economic Relations
Richard Zink, Director European Agency for Reconstruction	Discussion with DFID funded consultants on Privatisation, Banking, Social Policy and Justice projects
Pristina	
Ibrahim Rugova, President of Kosovo	Jean-Christian Cady, Deputy Special Representative for UNMIK Pillar One (Police and Justice)
Bajram Rexhepi, Prime Minister of Kosovo	Gerard Fischer, UNMIK Pillar Two (Civil Administration)
Charles Brayshaw, Principal Deputy Senior Representative of the Secretary General, United Nations Interim Administration Mission in Kosovo (UNMIK)	Freidhelm Frischenschlager UNMIK Pillar Three (Institution-Building)
Richard Zink (Director), Michael Doyle (Head of Programming) and Thierry Bernard-Guele (Head of Operations), European Agency for Reconstruction	Andy Bearpark, Deputy Special Representative for UNMIK Pillar Four (Reconstruction)
	Other donors: Sidi Boubacar (World Bank), Earl Gast (USAID), Robert Piper (UNDP), Peter Rondorf (German Office), Anna Maria Madsen (Danish Ministry of Foreign Affairs), Tamara Sorger (CIDA), Christoffer Sjoholm (SIDA) and Valerie Sluitjer (Netherlands Office)
	Young Kosovar Representatives: Arianit Shehu (National Democracy Insitute), Jetemir Balaj (Forum(NGO), Arieta Emra (British Council), Leon Malazogu (Kosovo Civil Society Foundation), Albin Kurti (student leader) Jehona Gjurgjeala (KACI(NGO), Fisnik Abrashi (Chevening Scholar),
	Tanja Martic (OSCE) and Vladimir Josifovic ('Just Do It'(NGO)

LORD CHANCELLOR'S DEPARTMENT

Firefighters' Strike

Mr. Evans: To ask the Parliamentary Secretary, Lord Chancellor's Department what preparations he has made to ensure the safety and continuity of service to the public in the event of a firefighters' strike. [77668]

Ms Rosie Winterton: I refer the hon. Member to the answer given by the Minister for Local Government on 28 October 2002, *Official Report*, column 527W.

Public Guardianship Office

Mr. Edwards: To ask the Parliamentary Secretary, Lord Chancellor's Department if the Public Guardianship Office public service agreement contains assurances about the time it would normally take to deal with cases; and if he will make a statement. [77774]

Ms Rosie Winterton: The Public Guardianship Office (PGO) has Service Delivery Agreement targets, (SDAs) supporting the Lord Chancellor's Department Public Service Agreements (PSAs).

The PGO's targets are as follows:

> by 2004 to complete the review of 100 per cent. of accounts received or have requested further information within four weeks of receipt, with an interim target of 95 per cent. within six weeks by 2002 (to apply to both Receivership and Protection Divisions);
>
> and by 2004, to collect 65per cent. of accounts within two calendar months of the accounting end date, 85 within four calendar months of the accounting end date, and 100 per cent. within six calendar months of the accounting end date referring cases to the Court of Protection where necessary or taking other steps to ensure proper accounts are produced on behalf of clients [applies to Protection clients only].

The PGO is on course to meet these targets.

Service to the Community

Dr. Naysmith: To ask the Parliamentary Secretary, Lord Chancellor's Department what steps he is taking to encourage employers to enable employees to undertake service to the community for magisterial and other duties without being out of pocket; and if he will make a statement. [78322]

Yvette Cooper: Many employers view service as a magistrate as a valuable contribution and allow their employees paid time off to undertake their duties. Where magistrates do not receive paid time off they can claim a financial loss allowance linked to average gross earnings. The LCD is working with the Magistrates Association, with whom it has produced a guide for employers, and through local Advisory Committees, who are in touch with businesses in their area, to encourage employers to support staff who wish to serve the community in this way

MINISTER FOR WOMEN

Women Entrepreneurs

32. **Mr. Huw Edwards** What she is doing to increase the number of women setting up their own businesses. [76452]

Ms Hewitt: The Cross-cutting Review of Government Services for Small Businesses, published earlier this month, reinforced our commitment to encourage more women entrepreneurs. Yesterday I attended the launch of Prowess, an organisation promoting women's enterprise, which is supported by the Small Business Service's Phoenix Fund. The SBS is working with Prowess and key Departments to develop a strategic framework to foster women's enterprise.

Race and Employment Directives

34. **Joan Ruddock**: If she will make a statement on the implementation of the Article 13 Directives on Race and Employment and the feasibility study on a single equality body. [76454]

Ms Hewitt: My hon Friend the Member for Hornsey and Wood Green (Mrs. Roche) last week published a summary paper setting out the Government's plans to take forward implementation of the Race and Employment Directives, and a consultation paper on creating the right framework to support equality legislation.

Equal Pay

33. **Michael Fabricant:** What proportion of her time was spent over the last month on the pay gap between the sexes. [76453]

Ms Hewitt: In the last month I have launched the public consultation on the Equal Pay Questionnaire. My hon Friend the Member for Hornsey and Wood Green (Mrs. Roche) and I have hosted the first annual Castle Awards ceremony, which recognised steps taken by employers to address issues of pay inequality. Because the provisions of appropriate childcare for working parents can help in closing the gender pay gap, I have also been working with my noble Friend the Baroness Ashton of Upholland and colleagues in other Government Departments on developing a delivery plan for childcare.

35. **Mr. Kidney:** To ask the Minister for Women what plans she has to introduce legislation to enforce equal pay by criminal law sanction. [76455]

Ms Hewitt: I have no plans to enforce equal pay by criminal law sanction. Since the Equal Pay Act was introduced in 1970 the pay gap has reduced from 37 per cent. to 19 per cent. today.

We have amended the law to provide for equal pay questionnaires and every Government Department and Agency is conducting an Equal Pay review by April 2003.

36. **Jim Knight**: What steps she is taking to reduce the pay gap between the sexes. [76456]

Ms Hewitt: The Government has set in place a number of measures designed to tackle the gender pay gap. We are leading by example, through our commitment to equal pay reviews in the Civil Service'; we are making it easier for women to get equal pay through changes in the Employment Act 2002; we are making it easier for employers to pay fairly through the work of the Fair Play Champions and the Castle Awards, and we are tackling the wider causes of the pay gap by helping mothers stay attached to the labour market, investing more resources than any other Government in childcare, improving the skill levels of those already in the labour market and helping employers make the most of their female workforce.

Public Appointments

37. **Dr. Harris**: What progress has been made in increasing the proportion of women appointed to non-departmental public bodies since 1997. [76457]

Ms Hewitt: At 31 March 2001, as set out in Public Bodies 2001, 34 per cent of appointments were held by women, this is 2 per cent. up since 1997.

We are determined to deliver on our aim that women should hold 45–50 per cent. of public appointments made by the majority of Government departments by the end of 2005 and to address any constraints on diversity and equal representation.

Throughout 2002, we have led a national outreach campaign on women and public appointments, we have reached over 2000 women across the country and the vast majority have said they are now more likely to apply for public appointments.

Political Candidates

38. **Mr. Graham Allen**: What assistance she offers to political parties who wish to reduce the imbalance between the sexes among their candidates. [76458]

Ms Hewitt: The Sex Discrimination (Election Candidates) Act received Royal Assent in February this year. It enables political parties, if they wish, to use positive measures to reduce inequality in the numbers of men and women elected.

We are also reforming government to make it a more attractive option to women, through improving the hours and working environments at all levels of government. However, it is for political parties themselves to decide arrangements for selecting parliamentary candidates. The Government has provided the framework and I am encouraged by the level of cross party support we received for the Sex Discrimination (Election Candidates) Act. It has galvanised debates within all parties and I very much hope that as a result we shall see more women being selected to stand.

Greenfield Report

39. **Dr. Gibson :** When she will release the Greenfield Report. [76460]

Ms Hewitt: I am looking forward to receiving the final version of the noble Baroness Greenfield's report on women in Science, Engineering and Technology. I

expect to receive the final version of Baroness Greenfield's report on how we can better promote women in Science, Engineering and Technology by the end of next month. The Department will publish the report as soon as we receive it.

Work-life Balance

40. **Mr. Crausby:** What action she is taking to enable working women to balance work and family life. [76461]

Ms Hewitt: From next April, working women will benefit from the enhanced maternity pay and leave; and mothers, as well as fathers with children under the age of 6, or disabled children under 18, will have the right to apply for flexible working arrangements. Their employers will have a statutory duty to consider their requests seriously. The Government's Work-Life Balance Campaign also encourages all employers to follow best practice and offer flexible working arrangements to the benefit of all working women.

By 2003–4, annual investment in the Government's National Childcare Strategy will have increased to over £200 million, a three-fold increase on the £66 million in 2000–1, to benefit 1.6 million children in England.

Two new tax credits will be introduced next April, the Child Tax Credit, income related and paid directly to the main carer in the family; and the Working Tax Credit paid to low income working people with or without children. These will replace the existing tax credits, and simplify the system to ensure that people get financial support when they most need it.

NORTHERN IRELAND

Chief Inspector of Criminal Justice

Lady Hermon: To ask the Secretary of State for Northern Ireland if he will make a statement on progress made in appointing the new Chief Inspector of Criminal Justice. [76301]

Mr. Browne: Work is ongoing on a revised Implementation Plan for the Criminal Justice Review, which will include details of progress made on the establishment of a Criminal Justice Inspectorate and the appointment of a new Chief Inspector of Criminal Justice in Northern Ireland. The appointment will be made through open competition. We hope to publish the revised Implementation Plan by early 2003.

Lady Hermon: To ask the Secretary of State for Northern Ireland if he will list the additional organisations to come within the remit of the new Chief Inspector of Criminal Justice. [76302]

Mr. Browne: The Lord Privy Seal (The Lord Williams of Mostyn) will shortly be writing to Members, following an undertaking at Lords Third Reading stage of the Justice (Northern Ireland) Act, to update them on progress made on the consultation process on which additional organisations might be added to the list of organisations which will come under the remit of the Chief Inspector of Criminal Justice. We hope to bring forward a draft order, using the order-making power at section 46(6) of the Act, before the Christmas recess.

CBI Business Manifesto

Mr. McGrady: To ask the Secretary of State for Northern Ireland what assessment he has made of the Business Manifesto issued by the Confederation of British Industry for Northern Ireland; and if he will make a statement. [77600]

Mr. Pearson: I welcome this Business Manifesto, which sets out how the CBI sees the important interaction between the public and private sectors to achieve a better economic future. The Manifesto addresses many of the issues which are of critical importance to the development of the Northern Ireland economy and which relate closely to the strategic priorities developed by the Economic Development Forum. I look forward, with my ministerial colleagues, to exploring the proposals contained in the Manifesto.

Down Lisburn Trust

Mr. McGrady: To ask the Secretary of State for Northern Ireland what steps will be taken to improve levels of funding to the Down Lisburn Trust by the Eastern Health and Social Services Board. [77596]

Mr. Browne: The Eastern Health and Social Services Board is currently reviewing the equitable distribution of resources to its sub-board populations in light of the recently published results of the 2001 Census of population. Based on the results of this review, the Board will develop a strategy to address the locality equity issue. Following public consultation the implementation of the resultant strategy should commence from April 2003.

Downpatrick (New Hospital)

Mr. McGrady: To ask the Secretary of State for Northern Ireland if he will announce a new hospital for Downpatrick in December. [77597]

Mr. Browne: Decisions on the way forward on the redevelopment of the Downe Hospital will be taken following analysis and consideration of the responses to the consultation paper "Developing Better Services—Modernising Hospitals and Reforming Structures". While I would like to be in a position to announce the way forward before the end of this year, it is not possible, at this stage, to be definitive about when decisions will be taken.

Lee James Booth

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland for what reason a post-mortem report was not made available to the bereaved parents of Lee James Booth until 22 July; and whether it is the normal practice for fluids to be administered by mouth so soon after major surgery. [76650]

Mr. Browne: I understand that in seeking to respond to the high volume of calls from distressed relatives, pathologists were not able to make the report available to the parents of Lee James Booth until that date. The Royal Victoria Hospital has apologised to the family for the distress that this delay in conveying the report caused all those concerned.

The Royal Victoria Hospital has advised that it is unable to comment on the reasons for any actions taken in respect of Lee James Booth as these would have been contained in the patient's medical record which is no longer available, having been destroyed after 25 years.

Post-mortem Forms

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland where post-mortem forms *(a)* signed and *(b)* unsigned by relatives are stored; and for how many years they are kept in storage. [76631]

Mr. Browne: Normal practice is to keep post mortem consent forms with the patient's medical record. In the case of adults these are kept for eight years. Children's charts are kept for 25 years

Royal Victoria Hospital

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland during what period Dr. Molloy was the resident heart surgeon/consultant at the Royal Victoria Hospital; and during this time, what his heart surgery *(a)* death and *(b)* success rate was. [76632]

Mr. Browne: The information requested is not available.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland if he will list the names of the clergy who have officiated at the dignified disposal of retained organs at the Royal Victoria Hosptial since 1972. [76634]

Mr. Browne: It was not normal practice for clergy to be present at the disposal of retained organs. The Hospital has advised that none were present under the auspices of the Royal Victoria Hospital.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland if he will initiate an inquiry into *(a)* the loss of 10 years' records at the Royal Victoria Hospital and *(b)* the numbers of organs disposed of in clear-outs at the hospital's organ and tissue store. [76635]

Mr. Browne: As the Human Organs Inquiry observed, it was never anticipated that the records of post mortems would come under such scrutiny so many years after being written. They are not generally computerised and some of them have been lost over time. The inquiry report drew attention to the inadequacy of record-keeping systems, including difficulties in identifying and tracking organs once they were removed. An inquiry into the loss of these particular records is not considered necessary, and my Department has established a steering group to see that improvements in record keeping will be identified and implemented. The method of record keeping previously used within the Royal does not allow for information on the numbers of organs disposed of in clear-outs at the hospitals organ and tissue store to be collated.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland when an organ was last retained following a post-mortem performed at the Royal Victoria Hospital; and what access relatives have to information as to what happened to retained organs. [76639]

Mr. Browne: The Royal Victoria Hospital has informed me that on occasion it is still necessary to retain organs for examination. This is only done with the fully informed consent of relatives who agree in advance on what will happen to the retained organs.

PRIME MINISTER

Mr. Andrew Adonis

David Winnick: To ask the Prime Minister (1) if he will list the duties and responsibilities of Mr. Andrew Adonis; what dealings he has directly with Ministers; to whom he reports; and whether he has applied for leave of absence; [78351]

(2) on what basis Mr Andrew Adonis was appointed; and for how long it is intended he remains in his present post. [78350]

The Prime Minister: I appointed Andrew Adonis on 20 April 1998 as a special adviser under the terms and conditions set out in the Model Contract for Special Advisers and in line with the requirements of paragraph 50 of the Ministerial Code.

Mr Adonis is Head of Policy in my office. The duties and responsibilities of special advisers are set out in the Code of Conduct for Special Advisers at Schedule 1 to the Model Contract.

Regulation of Investigatory Powers Act

Mr. Watson: To ask the Prime Minister when the annual report of the Commissioner appointed under section 59(1) of the Regulation of Investigatory Powers Act 2000 will be laid before the House; and if he will make a statement. [79201]

The Prime Minister: A copy of the annual report for 2001 by the right hon. Lord Justice Simon Brown has been laid before the House today in accordance with section 60 (4) of the Regulation of Investigatory Powers Act 2000. The confidential annex to the report has been excluded from that copy in accordance with section 60 (5) of the Act and in line with the Commissioner's recommendation.

Lord Justice Simon Brown has served as Commissioner for the Security Service, the Secret Intelligence Service and Government Communications Head Quarters since his appointment on 1 April 2000 under the Security Service Act 1989 and the Intelligence Services Act 1994. Since 2 October 2000 his role has continued as Intelligence Services Commissioner by virtue of Section 59 (1) of the regulation of Investigatory Powers Act 2000. This is his second report. I am very grateful to him for all his work as Commissioner.

Mr. Watson: To ask the Prime Minister when the annual report of the Commissioner appointed under section 57 of the Regulation of Investigatory Powers Act 2000 will be laid before the House; and if he will make a statement. [79202]

The Prime Minister: A copy of the report for 2001, by the right hon. Sir. Swinton Thomas, has been laid before the House today in accordance with section 58(6) of the Investigation of Investigatory Powers Act 2000. The

confidential annex to the report has been excluded from that copy in accordance with section 58(7) of the Act and in accordance with the Commissioner's recommendations. Sir. Swinton was originally appointed Commissioner in April 2000 under the Interception of Communications Act 1985, continuing in the role from 2 October 2000 under Section 57 of the Regulation of Investigatory Powers Act. This is his second report. I am very grateful to him for all his work as Commissioner.

PRESIDENT OF THE COUNCIL

Departmental Websites

Dr. Cable: To ask the President of the Council if he will list the website links associated with his Department, including sites now dormant or closed, and indicating whether they are live, dormant or closed; what the start up costs were for each site listed; what the operating costs were in each year since start up for each site; which company hosted each site; what assessment takes place for each site; which company does the assessment; if he will place the assessment reports in the Library; and if he will make a statement. [75578]

Mr. Robin Cook: The following links, all of which are live, point to my Department's main website (www.privycouncil.gov.uk).

www.privy-council.org.uk
www.privycouncil.com
www.privycouncil.co.uk
www.privycouncil.org.uk
www.privy-council.co.uk
www.privycounciloffice.co.uk
www.privycounciloffice.org.uk
www.privycounciloffice.gov.uk
www.pco.gov.uk

The cost of registering all these names was £575.75. The information on start-up costs is currently not available as the site has been in operation only since July 2002.

The site is hosted by XM London who regularly review feedback from users. The Department intends to review the content and style of the website after it has been in operation for a year.

Focus Groups

Mr. Allen: To ask the President of the Council what use he and his Department has made of focus group research since June 2001; if he will identify for each research project the topics covered, the person or organisation carrying out the research, and the total cost; and if he will publish the research on his Department's website. [74984]

Mr. Robin Cook: My Department has not made use of focus group research since June 2001.

TRADE AND INDUSTRY

Science and Engineering Education

10. **Michael Fabricant:** To ask the Secretary of State for Trade and Industry, what discussions she has had with her ministerial colleagues on the promotion in the workplace of science and engineering education among 16 year olds. [76427]

Alan Johnson: My right hon. Friend the Secretary of State for Education and Skills has lead responsibility for education matters, but I and other Ministerial colleagues, notably my noble Friend the Minister for Science and Innovation, are also interested and discuss these matters with our colleagues as and when appropriate.

20. **Dr. Naysmith:** To ask the Secretary of State for Trade and Industry if she will make a statement on the initiatives her Department has been developing to encourage entrepreneurial education for science and engineering students. [76440]

Ms Hewitt: The Department introduced the Science Enterprise Challenge to establish a network of centres in UK universities, specialising in the teaching and practice of entrepreneurialism and commercialisation in science and technology.

Thirteen Science Enterprise Centres have been established involving 54 UK universities with £43.9 million of government funding.

Post Office Card Account

9. **Mr. David Stewart:** To ask the Secretary of State for Trade and Industry, what plans she has to promote the use of the Post Office card accounts in rural and urban post offices. [76426]

Mr. Timms: The post office card account is one of a range of accounts which people will be able from next year to receive benefit payments into. Our aim is that people should be able to choose the option which suits them best. Information about all the options is being supplied to customers by the Department of Work and Pensions and the Inland Revenue.

29. **Mr. Weir:** To ask the Secretary of State for Trade and Industry what plans she has to ensure that persons with disabilities can make full use of the post office card account. [76449]

Mr. Timms: Benefit and tax credit recipients, including those customers with disabilities, will be offered a range of account options to enable them to receive their money once payment directly into a bank or building society account (including the card account) becomes the normal method of payment from April 2003. The post office card account has no overdraft facilities and is limited to direct payment of benefits, pensions and tax credits by Government agencies only but this limited functionality will attract some individuals because of its simplicity. A second card will also be available for use by a nominee for those customers unable themselves to collect their money at the post office. This facility may be of assistance to some customers who are disabled.

Mr. Robathan: To ask the Secretary of State for Trade and Industry what assessment she has made as to whether the Post Office card account will pass the Government's proposed CAT standard. [76339]

Mr. Timms: The Government have no plans to produce a CAT standard for the Post Office card account. The card account is the only account of its type, quite distinct from current accounts and basic bank accounts. It is a very simple account for benefit, pension and tax credit recipients. Its functionality is limited to the crediting by Government agencies of benefits, pensions and tax credits, and the withdrawal by the customer of those monies at post offices.

Small Businesses

11. **Mr. Stephen O'Brien:** To ask the Secretary of State for Trade and Industry what recent representations she has received about business regulation affecting businesses in the North West economic region [76429]

Alan Johnson: I meet regularly with business representative bodies such as the CBI, FSB and BCC to discuss issues, including regulations, that affect them.

The latest OECD report notes that,

Entrepreneurs face a better business and regulatory environment in the UK than in most other OECD countries. The Small Business Service (SBS) supports small and medium-sized companies and encourages an environment that fosters enterprise;

The UK is at the forefront of regulatory reform in the OECD, it has already made major improvements and has planned more. Building on what it has already achieved, the UK now faces challenges as well as opportunities to confirm regulatory reform as a key driver of economic performance.

26. **Mr. Todd:** To ask the Secretary of State for Trade and Industry what recent representations she has received concerning the impact of fraud on small businesses, and if she will make a statement. [76446]

Nigel Griffiths: An interdepartmental group has been focusing on credit card fraud and my hon. Friend the Minister for Competition, Consumers and Markets looks forward to receiving their findings.

27. **Hugh Robertson:** To ask the Secretary of State for Trade and Industry what plans she has to alleviate the burden of regulation on small businesses; and if she will make a statement. [76447]

Nigel Griffiths: Since January 2000, we have put in place a number of measures to reduce the burden of regulations on small businesses, including:

employers with four or fewer employees, exempted from requirement to provide access to stakeholder pensions and deduct pension contributions; increased the statutory audit threshold for companies from £350,000 to £1 million. This will relieve up to 150,000 small firms from the burden of a statutory audit, saving them up to £180 million a year; exempted small shops from the new EU unit pricing requirements; exempted employers with 20 or fewer employees from trade union recognition procedures in the Employment Relations Act. The Small Business Service has also: secured a 12-week period between regulations being agreed and implemented, allowing SMEs time to adapt to new regulations; secured the right to be consulted on all new regulations, so impact on SMEs is not disproportionate. Regulatory Impact Assessments (RIAs) have to be produced for regulations setting out costs and benefits;produced clear guidance on a number of complex regulations; published the Regulatory Reform Action Plan—setting out over 250 proposals for better regulation and reform; regularly brought together groups of SMEs to express their views to officials, e.g. for Patrick Carter's review of payroll administration; set up an independent office to represent the views of small firms to the European institutions.

The Business Link Website is now attracting 80,000 users per month—businesses can register to receive alerts about regulations automatically.Further to these measures: around 900,000 SMEs benefit from measures announced in Budget 2002, including 485,000 businesses whose corporation tax bill is cut or abolished, and 700,000 are benefiting from flat rate VAT scheme; regulatory challenge function within the DTI strengthened. A new team created to consider how we challenge existing and future legislation and to ensure all policy makers fully consider alternatives to regulation at the outset of the policy-making process. The UK is not over-regulated compared to other countries: A survey jointly published by Anderson and GrowthPlus benchmarks the business environment in nine EU countries, plus the USA. In this report the UK comes out in first place, for providing the most entrepreneur-friendly environment scoring consistently high in all measured categories.

The Economist Intelligence Unit (E.I.U.) studied the business environment, including regulation, in 60 countries. Results published in the Economist in August 2001, showed the Netherlands, the USA and Britain in the top three places. Recent OECD report into UK regulation concluded the environment is particularly supportive of market openness and competition. The report noted British entrepreneurs face better business and regulatory conditions than in most other OECD economies, it also highlighted support that SBS gives to SMEs and its role in fostering an enterprise culture in the UK.

Post Offices

14. **Dr. Julian Lewis:** To ask the Secretary of State for Trade and Industry if she will make a statement on the future of the rural post office network. [76432]

17. **Mr. Simmonds:** To ask the Secretary of State for Trade and Industry if she will make a statement on the future of the rural post office network. [76436]

Mr. Oaten: To ask the Secretary of State for Trade and Industry when she will announce her proposals for financial support of the rural post offices network; and if she will make a statement. [77866]

Mr. Timms: The Government are committed to the maintenance of a nationwide network, and placed a formal requirement on the Post Office in November 2000 to prevent all avoidable closures of rural post offices. We have received advice from Postcomm on the proposals for supporting the rural network from 2003, and details of substantial financial support will be announced shortly.

Mr. Oaten: To ask the Secretary of State for Trade and Industry if she will make a statement on the future of the rural post office network.

Mr. Timms *[holding answer 29 October 2002]:* We have received advice from the Postal Services Commission on proposals for supporting the rural network from 2003 and details of substantial financial support will be announced shortly.

The Government has already invested in modernisation comprising some £480 million to computerise the whole post office network. We have made available a £2 million fund to support volunteer and community initiatives to maintain or reopen post office facilities in rural areas where traditional services would otherwise close. Figures for end September 2002 showed that 168 applications–to a value of £825,000–had been assessed and approved and to that date payments of £529,000 had also been made.

The Government is committed to the maintenance of a nationwide network of post offices and placed a formal requirement on the Post Office in November 2000 to prevent any avoidable closures of rural post offices.

21. **Mr. Amess:** To ask the Secretary of State for Trade and Industry what recent representations she has on the post office network. [76441]

Mr. Timms: The Department receives representations about the post office network from numerous sources reflecting the valuable role post offices play in their communities. The Government are committed to ensuring that the post office network has a thriving future.

Dr. Cable: To ask the Secretary of State for Trade and Industry whether the Post Office is to be bound by the Urban Counter Cover Obligation; how this obligation will be assessed, and by whom; and if she will make a statement. [77486]

Mr. Timms: A condition of the offer of funding for Post Office Limited's (POL) urban reinvention programme is that upon completion of the programme, there is a post office branch within a mile of not less than 95 per cent. in aggregate of the urban population of the UK.

If POL fails to comply with this obligation, the Government may vary or withhold funding of the programme. POL's implementation of the programme will be monitored by the DTI.

Manufacturing Industry

15. **Mr. Wilkinson:** To ask the Secretary of State for Trade and Industry if she will make a statement on the results of her policies for the promotion of the manufacturing industry. 76433

Alan Johnson: We published our manufacturing strategy on 16 May, building on the TUC/CBI work on productivity and the consensus achieved at the manufacturing summit we hosted last December. In partnership with industry and key stakeholders, we have established and identified seven key areas crucial for manufacturing success and driving up productivity. We are taking action in all of these areas to help UK manufacturers fulfil their potential and move up the value chain to high skill, high value operations by promoting investment, skills, innovation and best practice

16. **Mr. Love:** To ask the Secretary of State for Trade and Industry what action she is taking to encourage a rise in productivity of the manufacturing industry. [76434]

Alan Johnson: The Government's manufacturing strategy was published in May. We have established in partnership with industry and key stakeholders and identified seven key areas crucial for manufacturing success and driving up productivity. We are taking action in all of these areas to help UK manufacturers fulfil their potential and move up the value chain to high skill, high value operations by promoting investment, skills, innovation and best practice.

Andrew Bennett: To ask the Secretary of State for Trade and Industry what progress has been made with implementation of the Government's strategy for manufacturing industry. [76435]

Alan Johnson: The Manufacturing Strategy we published on 16 May identified seven key areas of activity for manufacturing success. We have made significant progress in all of these areas to help manufacturers fulfil their potential in the UK. For example, we have:provided additional resources for regional development agencies to help them to engage local industry with innovation, develop key business clusters and sectors, and stimulate workforce development among local employers; opened seven regional centres for manufacturing excellence;increased investment in science and innovation; and boosted promotion of best practice with the expansion of the Partnership Fund and Industry Forum.

Stop Now Orders

18. **Ross Cranston:** To ask the Secretary of State for Trade and Industry what assessment she has made of the operation of Stop Now Orders. [76437]

Miss Melanie Johnson: No formal assessment has been made of the operation of the Stop Now Orders Regulations. The Office of Fair Trading in their co-ordination role, monitor the operation of the regulations.

There have been 148 cases thus far with five Stop Now Orders obtained from the courts. The majority of cases have been resolved through negotiation with the trader without having to take court action.

Following discussions with Trading Standards Departments we have made available £2.5 million/year through local authority general allocations to fund Trading Standards' new responsibilities in this area. We have also provided funding as part of the Modernisation Fund for projects that support the implementation and use of the regulations locally and supported training events for Trading Standards.

Energy Supply Market

19. **Mr. Kevin Hughes:** To ask the Secretary of State for Trade and Industry if she will make a statement on the situation in the energy supply market. [76439]

Ms Hewitt: I refer my hon. Friend to the answer given earlier today to my hon. Friend the Member for Selby (Mr. Grogan).

Fireworks

22. **Tom Brake:** To ask the Secretary of State for Trade and Industry what additional restrictions are proposed this year on the sale of fireworks. [76442]

Miss Melanie Johnson: I refer my hon. Friend to the answer I gave on 17 October 2002, *Official Report*, columns 889–90W, announcing a package of measures to address problems caused by fireworks.

Paddy Tipping: To ask the Secretary of State for Trade and Industry if she will make a statement on the progress of her review of the legislation governing the sale of fireworks. [74853]

Miss Melanie Johnson *[holding answer 21October 2002]:* I would refer my hon Friend to an answer I gave on the 17 October, *Official Report*, column 889W announcing a package of measures to address problems caused by fireworks.

Brian Cotter: To ask the Secretary of State for Trade and Industry what plans she has to restrict the sale and use of fireworks to *(a)* certain days of the year and *(b)* certain times of the day; and if she will make a statement. [76392]

Miss Melanie Johnson: The Consumer Protection Act 1987 allows the Government to regulate the safety of fireworks supplied to the public, but not the periods when they are sold. This would require primary legislation. We have recently written to major retailers of fireworks and representative bodies to urge them to adhere to the voluntary sales agreement. This restricts the sales of fireworks to three weeks before November 5 and a few days after and for a similar period around new year. We have received a positive response.

As to usage, I would refer the hon Member to the answer I gave on 17 October 2002, *Official Report*, columns 889–90W announcing a package of measures to address problems caused by fireworks. DEFRA are seeking to make it easier for local authorities to use the Night Noise Offence within the Noise Act 1996 which targets excessive noise from domestic premises after 11pm and before 7pm.

Chris Ruane: To ask the Secretary of State for Trade and Industry what recent representations she has received on restricting the use of fireworks; and if he will make a statement. [75875]

Miss Melanie Johnson: We have received widespread representations from members of the public and hon. Members calling for restrictions on the use of fireworks.

Chris Ruane: To ask the Secretary of State for Trade and Industry what measures she has taken to improve quality and safety controls on fireworks; and if he will make a statement. [75876]

Miss Melanie Johnson: I would refer my hon. Friend to an answer I gave on the 17 October 2002, *Official Report*, column 889W announcing a package of measures to address problems caused by fireworks.

Chris Ruane: To ask the Secretary of State for Trade and Industry what steps he is taking to restrict the sale of fireworks outside the traditional sales period prior to Bonfire Night; and if he will make a statement. [75877]

Miss Melanie Johnson: The Consumer Protection Act 1987 allows the Government to regulate the safety of fireworks supplied to the public, but not the period when they are sold. This would require primary legislation. But we have entered into a voluntary agreement with the industry and retail trade whereby fireworks are sold to the public for three weeks before 5 November and for a few days after and for a similar period around New Year.

Mr. Allen: To ask the Secretary of State for Trade and Industry if she will make a statement on Government policy on fireworks. [76430]

David Wright: To ask the Secretary of State for Trade and Industry, what steps she is taking to improve firework safety. [76431]

Miss Melanie Johnson I refer my hon. Friend to the answer given earlier today to my hon. Friend the Member for Bolton, North-East (Mr. Crausby).

Huw Irranca-Davies: To ask the Secretary of State for Trade and Industry what progress has been made on *(a)* the consultation on measures to tackle the misuse of fireworks announced by the Consumer Minister on 1 March and *(b)* the proposal to enable local authorities to refuse or revoke a licence of a retailer where the licensee is not considered to be a fit person for the sale of fireworks. [77968]

Miss Melanie Johnson: I would refer my hon Friend to the answer I gave on 17 October 2002, *Official Report*, columns 889–90W, announcing a package of measures to address problems caused by fireworks.

As part of the package of measures, breaches of the Fireworks (Safety) Regulations 1997, could be taken into account in deciding whether a person was fit to hold a licence. Under the proposed manufacture and storage of explosives regulations the power to withhold or revoke a licence applies only to breaches of health and safety legislation.

Renewable Energy

23. **Dr. Desmond Turner:** To ask the Secretary of State for Trade and Industry if she will discuss with interested parties the possibility of introducing a renewables target for 2020 of 30 per cent. [76443]

Mr. Wilson: I share my hon. Friend's desire to see a very substantial increase in renewable energy generation to help us mitigate the impacts of climate change and to create a more diversified energy market. The aim when setting any target must be to ensure that it is realistic and achievable. Our current target for renewables is that, by 2010, 10 per cent. of electricity sales within Great Britain should come from sources eligible for the recently introduced Renewables Obligation. This will represent a substantial but attainable expansion over the course of the decade.

The Performance and Innovation Unit's report on energy policy which was published last February recommended that the target for the proportion of electricity generated from renewable sources should be increased to 20 per cent. by 2020. In the light of the report the Government are carrying out a review of future energy policy with a view to issuing a White Paper in the new year. The review has included extensive

consultation and is including consideration of the possibility of introducing an increased renewables target for 2020.

Mr. Hoban: To ask the Secretary of State for Trade and Industry if she will make a statement on the discussions between regional development agencies and her Department on the creation of a commercial market for renewable energy and their relative responsibilities. [78483]

Alan Johnson: I recognise the important contribution that regional administrations can make in delivering the Government's demanding targets on renewable energy. Regular discussions are held between the DTI and regional development agencies. These discussions involve Renewables UK, the specialist business unit set up earlier this year to help UK industry to maximise their involvement in renewable energy projects. There has been significant co-operation to date, including the establishment of a fund of £2.5 million allocated to the regional Government Office network to support a range of different activities designed to support the planning and promotion of renewables energy projects and developing targets in regions throughout Britain.

Furthermore, the Government is currently carrying out a review of future energy policy with a view to issuing a White Paper in the New Year. The role of renewables, including the role of regional agencies, will be included in the White Paper.

Textiles Industry

24. **Andy Burnham:** To ask the Secretary of State for Trade and Industry if she will make a statement about the future of the UK textiles industry. [76444].

Alan Johnson: The UK textiles and clothing industry faces a number of tough challenges to its competitive future. Globalisation has placed increasing pressure on it continually to raise its game to remain competitive and UK manufacturers need to adapt and modernise if they are to respond positively to the pace of change.

The DTI is committed to building a sustainable future for the industry and strongly supports the industry's own Textiles and Clothing Strategy Group which aims to increase its competitiveness through the development of innovative products, more efficient production methods and by diversifying into new markets.

Business Start-ups

25. **Mr. Jenkins:** To ask the Secretary of State for Trade and Industry if she will make a statement on the trends in inward investment to the UK since 1997 with special reference to start-up companies and businesses which have since gone bankrupt. [76445]

Alan Johnson: For the financial years 1997–98 to 2000–01, Invest-UK recorded a steady increase year on year of inward investment decisions to invest in the UK from 631 in 1997–98 to 881 in 2000–01. This increase also applied to the number of new projects by either existing foreign owned companies already operating in the UK or by companies locating here for the first time from 192 in 1997–98 to 500 in 2000–01.

There is no requirement on companies to notify Invest-UK of decisions to invest in the UK and so the figures are based only on information volunteered by companies. There are no statistics available which show the number of inward investors which have gone bankrupt.

In 2001–02 there was a drop in project numbers to 827, of which 350 were new projects. This was consistent with the fall in investment levels across the world due to the global economic downturn which critically affected many sectors worldwide. International business confidence was also severely depressed in the aftermath of the 11 September tragedy.

However, figures for 2001 published in September by the United Nations Conference on Trade and Development (UNCTAD) confirm the UK's premier position in Europe. The UK had $496,776 million stock of inward investment, this figure is second only to the US. My noble Friend the Baroness Symons of Vernham Dean, Invest-UK in British Trade International and the development agencies will continue to work hard to ensure that the UK remains the No. 1 location in Europe for inward investment.

Urban Post Offices

28. **Mr. Rosindell:** To ask the Secretary of State for Trade and Industry if she will make a statement on the urban post office network. [76448]

Mr. Timms: Post Office Limited (POL) has just embarked on a programme to restructure the urban post office network. The objective of the programme is to provide modernised and improved facilities which meet customers' needs and expectations and are in the right location for the local community. The programme, supported by the National Federation of Sub-Postmasters, will be taken forward by POL in consultation with individual sub-postmasters, the community, local stakeholders and Postwatch. Parliamentary and European state aids approvals have been received.

31. **Tim Loughton:** To ask the Secretary of State for Trade and Industry what discussions she has held with representatives of older people's groups about the proximity of urban sub-post offices to their customers. [76451]

Mr. Timms: Plans of Post Office Limited (POL) to restructure the urban post office network will take careful account of customer needs, including those of older people. POL's restructuring programme will involve extensive consultation with local stakeholders and the community in every case. Public consultation will be carried out under the Code of Practice procedures which have been agreed between POL and Postwatch, the consumer body.

Postwatch will be consulted on individual propositions for change. In addition, on a regular basis, Postwatch meet and consult a range of organisations including those representing older people.

Mr. Burns: To ask the Secretary of State for Trade and Industry what assessment has been made of the impact the closure of urban post offices will have on the

town of Chelmsford, including Broomfield and Great Baddow; and how many post offices in this area are expected to close. [77151]

Mr. Timms: The programme to restructure the urban post office network has only just started and is being taken forward in consultation with individual sub-postmasters, the community, Members of Parliament, other local stakeholders and Postwatch in accordance with the Code of Practice. There is no pre-determined closure list. Under the Code, Post Office Ltd. is required to consult Postwatch and other interested parties on its specific proposals for changes.

The objective of the urban network restructuring programme is to ensure that ad hoc closures which would leave gaps in the network are prevented. It is envisaged that the restructured urban network will provide modernised and improved facilities which meet customers' needs and expectations and are in the right location for the local community.

Aerospace Industry

30. **Mark Tami:** To ask the Secretary of State for Trade and Industry what measures the Government are taking to support the expansion of the aerospace industry. [76450]

Alan Johnson: The Government have been and continue to be supportive of the aerospace industry in the UK. Since 1987 we have committed nearly £1 billion in launch investment for major new large aircraft and engine projects and provided some £20 million per year for civil aerospace research and demonstration. As large investors in R&D, aerospace companies will also benefit from the tax credit scheme for larger firms announced in the last Budget.

We are conscious of the strong competition faced by the industry, however, and my right hon. Friend the Secretary of State for Trade and Industry announced on 16 May this year the establishment of the Aerospace Innovation and Growth Team, led by Sir Richard Evans. This will enable the key stakeholders to work together to produce a shared vision and strategy for the future success of the industry. Sir Richard and his team are currently about half way through their work and a great deal of effort, from industry, Government and other organisations, is being put into the process. I expect the IGT to report by next spring, with recommendations and an agreed action plan to take the industry forward.

Dr. Cable: To ask the Secretary of State for Trade and Industry what percentage of total turnover exports accounted for in the United Kingdom aerospace industry in the financial years *(a)* 1998–99; *(b)* 1999–2000 and *(c)* 2000–01; and if she will make statement. [77900]

Ms Hewitt: The percentage of total turnover accounted for by exports in the UK aerospace industry is shown in the table. Data are sourced from the Society of British Aerospace Companies, but unfortunately, are not available on a financial year basis. Therefore, calendar year figures are supplied:

	Export percentage
1999	60
2000	60
2001	63

Sellafield

Llew Smith: To ask the Secretary of State for Trade and Industry if she will make a statement on United Kingdom policy in respect of the court case brought by the Irish Republic at the permanent court of arbitration in The Hague on the non-disclosure of documents relating to the operation of the Sellafield MOX plant. [77238]

Mr. Wilson: The Government of Ireland requested from the United Kingdom Government full versions of two reports about the economic justification of the Sellafield MOX plant prepared by the independent consultants PA Consulting and AD Little. Both reports contain items of commercially confidential information and these were redacted from the versions published by Ministers in 1999 and 2001 as part of the public consultation process. The Government is entitled to protect that information from public disclosure on the grounds that its release would cause unreasonable damage to BNFL's commercial operations and the prospects for its MOX business in particular. Accordingly, the Government has declined Ireland's request.

In accordance with Article 32(1) of the Convention for the Protection of the Marine Environment of the North East Atlantic (the 'OSPAR Convention') Ireland requested that an Arbitral Tribunal be established, claiming that the United Kingdom Government was in breach of its obligations under that Convention by declining to provide Ireland with the information requested. Following the appointment of arbitrators and the constitution of the Tribunal, both sides submitted written pleadings prior to an oral hearing held at the Permanent Court of Arbitration (PCA) in The Hague between 21–25 October 2002. The Tribunal will deliver its Award in due course. The written submissions and the transcripts of the oral hearing can be found on the PCA website at *www.pca-cpa.org*.

Llew Smith: To ask the Secretary of State for Trade and Industry which facilities at Sellafield are licensed for the re-dissolution of unirradiated Mox fuel. [77297]

Mr. Wilson: The Health and Safety Executive's nuclear site licences are granted in respect of sites rather then individual facilities. Under conditions attached to such site licences, HSE requires that for every operation on site that may affect safety, the licensee shall prepare a safety case to demonstrate that any proposed activity will be safe.

Sellafield currently does not have a safety case for a production facility to re-dissolve unirradiated MoX fuel. However, BNFL is considering various options for reusing the fissile material, including fuel dissolution and fuel pellet crushing into a powder; re-dissolution may involve modifications to existing plant. I understand that in due course BNFL will be submitting proposals to HSE, including any necessary safety case, to gain permission for the proposed activity.

Chris Ruane: To ask the Secretary of State for Trade and Industry what representation she has received concerning the decommissioning of Sellafield in the last 10 years; and if she will make a statement. [77546]

Mr. Wilson: Many representations have been received from hon. Members, their constituents, non-government organisations and foreign states regarding decommissioning of Sellafield in the last ten years.

The question of how to manage the whole of the UK's civil nuclear liabilities more effectively—which includes decommissioning at Sellafield—is the subject of the Government's recent White Paper "Managing the Nuclear Legacy—A Strategy For Action". The White Paper proposes fundamental changes to current management arrangements including the establishment of a new strategic body, the Liabilities Management Authority (LMA). The LMA's task will be to ensure that the nuclear legacy is cleaned up safely, securely, cost effectively, and in ways which protect the environment for current and future generations. The Government intends to ensure that the work of the LMA is carried out in a transparent manner.

Agriculture

Paul Goggins: To ask the Secretary of State for Trade and Industry how many letters she received between 1 August and 15 October advocating the inclusion of the Development Box in the Government's negotiations on the WTO Agreement on Agriculture; and if she will make a statement. [77787]

Ms Hewitt: Between 1 August and 15 October 2002, my Department has received 270 letters advocating the inclusion of the Development Box in the Government's negotiations on the WTO Agreement on Agriculture.

Airships

David Wright: To ask the Secretary of State for Trade and Industry what work her Department has conducted to evaluate the use of airships as mobile telecommunication platforms. [77063]

Mr. Timms: The Government do not distinguish between different platforms for delivery of competitive mobile telecommunications services. British companies involved in the development of airship technology that could potentially be used for a wide range of applications, including fixed and mobile telecommunications, have received some support.

Biotechnology

Dr. Gibson: To ask the Secretary of State for Trade and Industry what steps her Department is taking to ensure that stringent criteria for patenting biotechnology inventions are applied at the European patent office. [77872]

Miss Melanie Johnson: The criteria for patenting in this field are laid down in EU Directive 98/44/EC on the legal protection of biotechnological inventions. The UK was successful in achieving incorporation of these criteria into the implementing regulations of the European Patent Convention, which governs the work of the European Patent Office (EPO), at the end of 2000.

Dr. Gibson: To ask the Secretary of State for Trade and Industry what role her Department is playing in international collaboration aimed at harmonising practice on the patenting of biotechnology inventions. [77873]

Miss Melanie Johnson: The G7 countries have agreed to work together on the issues surrounding the patentability of biotechnological inventions. UK guidelines summarising the Patent Office's current practice based on the existing law and legal precedents from the UKcourts and the European Patent Office (EPO) will be provided to the G7 as a basis for further discussion. Staff in the UK Patent Office have also established and maintained regular contacts with their opposite numbers in the EPO to exchange information about practice in this field. Similar contacts exist with the Swedish, Austrian, Japanese, Chinese and Australian Patent Offices. The Patent Office takes due account of decisions which emerge from the EPO in making its own decisions.

Dr. Gibson: To ask the Secretary of State for Trade and Industry what guidelines she has issued on the benchmarks used for assessing the patentability of biotechnology inventions; and what implications these guidelines have for future patenting of DNA sequences identified by data-mining techniques. [77874]

Miss Melanie Johnson: The Patent Office published the examination guidelines used by patent examiners for assessing the patentability of biotechnological inventions in October. The guidelines are a summary of the Office's current practice based on the existing law and legal precedents from the UK courts and the European Patent Office. They are available from the Patent Office website at http://www.patent.gov.uk

Inventions arising from data-mining have to satisfy the usual patentability requirements, including inventive steps. The guidelines state that the 'use of mining to identify a polynucleotide or a polypeptide homologous to a polynucleotide or polypeptide, having a known function or activity, will not normally involve and inventive step'.

British Energy

Dr. Cable: To ask the Secretary of State for Trade and Industry what representations she has received from firms involved in the generation and sale of electricity in the United Kingdom, in response to the funding package put in place to support British Energy; and if she will make a statement. [77479]

Ms Hewitt: My Department has received representations from a number of companies in relation to the Government's financial assistance to British Energy.

Dr. Cable: To ask the Secretary of State for Trade and Industry what assessment she has made of the impact on other electricity generators of the rescue package for British Energy; and if she will make a statement. [77482]

Ms Hewitt: The Government's overriding objectives in providing financial assistance to British Energy are to ensure nuclear safety and security of supply while protecting the interests of taxpayers. My Department is

currently considering with the company options for its future. Any assistance to restore viability will have to comply with EU rules, including avoiding undue distortion of competition

Dr. Cable: To ask the Secretary of State for Trade and Industry what steps she is taking to ensure that the British Energy Trading arrangements work effectively in Scotland; and if she will make a statement. [77481]

Ms Hewitt: The creation of a wholesale electricity market for GB, as set out in the BETTA (British Electricity Trading and Transmission Arrangements) proposals will mean that the current barriers that independent Scottish generators, along with British Energy, face in selling to the England and Wales market will be removed.

The Nuclear Energy Agreement (NEA), which was put in place at the time of privatisation, ensures that British Energy has buyers for its generation output. The terms of the NEA have recently been renegotiated and are subject to final approval by Ofgem, who have indicated that they are 'minded to ' approve the new terms. Under the new terms the NEA will cease to exist on the 1 April 2006 or on the advent of BETTA, whichever is the sooner.

Government announced in April 2002 that it intended to bring forward legislation to implement BETTA when parliamentary time allowed. Detailed consultations on the new arrangements to create a GB market are already underway and will be ongoing over the coming months.

Broadband Technology (Aberdeenshire)

Mr. Salmond: To ask the Secretary of State for Trade and Industry what steps the Government is taking to promote broadband technology in Aberdeenshire. [76651]

Mr. Timms *[holding answer 28 October 2002]:* The Scottish Executive is implementing its broadband strategy "Connecting Scotland: Our broadband future" and will shortly be publishing an update to that strategy outlining progress to date.

One strand of the strategy is to identify the need for direct support measures and this has been taken forward through the £4.4 million Scottish programme of projects under the UK Broadband Fund. There are measures to stimulate awareness and demand for broadband via a broadband information website and a network of local demonstration centres for SMEs. On the supply side, there are technology trials in rural areas, such as Powerline Carrier and Wireless pilots, which aim to determine the potential of these technologies for delivering broadband in rural communities.

In addition, the DTI is establishing a network of broadband experts to be located in each of the English regions and the devolved Administrations, to spread best practice in the promotion and take-up of broadband technology.

All of these measures will help stimulate the rollout and take-up of broadband technologies throughout Scotland, including in Aberdeenshire.

Cable Networks

Jim Dowd: To ask the Secretary of State for Trade and Industry if she will make a statement on progress in completing the non-BT cable network, as set out in the terms of the Telecommunications Act 1984. [77348]

Mr. Timms: Cable networks currently pass approximately 50 per cent. of UK households. Decisions on whether to extend coverage further are a commercial matter for the cable company concerned, as network expansion is no longer dictated by the build milestones in a cable operator's Telecommunications Act licence. Cable franchises, when originally granted, contained a balance of exclusivity and build milestones. Since 1998, the exclusivity of the franchises has been progressively removed to enable greater competition in the provision of communications services. This process was completed on 1 January 2001. In recognition of this, cable operators' licences are no longer subject to build milestones.

Combined Heat and Power

Mr. Gareth Thomas: To ask the Secretary of State for Trade and Industry what further action she plans to take to ensure the target of 10GWe of CHP by 2010 is achieved; and if she will make a statement. [78140]

Mr. Wilson: The draft CHP strategy reiterated the Government's commitment to a target of at least 10GWe of Good Quality CHP capacity by 2010. Responses to the consultation on the CHP strategy will feed into consideration of the Energy White Paper. A summary of the responses to the consultation will be placed on the DEFRA website shortly.

Commercial Kiosk Service

Dr. Cable: To ask the Secretary of State for Trade and Industry how much funding the Government will provide for the Commercial Kiosk Service; and if she will make a statement. [77477]

Mr. Timms: The commercial kiosk pilot due to start early next spring will be a commercially funded undertaking. It will not receive financial support from Government. However Government expects to participate by making UK online interactive available on the kiosks.

Communication and Information Industries

Dr. Cable: To ask the Secretary of State for Trade and Industry what percentage of UK GDP the communication and information industries represent; and if she will make a statement. [77906]

Mr. Timms: The communication and information industries represented about 9 per cent. of total UK Gross Value Added at basic prices in 2000. The estimate has been derived from the ONS Input-Output Analyses and the ONS Annual Business Inquiry.

Community Development Venture Capital Fund

Mr. Don Foster: To ask the Secretary of State for Trade and Industry which private companies are

involved in administration of the Community Development Venture Capital Fund in *(a)* England, *(b)* Wales and *(c)* Scotland. [78147]

Nigel Griffiths: Bridges Community Ventures Ltd. administers the Community Development Venture Fund.

Credit Licences

Mr. Weir: To ask the Secretary of State for Trade and Industry (1) if she will list the occasions on which credit licences issued by the Office of Fair Trading under the Consumer Credit Act 1974 were *(a)* approved, *(b)* revoked and *(c)* refused within Scotland, broken down by area; [76541]

(2) how many credit licences were *(a)* revoked and *(b)* refused in each of the last five years. [76542]

Miss Melanie Johnson *[holding answer 23 October 2002]:* Information on refusals and revocations of consumer credit licences is available only at national level. The figures for the UK for the last five years are:

	Licences revoked	*Licence applications refused*
1997	34	18
1998	15	18
1999	25	27
2000	31	35
2001	21	26
2002 to date	14	25

The number of licences issued to applicants based in Scotland since 18 October 1997 is:

	Licences issued
1997	272
1998	1,569
1999	1,312
2000	1,067
2001	1,015
2002 to 30 September	754

Figures for licences issued are not kept on the basis of regions within Scotland. The total number of licences issued in the last five years by postcode area is:

Post code	*Number*
AB	587
DD	310
DG	144
EH	966
FK	279
G	1,522
HS	19
IV	232
KA	411
KW	47
KY	384
ML	410
PA	331
PH	221
TD	111
ZE	15

Energy Supply

Dr. Cable: To ask the Secretary of State for Trade and Industry what discussions she has had with Ofgem about guaranteeing long-term security of energy supply; and if she will make a statement. [77483]

Ms Hewitt: My Department is in regular contact with Ofgem to discuss energy security issues. The Joint Energy Security of Supply working group (JESS), chaired jointly by DTI and Ofgem, is the main forum for jointly monitoring security of supply issues over a medium-term timescale of up to seven years. The first JESS report, containing security indicators, was issued in June 2002 and a copy was placed in the House of Commons Library. Long-term energy security to 2020 and beyond is a key subject for the forthcoming Energy White Paper, due to be published in the new year. Ofgem are involved in the inter-departmental steering group, which is developing the White Paper.

EU Copyright Directive

Mr. Laurence Robertson: To ask the Secretary of State for Trade and Industry if she will make a statement on the likely effects of the EU Copyright Directive in terms of *(a)* the ownership of intellectual property and *(b)* access to information. [76957]

Miss Melanie Johnson: The EU Copyright Directive does not require us to make any changes that will affect the ownership of intellectual property. Moreover, copyright does not protect information as such. Where information is contained in a copyright protected work, then implementation of the Directive in the UK will not make any change of substance to the copyright owner's existing right to control if and how that work is made available to the public by any means.

Mr. Laurence Robertson: To ask the Secretary of State for Trade and Industry what representations she has received regarding the implementation of the EU Copyright Directive (2001/298/EC) (2); and if she will make a statement. [76956]

Miss Melanie Johnson: The consultation on implementation of the EU Copyright Directive has a closing date of 31 October. We will be considering all responses very carefully as we take forward work on implementation.

Export Control Organisation

Dr. Cable: To ask the Secretary of State for Trade and Industry what the *(a)* target and *(b)* actual time to complete licence assessments by the Export Control Organisation is for *(i)* applications where other Government Departments are consulted and (ii) applications not circulated to other Government Departments; and if she will make a statement. [78288]

Nigel Griffiths: I refer the hon. Member to the reply to my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) on 6 March 2002, *Official Report*, column 399W. In almost all cases it is necessary for a Standard Individual Export Licence (SIEL) application to be circulated to other Government Departments for advice.

Export Credit Guarantees (Gulf States)

Mr. Cousins: To ask the Secretary of State for Trade and Industry what the annual value is of export credit guarantees issued to *(a)* Qatar, *(b)* Bahrain, *(c)* the United Arab Emirates, and *(d)* Oman since 1995; how many guarantees were issued in each year; what percentage of guarantee value each year was in each export sector; and if she will list each project of more than £10 million supported by those guarantees. [77377]

Ms Hewitt *[holding answer 28 October 2002]*: The following table lists the ECGD maximum liability for all guarantees issued since 1995 for the specified markets. It also lists the number of such guarantees, the percentage of maximum liability under the civil, civil aerospace and defence sectors and a broad description of the projects for guarantees issued over £10 million.

Year/market	*Value of guarantees issued (ECGD maximum liability) £million*	*Number of issues*	*Per cent. value civil*	*Per cent. value civil aerospace*	*Per cent. value defence*	*Project description for guarantees over £10 million issued*
1995						
Bahrain	64,194,556	5	0	100	0	Civil airliners
Oman	0	0	0	0	0	
Qatar	1,949,647	2	0	0	100	
UAE	594,000	1	100	0	0	
1996						
Bahrain	20,131,362	2	92.9	0	7.1	Civil airliners
Oman	40,315,965	2	100	0	0	Electricity transmission equipment
Qatar	228,625,795	5	97.6	0	2.4	LNG project
UAE	89,460,804	2	8.9	91.1	0	Civil airliners
1997						
Bahrain	1,282,500	1	100	0	0	
Oman	373,805,127	3	99.76	0	0.24	Power plant
Qatar	186,240,145	6	0	0	100	Armoured personnel carriers
UAE	86,529,415	3	0	88.7	11.3	Civil airliners
1998						
Bahrain	0	0	0	0	0	
Oman	21,136,834	1	0	0	100	Tanks
Qatar	0	0	0	0	0	
UAE	99,696,601	6	7.7	92.3	0	Civil airliners
1999						
Bahrain	117,104,123	6	0	100	0	Civil airliners
Oman	220,745,142	4	4.6	0	95.4	Tanks, military radar, aircraft avionics, power plant
Qatar	0	0	0	0	0	
UAE	194,134,273	7	0	100	0	Civil airliners
2000						
Bahrain	54,768,466	3	0.4	99.6	0	Civil airliners
Oman	120,564,393	4	100	0	0	Power plant, LNG project
Qatar	0	0	0	0	0	
UAE	145,760,930	5	0	100	0	Civil airliners
2001						
Bahrain	0	0	0	0	0	
Oman	0	0	0	0	0	
Qatar	17,479,948	2	0	100	0	
UAE	54,099,675	3	50.4	49.6		Civil airliners, electricity transmission equipment
2002						
Bahrain	0	0	0	0	0	
Oman	57,001,885	1	0	0	100	Spares for armoured personnel carriers
Qatar	37,945,292	3	0	100	0	Civil airliners
UAE	0	0	0	0	0	

Export Publications Catalogue

Dr Cable: To ask the Secretary of State for Trade and Industry how many titles are featured in the Export Publications Catalogue; what the website address is for the catalogue; what the running costs were for financial years *(a)* 1997–98, *(b)* 1998–99, *(c)* 1999–2000 and *(d)* 2000–01; and if she will make a statement. [78114]

Ms Hewitt: The Export Publications Catalogue is no longer published. Since May 2000, business sector and export market information content previously published as priced books listed in the Catalogue has been made freely available on *www.tradepartners.gov.uk*

The specific running costs for the Export Publications Catalogue were not separately recorded. However, based on the staff and accommodation costs the totaladministration running costs for maintaining the Catalogue are estimated as:

	£
1997–98	37,983.00
1998–99	37,860.00
1999–2000	38,713.00

The Unit was wound-up at the end of the Financial Year 1999–2000 and staff were redeployed on preparing information for the new Trade Partners UK website.

Financial Assistance

Dr. Cable: To ask the Secretary of State for Trade and Industry how much financial assistance has been given in each of the last five years to *(a)* the British Printing Industries Federation, *(b)* the Booksellers Association, *(c)* London Fashion Week, *(d)* the Designer Fact File and *(e)* the Education Pack for Schools in the Clothing and Textile industries; what assistance is planned for the next three years; and if she will make a statement. [78261]

Mr. Timms: DTI does not provide direct financial assistance to the British Printing Industries Federation or the Booksellers Association but has worked with these organisations in partnership with other industry members to support initiatives aimed at raising their sectors' competitiveness and productivity.

My Department has contributed support towards the above initiatives as follows:

London Fashion Week:

1997–2000—£120,000 per annum

2001—£170,000

2002—£214,000

Designer Fact File:

1997—£22,000

Education Packs for Clothing and Textiles:

April 2001 to April 2003—£161,500

This support relates to specific industry-led initiatives aiming at supporting the UK textiles and clothing sector. The focus for this assistance is the priorities identified by the industry itself, contained in the Textiles and Clothing Strategy Group's report: 'A National Strategy for the UK Textiles and Clothing Industry', published in June 2000. DTI will continue to work with the TCSG to support this industry but the level of future support depends on it coming forward with appropriate initiatives to help raise its competitiveness and viability.

Firefighters' Strike

Mr. Nigel Evans: To ask the Secretary of State for Trade and Industry what preparations she has made to ensure the safety and continuity of service to the public in the event of a firefighters' strike; and what the cost is to the Department of these actions. [77662]

Ms Hewitt: My Department is already following the fire safety guidance recently published on the the website of the Office of the Deputy Prime Minister. My Department is taking the opportunity to remind its staff and contractors of good fire safety practices and what to do in an emergency. My Department does not expect to incur any increase in costs.

Focus Group Research

Mr. Allen: To ask the Secretary of State for Trade and Industry what use she and her Department have made of focus group research since June 2001; if she will identify for each research project the topics covered, the person or organisation carrying out the research, and the total cost; and if she will publish the research on her Department's website. [74989]

Ms Hewitt: The Department does not collect centrally the information sought, and it could be provided only at disproportionate cost.

Foresight Vehicle LINK Programme

Dr. Cable: To ask the Secretary of State for Trade and Industry how much was invested by the Government, broken down by financial years, in the Foresight Vehicle LINK programme; whether the programme is still live; what assessment of the programme has taken place and at what cost; and if she will make a statement. [77902]

Ms Hewitt: The Foresight Vehicle LINK programme is still open. Foresight Vehicle has just published a technology road map identifying critical technology and research themes and this, taken together with the recommendations of the Automotive Innovation andGrowth Team, will be used as the basis for future calls for proposals. Sponsor departments will be meeting in the next few weeks to discuss the timing of the next call. It is too early for a full formal evaluation of the research to date, but on completion, individual projects are assessed against their objectives by the Programme Management Panel. In addition, themed dissemination events are held regularly and papers have been presented at international conferences. Details of the research portfolio and progress are also made available on the Foresight Vehicle website www.foresightvehicle.org.uk

Government commitment is as follows (these figures include the EPSRC Innovative Manufacturing Initiative Road Transport Programme which has been subsumed into Foresight Vehicle):

Financial Years (£k)	DfT	DTI	Highways Agency	MoD	EPSRC	Total
Earlier years	—	1,060	—	—	3,131	4,191
1997–98	—	646	—	62	3,810	4,518
1998–99	—	1,544	—	—	4,087	5,631
1999–2000	55	1,005	—	—	3,903	4,963
2001–01	388	600	951	—	4,168	6,107
2001–02	622	1,463	63	—	1,277	3,425
2002–03	992	982	400	—	1,161	3,535
Total	2,057	7,300	1,414	62	21,537	32,370

Gas Suppliers

Jim Knight: To ask the Secretary of State for Trade and Industry (1) what measures are being taken to ensure that gas suppliers are complying with Ofgem and Energywatch's Erroneous Transfer Customer Charter; and what enforcement powers are given to Ofgem to impose the Charter's provisions on fraudulent and negligent firms; [75941]

(2) what measures are being taken to ensure that gas suppliers are complying with Ofgem and Energywatch's Erroneous Transfer Customer Charter; and what enforcement powers are given to Ofgem to impose the Charter's provisions on fraudulent and negligent firms who do not correct an erroneous transfer within the designated time period as stipulated by the Charter. [75942]

Mr. Wilson: This is a matter for the Office of Gas and Electricity Markets (Ofgem). I understand that the Chief Executive of Ofgem will write to the hon. Member on the issues he has raised.

Industry Forum

Dr. Cable: To ask the Secretary of State for Trade and Industry what *(a)* financial and *(b)* other support was provided to the Industry Forum in *(i)* 1998–99, (ii) 1999–2000 and (iii) 2000–01; what budget there is for 2001–02; and if she will make a statement. [78263]

Ms Hewitt: The Industry Forum Adaptation initiative was supported by a budget of £15 million between 1998 and 2001. Due to the high demand and its growing impact on productivity across a range of sectors, a further budget of £9 million was announced at the Manufacturing Summit in December 2001. This covers FY 2002–03 and 2003–04 and strengthens the overall level of support for best practice activities. An additional £9 million was also announced to include joint activity with the Partnership Fund to integrate people and process development.

In addition, the Industry Forum Network was established in December 2000 through the Fit for the Future National Best Practice Campaign, which my Department co-funds. The network is made up of CEOs of each industry forum and facilitates cross-working and the exchange of operational experiences.

Iran

Sir Teddy Taylor: To ask the Secretary of State for Trade and Industry if it is the policy of Her Majesty's Government to encourage the development of the Iranian oil and gas industry; and what steps she is taking to encourge UK firms to invest in Iran. [78305]

Mr. Wilson: Her Majesty's Government has supported UK companies investing in the development of the Iranian oil and gas industry and will continue to do so.

Trade Partners UK, including the commercial team at the Embassy in Tehran, offers a strong package of support for British companies wishing to do business with Iran. In addition to providing up to date information on market conditions, they support a programme of trade missions to the market, help British groups attend key trade fairs, organise inward missions and provide targeted assistance to UK companies in key sectors.

Iraq (Exports)

Llew Smith: To ask the Secretary of State for Trade and Industry what British exports of material and technology capable of being used in biological weapons production were made to Iraq since 1972; and how many export licences were *(a)* granted and *(b)* rejected in respect of such material and technology over this period. [75867]

Nigel Griffiths: The Department of Trade and Industry's Export Control Organisation records details of all relevant export licences granted and rejected. Since 2 May 1997 these are published in the Government's Annual Reports on Strategic Export Controls. Copies of the 1997, 1998, 1999, 2000 and 2001 annual reports are available in the Libraries of the House.

Previous administrations have not considered it appropriate to publish information on individual licensing decisions. Information on export licences granted and rejected since 1972, where the end users were in Iraq, is not held centrally and a manual search of all the case files would incur disproportionate costs.

The Government are well aware of the special risks that exist in relation to weapons of mass destruction (WMD), and for this reason gives extremely careful scrutiny to applications that involve potential WMD concerns. A very wide range of items with otherwise entirely legitimate applications can have a potential use in connection with WMD. The Government will not issue an export licence where there is an unacceptable risk of diversion to a WMD programme of concern.

Israel

Mr. Laurence Robertson: To ask the Secretary of State for Trade and Industry what her Department's policy is regarding the export of arms to Israel. [77054]

Mr. Mike O'Brien: I have been asked to reply.

All relevant export licence applications are rigorously assessed on a case by case basis against the consolidated EU and national arms export licensing criteria, taking account of the circumstances prevailing at the time and other announced Government policies. Our criteria clearly set out our commitment to take account of the risk that exports might be used for internal repression or external aggression. The outbreak of the intifada, continued Israeli incursions in the Occupied Territories and the Israeli breach of its assurance that UK originated equipment would not be used in the Occupied Territories have all been factored in to the Government's current export licensing policy. The UK arms trade with Israel is tiny.

Job Losses

Lynne Jones: To ask the Secretary of State for Trade and Industry if she will make it her Department's policy to collect statistics on the number of jobs lost from the UK to other countries. [76396]

Ms Hewitt: There are significant practical and conceptual difficulties in measuring the process of job creation and job destruction and attributing cause and effect. At this stage, we have no plans to collect figures in this area. However, my Department will continue to monitor where possible, the location and relocation decisions of UK and foreign companies as part of our ongoing programme of work on productivity and competitiveness.

Liabilities Management Authority

Llew Smith: To ask the Secretary of State for Trade and Industry whether *(a)* restrictions and *(b)* exclusions will apply to the nationality of the licensees contracted by the Liabilities Management Authority to manage *(i)* individual and (ii) multiple sites. [77296]

Ms Hewitt: UK and overseas companies will be able to bid for contracts, reflecting the Government's determination to draw on the best available skills in managing and disposing of nuclear waste. However, contracts will only be awarded to companies satisfying regulatory and security requirements relevant to the site or sites concerned.

NPower

Mr. David Drew: To ask the Secretary of State for Trade and Industry how many complaints she has received about the operation of npower. [77856]

Ms Hewitt *[holding answer 29 October 2002]:* I have received a number of representations about npower and other gas and electricity suppliers. Statutory responsibility for investigating complaints from consumers who have been unable to obtain a satisfactory response from their supplier lies with the Gas and Electricity Consumer Council (Energywatch). Energywatch publishes complaints statistics on website at www.energywatch@org.uk The Office of Gas and Electricity Markets (OFGEM) monitors the sales activities of energy suppliers, and may take investigative and enforcement action against any supplier that breaches the terms of its supply licence.

Parcelforce

Dr. Cable: To ask the Secretary of State for Trade and Industry what recent representations she has received from businesses and individuals about the services operated by Parcelforce; and if she will make a statement. [77478]

Mr. Timms: Services operated by Parcelforce are an operational matter for the company. Recent representations I have received on behalf of businesses concerning these matters have therefore been passed on to Consignia plc for attention. I answered an adjournment debate yesterday on a representation raised with me by the hon. Member for Guildford (Sue Doughty).

Redundant Building Grant Scheme

Andrew George: To ask the Secretary of State for Trade and Industry how much has been *(a)* applied for and *(b)* spent through the Redundant Building Grant Scheme in *(i)* 2000–01, (ii) 2001–02 and (iii) 2002–03 to date, broken down by county. [78388]

Alun Michael: I have been asked to reply.

Following the introduction of the Regional Development Agencies' single budget arrangements last April they are no longer obliged to operate former Rural Development Programme schemes such as the Redundant Building Grant. The Department has not collected this information since 2000–01, when expenditure was estimated at approximately £2.8m. Figures for individual counties have never been collected centrally.

RICD Fund

Andrew George: To ask the Secretary of State for Trade and Industry how much has been *(a)* applied for and *(b)* spent through the Regional Innovation and Competitiveness Development fund by rural local authorities in *(i)* 2000–01, (ii) 2001–02 and (iii) 2002–03 to date. [78402]

Alan Johnson: In 2000–01 the Competitiveness Development Fund (CDF) provided a funding stream from the Department of Trade and Industry (DTI) to the nine English Regional Development Agencies (RDAs) to spend on priorities they identified for increasing competitiveness in their regions. The RDAs were allocated CDF of £9.7 million in 2000–01.

In 2001–02, the CDF was subsumed within the department's Regional Innovation Fund (RIF), which ran for one financial year before itself being subsumed within the 'Single Pot' financial arrangements applying to RDAs from 2002–03. The RIF similarly provided a funding stream to the RDAs, which was designed to enable them to support regional competitiveness, innovation and enterprise, and to support cluster development and business incubation in their regions. £54.1 million of RIF funding was allocated by DTI to the RDAs for this purpose.

The RDAs' use of Government funding is described in their audited annual reports and accounts. These are laid before Parliament each year before the summer recess

Sensors Technology

Dr. Cable: To ask the Secretary of State for Trade and Industry how much financial assistance has been given to the sensors technology, through the LINK sensors for industrial applications programme in each of the last five years; what support is planned in the next two years; when the programme is next due to report; what assessment has taken place of the effectiveness of the programme; whether the programme has a website; and if she will make a statement. [78264]

Ms Hewitt: Financial support under the LINK Sensors and Sensor Systems for Industrial Applications Programme for the last five years was as follows:

Year	*Spend £k*
1997–98	244
1998–99	727
1999–2000	1,187
2000–01	1,343
2001–02	1,237

Predicted spend for 2002–03 and 2003–04 is £1,300k and £1,000k respectively. Further support for sensors technology will be available under the new LINK Basic Technologies for Industrial Applications Programme, which was announced by my noble Friend, the Minister for Science and Innovation on 26 July 2002.

The next progress report to the LINK Directorate on the Programme is due in October 2003. Progress on the programme and individual projects is monitored continuously, but it is too early to carry out a full evaluation of the effectiveness of the programme as only a few projects have been completed and are now moving towards commercial exploitation. However, the research has already given rise to 80 refereed scientific papers and 12 patent applications. Two seminars have been held at which progress on projects has been reported. The programme website address is: www.dti.gov.uk/sensors. I have no plans to make a statement about this programme.

Smart South West

Mr. Steen: To ask the Secretary of State for Trade and Industry what the UK Online for Business strategy is and the role played by Smart South West in promoting it; and if she will make a statement on the nature of Smart South West's relationship with business in the region. [74935]

Mr. Timms *[holding answer 22 October 2002]:* The aim of UK online for business is to help make the UK the best place in the world for e-business, with an extensive and competitive broadband market judged using international comparative measures of business uptake and use of information and communication technology (ICT). This will be achieved by assisting companies, through the provision of advice, tools and content, to achieve greater productivity and competitiveness through the deeper, more integrated use of ICT.

As part of the programme, a UK online for business champion has been appointed for each region and Devolved Administration. The champions work with the RDAs, Business Link Organisations and other regional bodies, helping to facilitate activity that will contribute to the achievement of the targets. The champion for the South West is Colin Bluck, who although Executive Director of Smart South West, performs the role of champion in an individual capacity. Smart South West as an organization is one of over 400 partners with whom we seek to work to promote the use of ICT to business.

I am not in a position to comment on the nature of Smart South West's relationship with business in the region.

Steel Industry

Mr. Hoyle: To ask the Secretary of State for Trade and Industry what support and assistance she will provide to the UK steel industry in response to the introduction of US tariffs. [69480]

Ms Hewitt: The Government supported the European Commission's robust response in pursuing WTO action and took the lead in pressing for EU safeguard action to protect the UK and EU steel industry against diversion of trade. The Government have also actively supported UK companies in their efforts to secure product exclusions from the US measures and will continue to do so. To date, 70 per cent. of UK steel exports are not covered by the US tariff increases.

The Government can only provide support to the steel sector within the strict aid criteria rules that apply to the sector. We continue to provide financial support to the sector representatives for initiatives designed to improve competitiveness.

Wind Turbines

Phil Sawford: To ask the Secretary of State for Trade and Industry what assessment she has made of the impact decommissioning nuclear sources will have on the number of wind turbines which will be needed in the British Isles. [77862]

Mr Wilson: Energy security and taking action on climate change are key issues for the Energy White Paper which will be published in the new year. The role of nuclear and renewables, including wind power, will be included in the White Paper. The policies and measures in the Government's climate change programme should deliver our Kyoto commitment even with the current planned closure programme for the nuclear stations between now and 2010.

Phil Sawford: To ask the Secretary of State for Trade and Industry what her estimate is of the number of wind turbines which will be needed in the British Isles to meet the Kyoto commitments on sustainable energy. [77863]

Mr. Wilson: The policies and measures in the Government's climate change programme should deliver our Kyoto emissions commitment. The climate change programme includes policies and measures impacting on all sectors of the economy and society, which seek to reduce emissions attributable both to the production of energy, and to its consumption.

Measures to reduce emissions attributable to energy production include the Renewables Obligation, which places an obligation on electricity suppliers to source a

rising proportion of their total sales from eligible renewable sources. Our target is that 10 per cent. of licensed electricity supplies will be generated from eligible renewable sources by 2010. Wind power will make an important contribution to this target, as will other renewable sources of electricity. Achieving this target could result in an estimated saving of around 2.5 million tonnes of carbon emissions by 2010.

This expansion of renewable energy is however just one part of the Government's wider climate change programme. Other initiatives include for example the climate change levy on conventional fuels and the UK emissions trading scheme which affect the business sector. In the domestic sector, the new Energy Efficiency Commitment places new obligations on gas and electricity suppliers to make energy efficiency improvements; there are also new requirements on local authorities to make proposals to achieve energy efficiency gains; and the £600 million home energy efficiency scheme provides grants for home insulation and heating improvements to improve energy savings. On transport, there is the EU-level agreements with the car manufacturers to improve fuel efficiency in new cars, backed by changes in UK vehicle taxation through company car tax and vehicle excise duty, together with the infrastructure investment in the 10-year plan to tackle congestion and pollution.

As my hon. Friend may know, energy efficiency was one of the key areas highlighted in the PIU review of energy policy. The Government support an increasing role for energy efficiency and is formulating a response to be published in the White Paper around the turn of the year. The role of renewables will also be included in the White Paper.

TRANSPORT

Air Travel in 2030

Mr. Peter Ainsworth: To ask the Secretary of State for Transport, pursuant to his answer of 22 October 2002, *Official Report*, columns 157–58W, on air passengers, if he will estimate the forecast for air travel in 2030 based on a 1 per cent. per annum increase in air fares in real terms over the forecasting period. [78547]

Mr. Jamieson: The forecasts of air traffic demand for 2030, published in "The Future Development of Air Transport in the United Kingdom: South East", assumed a 1 per cent. per annum reduction in air fares in real fares. The resulting forecasts of unconstrained passenger demand for 2030 were 501 million passengers nationally and 301 million passengers in the south-east.

Central Railway Project

Mr. Malins: To ask the Secretary of State for Transport if he will make a statement on the Central Railway project. [78461]

Mr. Jamieson: I refer the hon. Member to my answer of 23 October 2002, *Official Report*, column 304W to the hon. Member for Chesham and Amersham (Mrs. Gillan).

Headlight Glare

Mr. Ben Chapman: To ask the Secretary of State for Transport if he will make a statement on the effect of the planting of foliage on the central reservations of UK motorways on reducing headlight glare from other carriageways. [78353]

Mr. Jamieson: Planting and maintenance of foliage in the central reserve creates safety risks to road workers, and can cause congestion for travellers, without offering any additional safety benefits. On this basis, planting foliage in the central reservations of motorways is not favoured except where the central reservation is very wide. Headlight glare is very rarely a factor in motorway accidents.

Motorised Wheelchairs

Mr. Kidney: To ask the Secretary of State for Transport if he will make it compulsory for users of motorised wheelchairs to hold third party liability insurance. [78618]

Mr. Jamieson: Insurance for users of motorised wheelchairs and scooters is currently not compulsory but is strongly recommended. We are planning to review the legal framework governing both the construction and use of such vehicles in the near future and the issue of whether insurance should be compulsory will be among those on which we will be seeking views.

Rail Passenger Partnership

Andrew George: To ask the Secretary of State for Transport how much his Department has made available for the Rail Passenger Partnership since 2000; and how much was spent in rural areas in *(a)* 2000–01, *(b)* 2001–02 and *(c)* 2002–03 to date. [78397]

Mr. Jamieson: The Rail Passenger Partnership (RPP) scheme was launched in 1999 with a budget of £105 million over three years. In December 2001 the Strategic Rail Authority re-launched RPP with a budget of £400 million until 2010–11.

It is not possible to give a precise figure for the amount spent exclusively in rural areas, as many of the schemes for which funding has been awarded by the SRA are of benefit to rural and non-rural areas. In the financial year 2000–01, some £271,000 was awarded for schemes containing a rural element. In 2001–02 the figure was just under £1.1 million. The projected figure for 2002–03 is some £2.3 million.

Rail Services

Mr. Anthony D. Wright: To ask the Secretary of State for Transport if he will publish figures for the punctuality and reliability of rail services operated by *(a)* Central trains and *(b)* Wales and Borders trains through Telford Central station over the last 12 months. [78348]

Mr. Jamieson: The Strategic Rail Authority publish performance statistics for all train operating companies in their six monthly "On Track" publication. The figures for each operator are not broken down to route level,

but reflect the performance of their services in aggregate. The most recent edition was published on 6 June. Copies are available in the Libraries of the House.

Self-loading Lorries

Mr. Don Foster: To ask the Secretary of State for Transport what the maximum *(a)* length and *(b)* load is of lorries with on-board, self-loading crane equipment under the Construction and Use Regulations. [78817]

Mr. Jamieson: The maximum overall length of a lorry or combination of lorry and trailer is set out in the table. Where a self-loading crane is fitted, it is exempt from the calculation of overall length if attached at the rear of the lorry or at the rear of the combination of lorry and trailer. In all other cases it is included in the calculation of overall length.

The maximum gross weight that these vehicles may operate at is set out in the table. The limits are contained in the Road Vehicles (Authorised Weight) Regulations 1998 and are dependent on the vehicles type and configuration.

Vehicle type	*Maximum overall length (metres)*	*Maximum weight (tonnes)*
2 axle rigid	12	18
3 axle rigid	12	25/[1] 26
4 axle rigid	12	30/[1] 32
3 axle articulated	16.5	26
4 axle articulated	16.5	[1] 38
5 axle articulated	16.5	40
6 axle articulated	16.5	[1] 44
3 axle road train (rigid vehicle towing a draw bar trailer)	18.75	26
4 axle road train	18.75	26
5 axle road train	18.75	[1] 40
6 axle road train	18.75	[1] 44

[1] Subject to certain suspension/tyre/axle load requirements being met.

TREASURY

Private Finance Initiative

Mr. Jon Owen Jones: To ask the Chancellor of the Exchequer how many PFI and PPP schemes have been *(a)* completed and *(b)* signed in *(i)* each of the regions of England, (ii) Scotland and (iii) Wales, broken down by department. [75854]

Mr. Boateng: A region-by-region breakdown of the number and total capital value of English PFI and PPP projects, both signed and completed, will be published in a series of forthcoming Treasury publications, entitled"Public Private Partnerships: helping to deliver public services". One such booklet is being prepared for each English region. The booklets will be published by 30 November 2002, and copies will be deposited in the House of Commons Library.

The number and capital value of both signed and completed Scottish PFI projects, along with a departmental breakdown, is published by the Scottish Executive on their website. (The number of projects signed and completed is listed at *http://www.scotland.gov.uk/pfi/facts-01 .asp*, while a department-by-departmentlist is available at *http://www.scotland.gov.uk/pfi/projectjist.xls.)*

A list of Welsh PFI and PPP projects, both completed deals and deals in procurement, including capital values, is published by the National Assembly for Wales on their website. (This can be found at *http://www.pfu.wales.gov.uk/scripts/pfilist.asp.)*

Departmental Job Vacancies

Annabelle Ewing: To ask the Chancellor of the Exchequer how many non-devolved posts were advertised in the press in each year since June 1999; and what percentage of them were advertised in the Scottish press. [76854]

Ruth Kelly *[holding answer 24 October 2002]:* The information for HM Treasury is as follows:

Information on the number of posts advertised in 1999 is unavailable. Between January 2000 and October 2002, a total of 296 "non-devolved" posts were advertised by HM Treasury in the national press and specialist publications where appropriate. Since 2001 adverts have also been placed on the HM Treasury website. None of the posts were advertised in the Scottish press.

Number of posts advertised by the Treasury in the national press each year since January 2000

Year	*Number*
January-December 2000	71
January-December 2001	159
January-October 2002	66
Total	296

Economic Cycle

Mr. Waterson: To ask the Chancellor of the Exchequer what estimate he has made of the duration of the current economic cycle. [77886]

Ruth Kelly: Budget 2002 (HC 592) included an assessment of cyclical developments, in particular on pages 26 and 190–93.

EU Budget

Mr. Spring: To ask the Chancellor of the Exchequer if he will estimate EU member states' contributions to the EU budget in terms of *(a)* net contributions and *(b)* per capita contributions since the United Kingdom joined the EU. [77651]

Ruth Kelly: The information requested, for the period 1976 to 2001, is set out in the tables, copies of which will be placed in the Library. These tables are shown in million euro (net contributions) and euro (net contributions per capita). Information on member states net positions for the period 1973 to 1975 is not available.

EU Structural and Cohesion Funds

Mr. Spring: To ask the Chancellor of the Exchequer if he will list the annual UK receipts from European Community Structural and Cohesion Funds from 1995 and the projected receipts for 2003 and 2004. [77650]

Ruth Kelly: Details of UK receipts from Structural Operations for the period 1995–96 to 2001–02 are set out in the table.

Year	*£ billion*
1995–96	1.136
1996–97	1.392
1997–98	1.558
1998–99	0.912
1999–2000	1.213
2000–01	1.444
2001–02	0.664

Latest forecasts of receipts from Structural Operations for the period 2002–03 to 2004–05 are as follows.

Year	*£ billion*
2002–03	1.3
2003–04	1.7
2004–05	1.5

Health Care Charges

Stephen Hesford: To ask the Chancellor of the Exchequer what assessment he has made of health care systems funded by charges and private medical insurance; and if he will make a statement. [78071]

Mr. Boateng: Detailed information on alternative systems for financing health care was published as part of the results of the review carried out by Derek Wanless on long term trends affecting the health service in the UK.

In presenting this year's budget to Parliament, the Chancellor set out the Government's view that "the NHS system of funding is not just the most equitable but that a reformed NHS, by offering the most comprehensive insurance policy to meet the rising costs from medical advances, can give British people the greater security they need".

Income Tax Revenue

Mr. Clappison: To ask the Chancellor of the Exchequer what the total income tax revenue was in each year since 1997. [78837]

Dawn Primarolo: The latest figures are contained in Table 1.2 on Inland Revenue's website www.inlandrevenue.gov.uk/stats/tax—receipts/menu.htm

Pensions

Mr. Nigel Waterson: To ask the Chancellor of the Exchequer (1) what proportion of people reaching retirement age in each of the last 10 years had private self-employed pensions; [77887]

(2) how many holders of private pension funds have taken tax-free lump sums in each of the last 10 years; [77888]

(3) how many people contributed to private self-employed pension funds in each of the last 10 years. [77890]

Ruth Kelly: Available information that can be provided without disproportionate cost is in the table.

Year	*Number of self-employed contributors to private pension funds (000)*[1]
1996–97	1,620
1997–98	1,630
1998–99	1,560
1999–2000	1,560
2000–01	1,480

[1] Estimates are based on the surveys of personal incomes 1996–97 to 2000–01 and include contributors to both Personal Pensions and Retirement Annuity Contracts.

Performance Targets

Tony Wright: To ask the Chancellor of the Exchequer what source data was used to support the statistic cited in his Department's 2002 departmental report that 87 per cent. of main departments' performance targets had been met or partially met by 2002. [78139]

Mr. Boateng: The figure was based on departments' assessments of their performance against their targets, as published in departmental reports.

Personal Pensions

Mr. Tynan: To ask the Chancellor of the Exchequer what protections exist under the FSA review of personal pension sales in circumstances where a financial loss was recompensed through augmentation of an investor's policy and that policy has subsequently had *(a)* a market value adjustment reduction applied and *(b)* a transfer or exit penalty applied. [77882]

Ruth Kelly: The aim of the pensions review is to provide adequate compensation (where it is due) to investors, at the time of the review. In this respect, the pensions review seeks to replicate the approach a court of law would take to working out compensation when dealing with a claim for damages.

If a firm has provided adequate compensation to an investor, in accordance with the regulatory requirements, any subsequent gains or losses that occur fall outside the scope of the review as the firm would have fulfilled its obligations under the review.

Mr. Tynan: To ask the Chancellor of the Exchequer what guidance and regulations the Financial Services Authority has issued to personal pension providers under the FSA review of personal pension sales in circumstances where a guarantee of a future calculation of possible financial loss has been favoured over immediate financial recompense being made to a policyholder, with respect to *(a)* calculation and payment of transfer values in respect of a guaranteed policy and *(b)* reflection of such guaranteed liabilities by personal pension providers for *(i)* accounting, (ii) financial statement and (iii) regulatory purposes. [77883]

Ruth Kelly: A benefit guarantee is a guarantee by a life office to an investor to mirror or provide benefits of equivalent value to those that the investor would have had in the occupational scheme, which he opted out of

or failed to join. Benefits become payable when an investor dies, retires, or transfers the pension to another company.

In respect of *(a)*, investors who wish to transfer their policy away from the firm must be provided with a full transfer value quotation, which fairly reflects the presence of the guarantee.

In respect of *(b)*, *(i)* and (ii), there is no guidance which requires firms to reflect their guarantee liabilities separately in their accounts or financial statements. Instead, when reporting their entire pensions review provisions firms will include their guarantee liabilities. In respect of *(b)* (iii), a firm must give an undertaking to the FSA that its reserving basis for the guarantee is adequate, does not compromise its solvency position and will conform with the requirements of its prudential regulator. The Government Actuary issued guidance to appointed actuaries on the reserving implications of guaranteeing pension benefits linked to individual salaries. This guidance is incorporated within Volume Three of the IPRU (INS) rulebook under the heading DAA9.

Private Finance Initiative

Mr. Andrew Turner: To ask Mr Chancellor of the Exchequer what his assessment is of the aggregate liability of public funds for PFI schemes concluded in each year since 1997. [78294]

Mr. Boateng: Detailed figures setting out estimates of future payments to be made under PFI contracts are published in the Financial Statement and Budget Report each year. Table C19 of Budget 2002 includes the latest projections of estimated payments for services provided under the Private Finance Initiative for the years 2002–03 to 2027–28.

In line with past practice, I expect to update these figures shortly.

Mr. Andrew Turner: To ask the Chancellor of the Exchequer what his assessment is of the capital value of PFI schemes concluded in each year since 1997. [78295]

Mr. Boateng: Estimates of capital investment by the private sector in support of PFI projects (both signed and those at preferred bidder) are published in the Financial Statement and Budget Report each year. Tables C17 and C18 of Budget 2002 include the latest projections of capital expenditure by the private sector under the private finance initiative, broken down by department, for 2002–03 to 2004–05. In line with past practice, I expect to update these figures shortly.

Savings Gateway and Baby Bond

Mr. Love: To ask the Chancellor of the Exchequer what consultation has taken place regarding the introduction of a *(a)* baby bond and *(b)* savings gateway; and if he will make a statement. [78092]

Ruth Kelly: Proposals for the Child Trust Fund and Saving Gateway were launched in April 2001 in the consultation document entitled "Saving and Assets for All". A follow up consultation document entitled "Delivering Saving and Assets" was published in November 2001. "Delivering Saving and Assets" reported back on the responses received in the first round of consultation, announced proposals to launch pilots for the Saving Gateway and raised more detailed questions on the delivery model for the Child Trust Fund.

The "Delivering Saving and Assets" consultation ended on 28 February 2002. Pilots for the Saving Gateway were launched in August 2002. A statement on the development of the Child Trust Fund and Saving Gateway proposals will be included in the pre-Budget report.

Small Business (Insurance Premium Costs)

Mr. Salmond: To ask Mr Chancellor of the Exchequer what action he is taking to alleviate the effect on small businesses of increases in insurance premium costs since 11 September 2001; if he will estimate the impact of Government policy on increasing insurance costs on small businesses. [78211]

Ruth Kelly: The Government is aware of the recent rise in insurance premiums and the particular problems faced by some small businesses. The Government is working with trade associations, the insurance industry and organisations such as the Federation of Small Businesses, to try and maximize the availability of affordable liability insurance cover.

Split Capital Trusts

Mr. Love: To ask Mr Chancellor of the Exchequer what consultations have taken place with the Financial Services Authority regarding concerns over misselling of split capital trusts; and if he will make a statement. [78086]

Ruth Kelly: The Treasury is in regular contact with the FSA on a wide range of issues.

Tax Receipts

Mr. Hoban: To ask the Chancellor of the Exchequer if he will make a statement on the *(a)* level of tax receipts and *(b)* estimate made at the time of the budget for *(i)* income tax, (ii) stamp duty, (iii) corporation tax and (iv) capital gains tax. [78178]

Dawn Primarolo *[holding answer 29 October 2002]*: The Budget estimates of net tax receipts are shown in Table C7 on page 217 of the April 2002 Financial Statement and Budget Report.

Tax Revenue

Mr. Clappison: To ask the Chancellor of the Exchequer what his Department's projected income from *(a)* tax revenue and *(b)* corporation tax revenue is for *(i)* the financial year 2002–03 and (ii) each of the next three financial years. [78835]

Mr. Boateng: Consistent with the Code for Fiscal Stability, an interim update of projections for tax receipts will be published in the forthcoming pre-Budget Report.

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PARLIAMENTARY DEBATES

OFFICIAL REPORT

SIXTH SERIES **VOLUME 391**

SESSION 2001–02

21st October—31st October 2002

Printed indexes to Hansard

The volume index is one of three printed indexes to Commons Hansard produced from the House of Commons Library's Parliamentary On-Line Indexing Service (POLIS). It contains references to material in the bound volumes of Hansard. The other indexes produced are:

- The fortnightly index to Hansard. This covers the same date range as the volume index but references are to the column numbering in the daily parts and weekly edition of Hansard.
- The sessional index to Hansard. This contains references to material in the bound volumes for a whole session.

Indexes on the Parliamentary website

Fortnightly, volume and sessional indexes covering material from the beginning of the 1999/2000 session will also appear on the Parliamentary website at http://www.parliament.uk with links to the full text of Hansard.

SCOPE

The indexes include entries covering:

- The content of all material recorded in Hansard, including debates, procedural motions and questions.
- The names of all Members contributing to the Parliamentary business recorded in Hansard.
- The names of some types of Parliamentary business whenever they occur in Hansard. These are 'Ministerial statements', 'Business statements', 'Opposition days' and 'Estimates days'.

ARRANGEMENT

- All headings are in one word-by-word alphabetical sequence, with Members' contribution entries distinguished from other entries by italics.
- Where a Member contributes to Parliamentary business and is the subject of Parliamentary business there are separate contribution and subject entries, the subject entry coming first.
- Entries beginning 'Mac' and 'Mc' are sorted in one sequence as 'Mac'.
- 'St', when abbreviated for Saint, is filed as 'Saint'.
- Numbers are filed as if spelt out, e.g. '10 Downing Street' as if 'Ten Downing Street'.

HEADINGS

Choice of headings

- *Specificity*—Entries summarise the overall content of a debate or question as specifically as the various POLIS thesauruses allow. For example, Education, Higher education, Universities or the name of a particular university is used depending on the breadth of the item.
- *Name headings*—Specific entries are included for the names of people, places, institutions, organisations, committees, programmes, initiatives, publications and legislation when these constitute the overall subject of an item.
- *Organisations and subjects*—Organisation entries are preferred for material about the general performance, administration and staffing of an organisation (for example, United Kingdom Passports Agency, Standards). Subject entries are preferred for what organisations do as part of their duties (for example, Passports, Fees and charges).

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- *Subject headings*—Subject headings are assumed to refer to the whole of England, Great Britain or the United Kingdom unless otherwise stated.
- *Scotland, Northern Ireland and Wales*—Material relating to the whole of Scotland, Northern Ireland and Wales is indexed under these headings.
- *Places within the UK*—Material about specific towns, areas and institutions is entered under the name of the specific town, area or institution.
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- *EC/EU material*—General material about the European Communities and European institutions as bodies is entered under 'European Communities' and 'EC institutions'. Organisational material about specific communities and institutions is entered under the name of the body, for example 'European Coal and Steel Community' or 'European Parliament'. Material about what the Communities and institutions are doing or propose to do is entered under various subject headings beginning 'EC' such as 'EC environmental policy'.

Parliamentary material and business

- *Material about Parliament*—This is indexed under 'Parliament', the names of the two Houses, the 'Palace of Westminster' and parts of the Parliamentary estate (such as 'Portcullis House').
- *Committees*—Material about committees is indexed under 'Committees', types of committee (such as 'Select committees') and the names of individual committees (such as 'Home Affairs Select Committee').
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- *Legislation*—Entries for Parliamentary proceedings on bills and statutory instruments are entered under their titles. Where the lead word of the bill or statutory instrument does not provide a full or clear indication of the subject there are additional subject entries when the bill or instrument is debated. For example, debates on the 'Child Support Pensions and Social Security Bill' have entries under 'Pensions' and 'Social security benefits' as well as under the title of the Bill.
- *Members' names*—These are given in the form by which the Member prefers to be known.
- *Speaker and Chair*—Contributions by the Speaker and deputies are brought together under the heading 'Speaker and deputies'. Contributions from the chair during Committees of the Whole House are brought together under 'Chairman of Committee of the Whole House'. Significant rulings and statements (as opposed to routine comments) are indicated by the sub-heading 'Rulings and statements' in both cases.

Guidance on headings

- *Cross references*—'See' references indicate all the material has been entered under another heading. 'See also' references indicate that additional information may be found under another heading.
- *Concept thesaurus*—A copy of the subject thesaurus to POLIS, listing the concept entries used in the index, is available on the Parliamentary website. A hard copy is available from the Head of the POLIS Unit, House of Commons Library, 1 Derby Gate, London, SW1A 2DG (020 7219 6456).

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- References in the indexes are to columns rather than pages.
- References to debates, but not questions, are accompanied by the date of the item.
- There are separate sequences in Hansard for the material taken on the floor of the House, Westminster Hall sittings and written questions:
  - References consisting of a number by itself indicate material taken on the floor of the House.
  - References ending in 'wh' indicate Westminster Hall sittings.
  - References ending in 'w' indicate written questions.
- References under all headings except the names of Members contributing to Parliamentary business and the titles of legislation are listed in one numerical sequence irrespective of whether the material is taken on the floor of the House, is discussed at a Westminster Hall sitting or is a written question.
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  - *Debates etc.* (which includes interventions and points of order as well as significant contributions to debates);
  - *Sittings in Westminster Hall* (covering all debates held as part of the Westminster Hall sittings); and
  - *Questions* (which includes written, oral and private notice questions).

ABBREVIATIONS

The following abbreviations are used in connection with the progress of bills:

- 1R=First reading
- 2R=Second reading
- Com=Committee stage
- Rep=Report stage
- 3R=Third reading
- res=resolution
- amendt(s)=amendment(s)
- *=matter taken formally without debate or division.

Parliamentary background

- The Parliamentary website at http://www.parliament.uk contains a range of information about Parliament and the full text of some Parliamentary papers and proceedings including Hansard.
- Information on current Parliamentary business is provided in the House of Commons Information Office *Weekly Information Bulletin*, available on the website and from The Stationery Office (020 7873 8499).
- Further information on Parliamentary proceedings and procedures is available from the House of Commons Information Office (020 7219 4272).

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